

|          |                      |                               |
|----------|----------------------|-------------------------------|
| <b>1</b> | <b>SUBJECT:</b>      | Financial Report October 2020 |
|          | <b>DIRECTOR:</b>     | Director Business Services    |
|          | <b>MEETING:</b>      | Ordinary Council Meeting      |
|          | <b>MEETING DATE:</b> | 24 November 2020              |

## Summary

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

## Disclosure of Interest

Nil

## Previous Relevant Documentation

- G.17/6/20      23/06/2020      Adoption of Annual Budget 2020/21

## Background

Nil

## Comment

## Financial Summary

The financial report for October 2020 shows a surplus for this period of \$73 million.

A summary of the financial position for October 2020 is detailed in the table below:

|                                                     | Current<br>Budget | YTD<br>Budget<br>(a) | YTD<br>Actual<br>(b) | Var.<br>(b)-(a) | Var.%<br>(b)-(a)/(a) |
|-----------------------------------------------------|-------------------|----------------------|----------------------|-----------------|----------------------|
|                                                     | \$<br>000s        | \$<br>000s           | \$<br>000s           | \$<br>000s      | %                    |
| <b>Opening Funding Surplus / (Deficit)</b>          | <b>2,197</b>      | <b>2,197</b>         | <b>1,195</b>         | <b>(1,002)</b>  | <b>-46%</b>          |
| <b><u>Revenue</u></b>                               |                   |                      |                      |                 |                      |
| Revenue from operating activities                   | 110,893           | 97,737               | 99,814               | 2,077           | 2%                   |
| Capital revenue, grants and Contribution            | 13,183            | 4,951                | 4,723                | (228)           | -5%                  |
|                                                     | <b>124,076</b>    | <b>102,688</b>       | <b>104,537</b>       | <b>1,849</b>    |                      |
| <b><u>Expenditure</u></b>                           |                   |                      |                      |                 |                      |
| Operating Expenditure                               | (135,428)         | (46,205)             | (36,737)             | 9,468           | -20%                 |
| Capital Expenditure                                 | (44,718)          | (16,571)             | (5,249)              | 11,322          | -68%                 |
|                                                     | <b>(180,146)</b>  | <b>(62,776)</b>      | <b>(41,986)</b>      | <b>20,790</b>   |                      |
| Non-cash amounts excluded from operating activities | 35,776            | 11,837               | 11,594               | (243)           | -2%                  |
| Other Capital Movements                             | 17,361            | (1,972)              | (1,992)              | (20)            | 1%                   |
| <b>Closing Funding Surplus / (Deficit)</b>          | <b>(736)</b>      | <b>51,974</b>        | <b>73,348</b>        | <b>21,374</b>   | <b>41%</b>           |

Please note as a result of the rates payment due date for 2020/21 set at 11 November, the rates receivable balance as at 31 October is \$18 million more than last year. The due date in 2019/20 was 25 October. The City remains to have sufficient cashflow to continue its operations. The variance is expected to be a timing issue and it is expected that by mid November, the amount received from rates will be comparable to previous years.

### Key Capital Projects

The following table highlights the status of the City's key capital projects for the 2020/2021 financial year:

| Project                                             | 2020/21<br>Actuals<br>Incl. CMT<br>\$'000s | 2020/21<br>Annual<br>Budget<br>\$'000s | Comment                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------|--------------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Western Foreshore Recreation Precinct               | 1,201                                      | 8,316                                  | <i>Project status:</i><br>Skate Park – Works progressing on schedule. Project expected to be completed by December 2020.<br>Play Space – Detail design due early November with procurement contract proposed for January 2021. Artwork completion due January 2021. Project expected to be completed by June 2021. |
| Eastern Foreshore South Precinct                    | 1,325                                      | 6,937                                  | <i>Project status:</i><br>Floating Jetties – Project expected to be completed by December 2020.<br>Estuary Pool – Works have commenced on site. Project expected to be completed by June 2021.                                                                                                                     |
| Smart Street Mall Upgrade                           | 1,006                                      | 2,352                                  | <i>Project status:</i><br>Electrical and lighting works to be completed December 2020. Hard and soft landscape works to be completed after Christmas/School holiday period. Project expected to be completed by June 2021.                                                                                         |
| Lakelands District Open Space and Clubroom Facility | 549                                        | 2,271                                  | <i>Project status:</i><br>Sports Ground Lighting - Tender process progressing and will be awarded soon.<br>Clubrooms - Construction complete.<br>Landscaping and path work around building to commence early November. Project expected to be completed by November/December 2020.                                 |
| Pinjarra Road Stage 1 and 2                         | 133                                        | 1,626                                  | <i>Project status:</i><br>Stage 1 - Design has been issued for construction. Construction to commence January 2021. Project expected to be completed by June 2021.                                                                                                                                                 |

|                                   |   |     |                                                                                                                                                                                  |
|-----------------------------------|---|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Leslie Street Road Rehabilitation | - | 813 | <i>Project status:</i><br>Design has been issued for construction. Construction schedule has been revised to commence March 2021. Project expected to be completed by June 2021. |
|-----------------------------------|---|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Statutory Environment

*Local Government Act 1995* Section 6.4 Financial Report

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

## Policy Implications

Nil

## Economic Implications

Any material variances that have an impact on the outcome of the budgeted surplus position are explained in the Monthly Financial Report, as detailed in Attachment 1.1.

## Risk Analysis

Nil

## Strategic Implications

The following strategy from the *City of Mandurah Strategic Community Plan 2020 – 2040* is relevant to this report:

### Organisational Excellence:

- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

## Unbudgeted Expenditure

### Mandurah Visitor Centre Refurbishment

The 2020/21 budget included a contribution of \$122,000 to the Mandurah Visitor Centre to assist with the refurbishment of the facility as part of the successful Red Grant application. The refurbishment works consisting of remodelling and upgrading the facilities within the centre is now being managed by the City and therefore needs to be recognised as a capital project. Furthermore, the scope of works required to complete the refurbishment has increased to also include fire and security upgrades, floor coverings and other building compliance requirements which is estimated to cost an additional \$20,450.

Approval is requested to reallocate the \$122,000 from the Mandurah Visitor Centre operating budget to a new capital project and the additional \$20,145 additional works to be funded from the Installation of Air Conditioning at Halls Head Parade Community and Sports Facility project, which will no longer proceed this financial year however this will be presented in future years for Council consideration.

### Australia Day 2021 Grant Funding

The Events team have been successful in their application to the National Australia Day Council for a number of grants in relation to Australia Day 2021.

The grants include:

- Iconic Event Grant - \$507,360
- COVID Safe Grant - \$20,000
- Australia Day 2021 - \$1,000

The grants will assist the City in delivering a series of events between 23<sup>rd</sup> and 26<sup>th</sup> January 2021 of which will allow the community to come together in a COVID safe environment and reflect, respect and celebrate the individual and collective efforts of Australians who rose to the challenges of an extraordinary year.

It is recommended that revenue and expenditure of \$528,360 is approved by Council to leverage these grant opportunities.

#### Mandurah Mental Health Grant Funding

The Mandurah Mental Health Initiative has been a successful collaboration between the City and the Western Australian Primary Health Alliance (WAPHA) to support community driven, capacity building projects that focus on youth suicide prevention. The City received \$75,000 from WAPHA and subsequently entered into a funding agreement with WAPHA in August 2019 to administer the \$75,000 towards eight projects during 2019/20.

Due to the success of the initiative, WAPHA are offering the City a contract variation for an additional \$100,000 in 2020/21 to continue to support projects that will build community capacity and prevent youth suicide in Mandurah. WAPHA recognise the exceptional outcomes achieved to date and have advocated to the National Suicide Prevention Project to divert these remaining funds to the City of Mandurah. Funds must be expended by 30 June 2021.

The additional activity requirements include:

- Integrate projects with local services, relevant pathways and primary care.
- Promote the alliance against depression model.

It is recommended the contract variation request is supported and that an increase in revenue and expenditure of \$100,000 be approved to enable the City to continue to support the development and expansion of existing suicide prevention projects, and new projects aligned with the "WAPHA activity schedule and original consultation report", which identified key projects across Mandurah North, Central and South.

#### Assertive Outreach Trial Project

The Community Capacity Building team have been awarded \$350,000 from the Western Australia Police Force to assist in delivering a Mandurah Assertive Outreach Trial. The City will engage a non-government organisation to deliver an Assertive Outreach Case Management Service in the Mandurah Local Government Area. The trial will provide specialised, assertive, outreach intervention to people sleeping rough and who have multiple complex needs. The aim is to improve the health and wellbeing of this target group and to reduce the impact of disruptive behaviour caused by this target group on the broader community. It is recommended that unbudgeted revenue and expenditure of \$350,000 is approved by Council to leverage this grant opportunity.

A condition of the funding is that the City contributes \$15,000 towards an evaluation of the Assertive Outreach Trial project. This \$15,000 will come from an existing Community Capacity Building budget, however to simplify the acquittal process, it is requested that the \$15,000 be reallocated from the Community Safety Programmes operating budget to the new operating budget for the Assertive Outreach Trial project which will total \$365,000.

### Colours of Mandurah Artwork Project

The City has been awarded \$9,000 from the RAC to assist in delivering the Colours of Mandurah Artwork project. This 'street art' project will see the pedestrian connection along the walkway at 32 Ormsby Terrace painted with 250 coloured stripes, in 125 different colours to represent iconic Mandurah landmarks, businesses, flora and fauna. The objective of the project is to improve wayfinding and the attractiveness of a connection between the Mandurah Ocean Marina to Mandjar Square, and the Eastern Foreshore side of the Mandurah City Centre precinct. It will also aim to increase foot traffic in the Mandurah Ocean Marina to help activate local businesses in the area. It is recommended that unbudgeted revenue and expenditure of \$9,000 is approved by Council to leverage this grant opportunity.

A condition of the funding is that the City contributes \$7,500 towards the project. This \$7,500 will come from the existing Linger Longer Day budget, however to simplify the acquittal process, it is requested that the \$7,500 be reallocated from this operating budget to the new operating budget for the Colours of Mandurah Artwork project which will total \$16,500.

### Procurement Position

The Procurement services team delivers a statutory function for the City of Mandurah. The team is responsible for managing procurement over \$50,000, the development of procurement procedures and provision of advice/support for all values, contract management procedures and assisting teams to ensure meet contract management obligations and education and training. Over the past 12 months there has been an increased demand for procurement processes to be undertaken, resulting from a high number of contracts expiring simultaneously and an additional demand for projects to be delivered under the Restart Mandurah Program. It is proposed that the position will be funded in the 2020/21 year from vacancies within the Economic Development team with an estimated cost of \$50,332 for the remaining six months of 2020/21 and included in the Long Term Financial Plan for future years.

### **Conclusion**

The City strives to manage its finances adequately and maintain expenditure within budget to ensure services that have been approved through the budget process are fully funded. By submitting the budget variation requests to Council as they arise it allows identification of financial implications and ensures there is nil effect on the budget adopted.

It is recommended that Council receive the Monthly Financial Report, Schedule of Accounts, proposed budget variations and the amendments to the Procurement Council Policy.

#### **NOTE:**

- Refer **Attachment 1.1 Monthly Financial Report**  
**Attachment 1.2 Schedule of Accounts (electronic only)**

### **RECOMMENDATION**

#### **That Council:**

- 1 Receives the Financial Report for October 2020 as detailed in Attachment 1.1 of the report.**
- 2 Receives the Schedule of Accounts for the following amounts as detailed in Attachment 1.2 of the report:**

|                             |                                |
|-----------------------------|--------------------------------|
| <b>Total Municipal Fund</b> | <b>\$ 10,175,055.75</b>        |
| <b>Total Trust Fund</b>     | <b>\$ 0.00</b>                 |
|                             | <b><u>\$ 10,175,055.75</u></b> |
- 3 Approves the following budget variations for 2020/21 annual budget:**

- 3.1 Increase in capital expenditure of \$142,145\* for Mandurah Visitors Centre Refurbishment
  - To be funded from Mandurah Visitors Centre – Other Operating Costs \$122,000\*
  - To be funded from Installation of Air Conditioning at Halls Head Parade Community and Sports Facility \$20,145\*
- 3.2 Increase in expenditure of \$528,360\* for the Australia Day 2021 operating program,
  - To be funded from a new operating grant of \$528,360\* from the National Australia Day Council
- 3.3 Increase in expenditure of \$100,000\* for the Mandurah Mental Health Initiative
  - To be funded from a new operating grant of \$100,000\* from WAPHA
- 3.4 Increase in expenditure of \$365,000\* for the Mandurah Assertive Outreach Trial
  - To be funded from a new operating grant of \$350,000\* from WAPOL
  - To be funded from Community Safety Programmes operating budget of \$15,000\*
- 3.5 Increase in expenditure of \$16,500\* for the Colours of Mandurah Artwork project
  - to be funded from a new operating grant of \$9,000\* from RAC
  - to be funded from the Linger Longer Day operating budget of \$7,500\*
- 3.6 Increase in payroll expenditure of \$50,332\* for new Procurement FTE
  - to be funded from a reduction in payroll expenditure in Economic Development of \$50,332\*

***\*ABSOLUTE MAJORITY REQUIRED\****

# Monthly Financial Report

## October 2020



# City of Mandurah

## October 2020

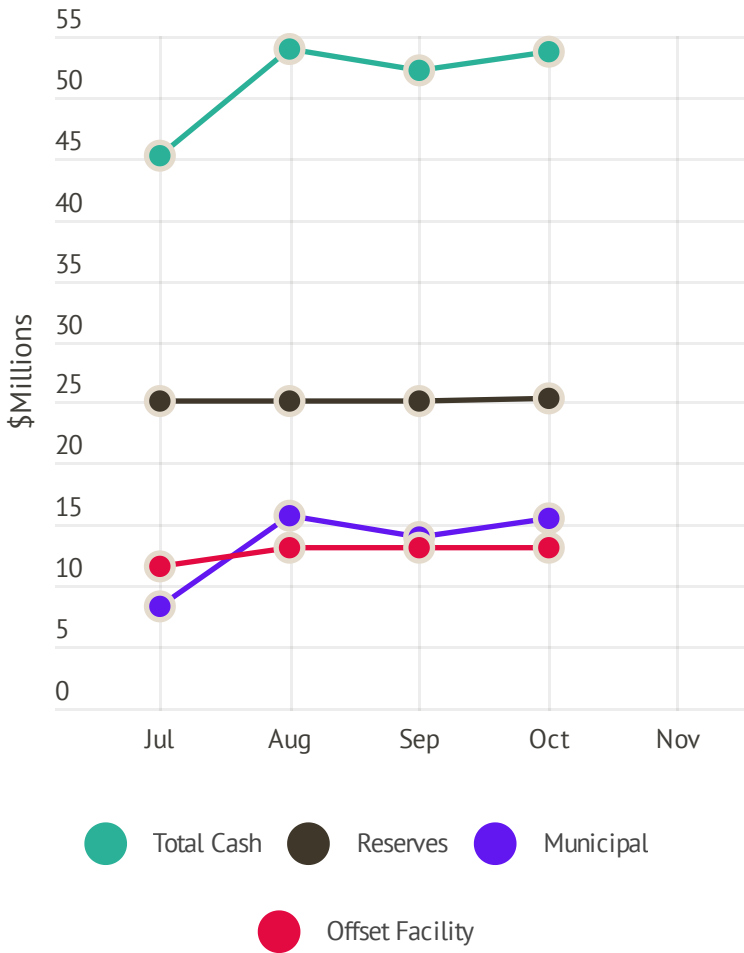
# \$735,915

Estimated Deficit at 30 June 2021 with  
proposed budget amendments

# \$73.3 million

Year to Date Actual Surplus

## Investments



## Loans

- Actual Principal Outstanding \$24.46M
- Actual Principal Repayments Made \$1.77M
- Actual Interest Paid \$127K
- Actual New Loans Drawdown \$0M
- Amount of Interest Saved from Loan Offset Facility \$71.1K

## Rates Outstanding

- 27** Properties with >\$10K outstanding
- 178** Properties \$3K to \$10K outstanding
- 4** Properties commenced legal action in 20/21
- \$1.99M** Rates Exemptions

## Sundry Debtors Outstanding

- 145** current accounts due (\$2.37M)
- 256** accounts overdue i.e >30 days (\$947K)

## Budget Proposed Amendments

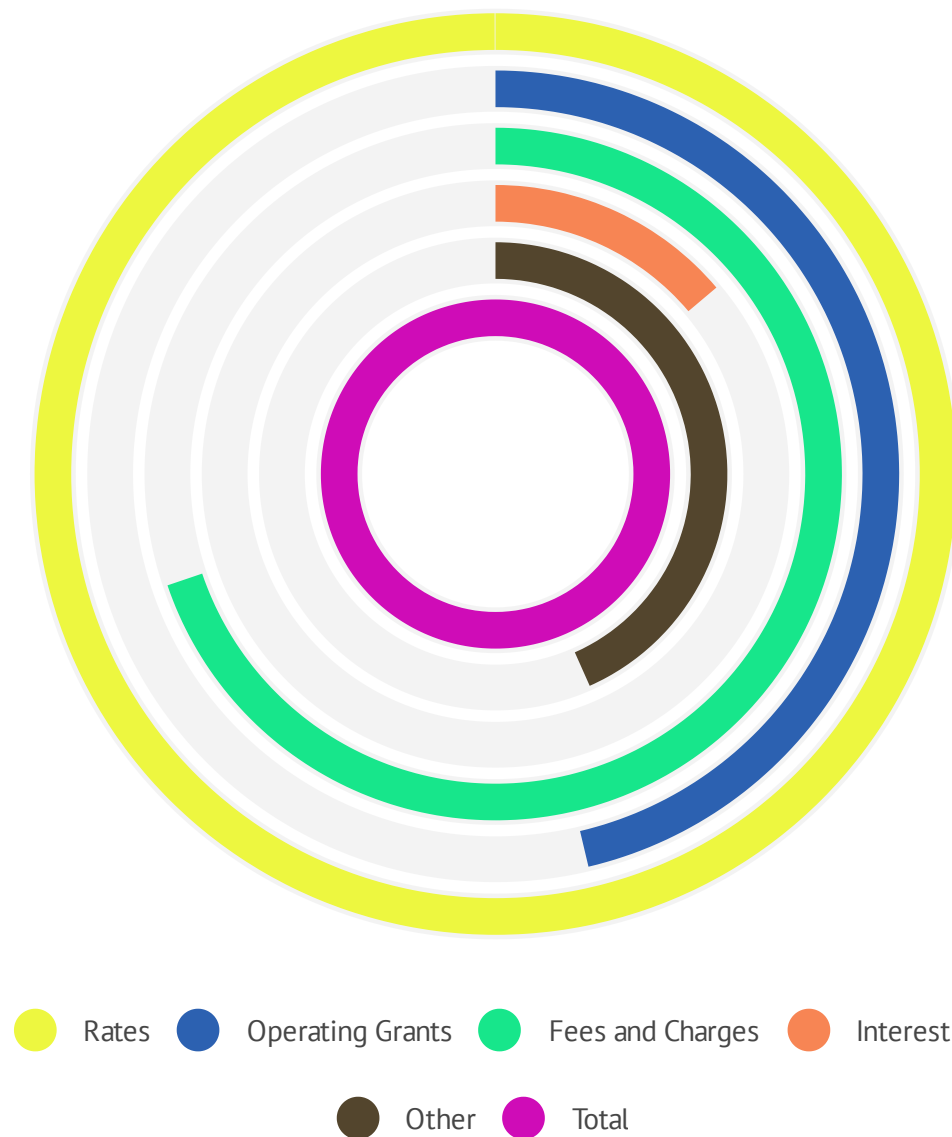
- Mandurah Visitor Centre refurbishment \$142.1k from operating expenditure (\$122K) and from Halls Head Parade Community and Sports Facility (\$20.1K)
- Additional operating grant revenue and expenditure for Australia Day event (\$528.4k)
- Additional operating grant revenue and expenditure for Mental Health Initiative (\$100k)
- Additional operating grant revenue and expenditure for Mandurah Assertive Outreach Trial (\$365k)
- Additional operating grant revenue and expenditure for Colours of Mandurah Artwork project (\$9,000)
- Payroll labour reallocation from Economic Development to Governance (\$50.3k)

- 2** Tenders awarded during the month through CEO delegation
- 29%** Grants received for the 20/21 year

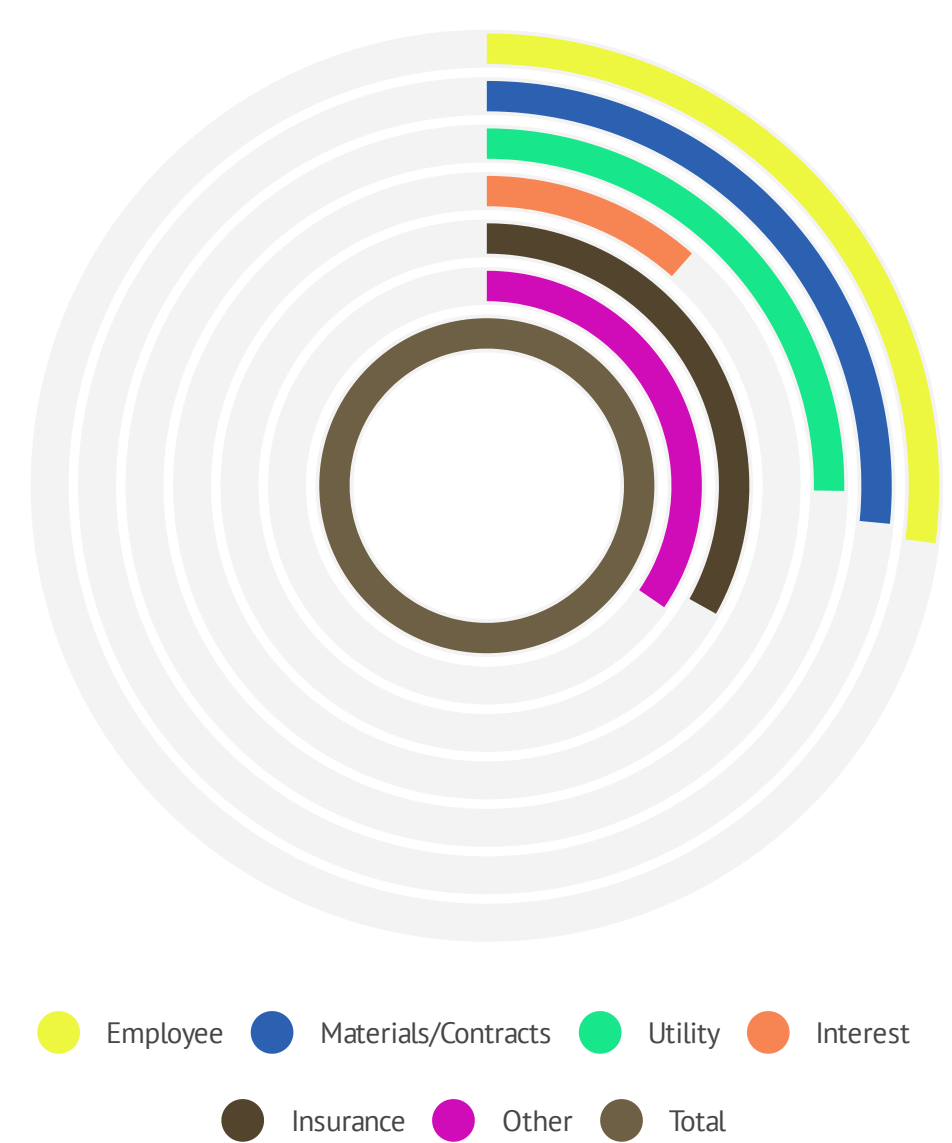
## Summary

- Actual Rates Raised \$80.16M
- Actual Rates Received \$30.92M (37.1% collected)
- Actual Operating Revenue \$99.81M
- Actual Capital Revenue \$3.51M
- Actual Operating Expenditure \$36.74M
- Actual Capital Expenditure \$5.25M
- Actual Proceeds from Sale of Assets \$1.22M

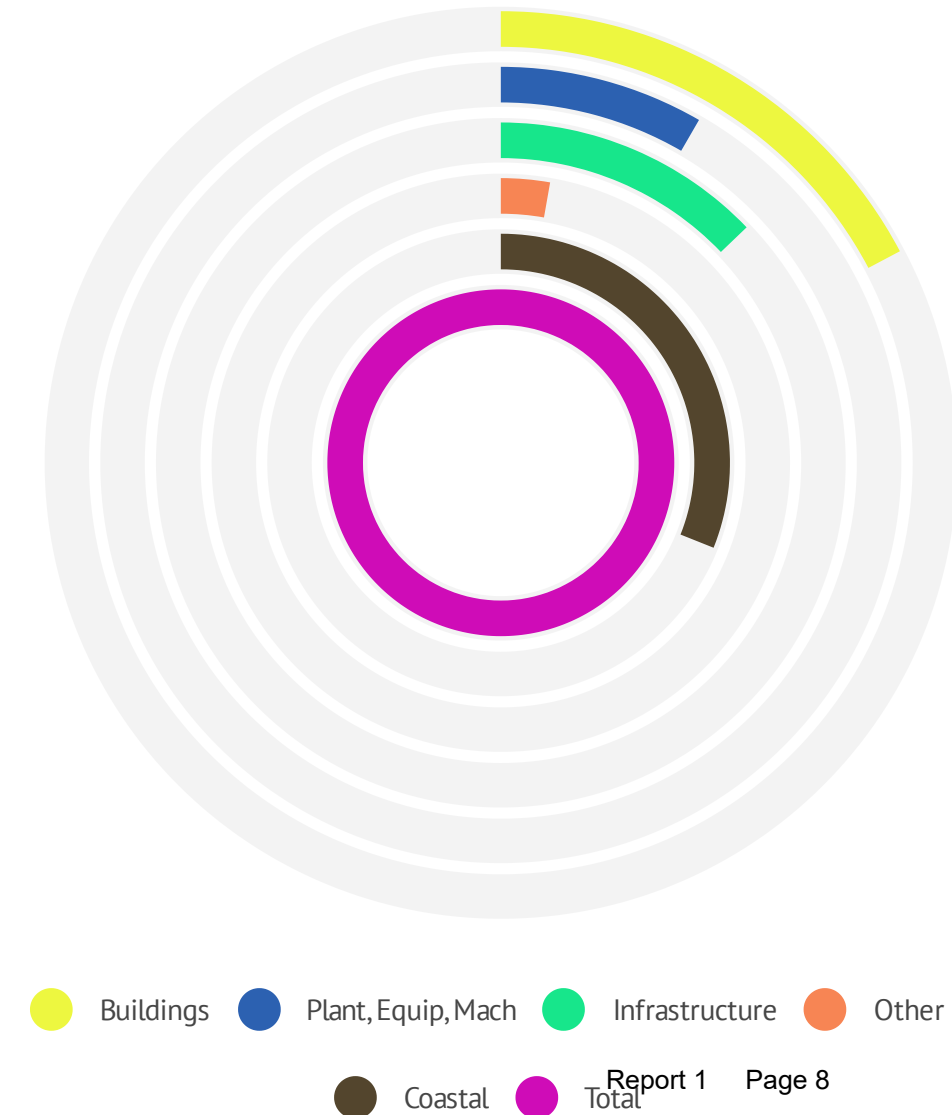
## Year to Date Revenue Actuals Compared to Current Budget



## Year to Date Expenditure Actuals Compared to Current Budget



## Year to Date Capital Actuals Compared to Current Budget



**CITY OF MANDURAH**  
**MONTHLY FINANCIAL REPORT**  
**For the Period Ended 31 October 2020**

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**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**STATUTORY REPORTING PROGRAMS**

|                                                     | Ref<br>Note | Annual<br>Budget     | YTD<br>Budget<br>(a) | YTD<br>Actual<br>(b) | Var. \$<br>(b)-(a) | Var. %<br>(b)-(a)/(a) | Var. |
|-----------------------------------------------------|-------------|----------------------|----------------------|----------------------|--------------------|-----------------------|------|
|                                                     |             | \$                   | \$                   | \$                   | \$                 | %                     |      |
| <b>Opening Funding Surplus / (Deficit)</b>          | 1(c)        | 2,197,002            | 2,197,002            | <b>1,194,780</b>     |                    |                       |      |
| <b>Revenue from operating activities</b>            |             |                      |                      |                      |                    |                       |      |
| Governance                                          |             | 2,025                | 184                  | <b>2</b>             | (182)              | (98.91%)              | ▼    |
| General Purpose Funding - Rates                     |             | 80,192,181           | 79,867,181           | <b>80,159,067</b>    | 291,886            | 0.37%                 |      |
| General Purpose Funding - Other                     |             | 3,320,549            | 644,880              | <b>468,931</b>       | (175,949)          | (27.28%)              | ▼    |
| Law, Order and Public Safety                        |             | 1,033,710            | 234,272              | <b>397,819</b>       | 163,547            | 69.81%                | ▲    |
| Health                                              |             | 319,825              | 179,359              | <b>180,705</b>       | 1,346              | 0.75%                 |      |
| Education and Welfare                               |             | 625,044              | 193,442              | <b>194,882</b>       | 1,440              | 0.74%                 |      |
| Community Amenities                                 |             | 14,137,854           | 12,261,795           | <b>12,942,495</b>    | 680,700            | 5.55%                 |      |
| Recreation and Culture                              |             | 6,904,554            | 2,095,468            | <b>2,113,042</b>     | 17,574             | 0.84%                 |      |
| Transport                                           |             | 2,394,436            | 1,621,831            | <b>1,885,175</b>     | 263,344            | 16.24%                | ▲    |
| Economic Services                                   |             | 1,628,244            | 537,564              | <b>854,398</b>       | 316,834            | 58.94%                | ▲    |
| Other Property and Services                         |             | 334,933              | 100,851              | <b>617,309</b>       | 516,458            | 512.10%               | ▲    |
|                                                     |             | <b>110,893,355</b>   | <b>97,736,827</b>    | <b>99,813,825</b>    | 2,076,998          | 2.13%                 |      |
| <b>Expenditure from operating activities</b>        |             |                      |                      |                      |                    |                       |      |
| Governance                                          |             | (6,142,176)          | (2,142,292)          | <b>(2,202,013)</b>   | (59,721)           | (2.79%)               |      |
| General Purpose Funding                             |             | (2,151,554)          | (1,160,437)          | <b>(716,516)</b>     | 443,921            | 38.25%                | ▲    |
| Law, Order and Public Safety                        |             | (3,966,714)          | (1,341,589)          | <b>(1,161,287)</b>   | 180,302            | 13.44%                | ▲    |
| Health                                              |             | (2,092,102)          | (734,630)            | <b>(715,521)</b>     | 19,109             | 2.60%                 |      |
| Education and Welfare                               |             | (5,518,355)          | (1,835,456)          | <b>(1,411,640)</b>   | 423,816            | 23.09%                | ▲    |
| Community Amenities                                 |             | (21,286,650)         | (7,041,125)          | <b>(6,119,054)</b>   | 922,071            | 13.10%                | ▲    |
| Recreation and Culture                              |             | (47,350,605)         | (15,528,775)         | <b>(10,140,190)</b>  | 5,388,585          | 34.70%                | ▲    |
| Transport                                           |             | (26,321,636)         | (8,761,929)          | <b>(6,951,550)</b>   | 1,810,379          | 20.66%                | ▲    |
| Economic Services                                   |             | (9,568,220)          | (3,193,403)          | <b>(3,778,515)</b>   | (585,112)          | (18.32%)              | ▼    |
| Other Property and Services                         |             | (11,029,716)         | (4,464,941)          | <b>(3,540,605)</b>   | 924,336            | 20.70%                | ▲    |
|                                                     |             | <b>(135,427,728)</b> | <b>(46,204,577)</b>  | <b>(36,736,891)</b>  | 9,467,686          | 20.49%                |      |
| Non-cash amounts excluded from operating activities | 1(a)        | 35,775,661           | 11,836,795           | <b>11,594,164</b>    | (242,631)          | (2.05%)               |      |
| <b>Amount attributable to operating activities</b>  |             | <b>11,241,288</b>    | <b>63,369,045</b>    | <b>74,671,098</b>    | 11,302,053         | (17.84%)              |      |
| <b>Investing Activities</b>                         |             |                      |                      |                      |                    |                       |      |
| Non-operating grants, subsidies and contributions   | 9           | 12,162,222           | 4,611,163            | <b>3,506,583</b>     | (1,104,580)        | (23.95%)              | ▼    |
| Proceeds from disposal of assets                    | 4           | 1,020,562            | 340,187              | <b>1,216,482</b>     | 876,295            | 257.59%               | ▲    |
| Purchase of property, plant and equipment           | 6           | (44,717,948)         | (16,571,098)         | <b>(5,248,999)</b>   | 11,322,099         | 68.32%                | ▲    |
| <b>Amount attributable to investing activities</b>  |             | <b>(31,535,164)</b>  | <b>(11,619,748)</b>  | <b>(525,934)</b>     | 11,093,814         | 95.47%                |      |
| <b>Financing Activities</b>                         |             |                      |                      |                      |                    |                       |      |
| Proceeds from New Debentures                        | 7           | 27,500,000           | -                    | -                    | 0                  | 0.00%                 |      |
| Unspent Loans                                       |             | 1,200,612            | -                    | -                    | 0                  | 0.00%                 |      |
| Payment of lease liability                          |             | (807,905)            | (201,976)            | <b>(266,817)</b>     | (64,841)           | 32.10%                | ▼    |
| Proceeds from community loans                       |             | 100,000              | 33,333               | <b>45,231</b>        | 11,898             | 35.69%                | ▲    |
| Transfer from Reserves                              |             | 19,061,504           | -                    | -                    | 0                  | 0.00%                 |      |
| Repayment of Debentures                             | 7           | (25,410,640)         | (1,803,547)          | <b>(1,770,266)</b>   | 33,281             | 1.85%                 |      |
| Transfer to Reserves                                |             | (4,282,611)          | -                    | -                    | 0                  | 0.00%                 |      |
| <b>Amount attributable to financing activities</b>  |             | <b>17,360,960</b>    | <b>(1,972,190)</b>   | <b>(1,991,852)</b>   | (19,662)           | (1.00%)               |      |
| <b>Closing Funding Surplus / (Deficit)</b>          | 1(c)        | <b>(735,915)</b>     | <b>51,974,110</b>    | <b>73,348,092</b>    | 21,373,982         | 41.12%                |      |

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Budget data as per the adopted materiality threshold.

Refer to Note 12 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020-21 year is 10.00%

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2020**

**BY NATURE OR TYPE**

|                                                     | Ref<br>Note | Annual<br>Budget     | YTD<br>Budget<br>(a) | YTD<br>Actual<br>(b) | Var. \$<br>(b)-(a) | Var. %<br>(b)-(a)/(a) | Var. |
|-----------------------------------------------------|-------------|----------------------|----------------------|----------------------|--------------------|-----------------------|------|
|                                                     |             | \$                   | \$                   | \$                   | \$                 | %                     |      |
| <b>Opening Funding Surplus / (Deficit)</b>          | 1(c)        | 2,197,002            | 2,197,002            | <b>1,194,780</b>     |                    |                       |      |
| <b>Revenue from operating activities</b>            |             |                      |                      |                      |                    |                       |      |
| Rates                                               |             | 80,192,181           | 79,867,181           | <b>80,159,067</b>    | 291,886            | 0.37%                 |      |
| Operating grants, subsidies and contributions       |             | 3,778,982            | 923,724              | <b>1,749,575</b>     | 825,851            | 89.40%                | ▲    |
| Fees and charges                                    |             | 25,208,293           | 16,362,494           | <b>17,593,141</b>    | 1,230,647          | 7.52%                 |      |
| Interest earnings                                   |             | 1,460,000            | 486,557              | <b>202,006</b>       | (284,551)          | (58.48%)              | ▼    |
| Other revenue                                       |             | 235,500              | 78,472               | <b>110,036</b>       | 31,564             | 40.22%                | ▲    |
| Profit on disposal of assets                        |             | 18,399               | 18,399               | -                    | (18,399)           | (100.00%)             | ▼    |
|                                                     |             | <b>110,893,355</b>   | <b>97,736,827</b>    | <b>99,813,825</b>    | 2,076,998          | 2.13%                 |      |
| <b>Expenditure from operating activities</b>        |             |                      |                      |                      |                    |                       |      |
| Employee costs                                      |             | (48,409,528)         | (16,724,031)         | <b>(13,087,437)</b>  | 3,636,594          | 21.74%                | ▲    |
| Materials and contracts                             |             | (44,790,555)         | (14,772,030)         | <b>(11,869,141)</b>  | 2,902,889          | 19.65%                | ▲    |
| Utility charges                                     |             | (4,126,414)          | (1,327,309)          | <b>(1,040,912)</b>   | 286,397            | 21.58%                | ▲    |
| Depreciation on non-current assets                  |             | (35,440,869)         | (11,808,896)         | <b>(10,117,063)</b>  | 1,691,833          | 14.33%                | ▲    |
| Interest expenses                                   |             | (1,234,093)          | (837,948)            | <b>(142,052)</b>     | 695,896            | 83.05%                | ▲    |
| Insurance expenses                                  |             | (870,578)            | (290,056)            | <b>(288,255)</b>     | 1,801              | 0.62%                 |      |
| Other expenditure                                   |             | (202,500)            | (91,116)             | <b>(192,031)</b>     | (100,915)          | (110.75%)             | ▼    |
| Loss on disposal of assets                          |             | (353,191)            | (353,191)            | -                    | 353,191            | 100.00%               | ▲    |
|                                                     |             | <b>(135,427,728)</b> | <b>(46,204,577)</b>  | <b>(36,736,891)</b>  | 9,467,686          | 20.49%                |      |
| Non-cash amounts excluded from operating activities | 1(a)        | 35,775,661           | 11,836,795           | <b>11,594,164</b>    | (242,631)          | (2.05%)               |      |
| <b>Amount attributable to operating activities</b>  |             | <b>11,241,288</b>    | <b>63,369,045</b>    | <b>74,671,098</b>    | 11,302,053         | (17.84%)              |      |
| <b>Investing activities</b>                         |             |                      |                      |                      |                    |                       |      |
| Non-operating grants, subsidies and contributions   | 9           | 12,162,222           | 4,611,163            | <b>3,506,583</b>     | (1,104,580)        | (23.95%)              | ▼    |
| Proceeds from disposal of assets                    | 4           | 1,020,562            | 340,187              | <b>1,216,482</b>     | 876,295            | 257.59%               | ▲    |
| Payments for property, plant and equipment          | 6           | (44,717,948)         | (16,571,098)         | <b>(5,248,999)</b>   | 11,322,099         | 68.32%                | ▲    |
| <b>Amount attributable to investing activities</b>  |             | <b>(31,535,164)</b>  | <b>(11,619,748)</b>  | <b>(525,934)</b>     | 11,093,814         | 95.47%                |      |
| <b>Financing Activities</b>                         |             |                      |                      |                      |                    |                       |      |
| Proceeds from new debentures                        | 7           | 27,500,000           | -                    | -                    | 0                  | 0.00%                 |      |
| Unspent Loans Utilised                              |             | 1,200,612            | -                    | -                    | 0                  | 0.00%                 |      |
| Payment of lease liability                          |             | (807,905)            | (201,976)            | <b>(266,817)</b>     | (64,841)           | (32.10%)              | ▼    |
| Proceeds from community loans                       |             | 100,000              | 33,333               | <b>45,231</b>        | 11,898             | 35.69%                | ▲    |
| Transfer from reserves                              |             | 19,061,504           | -                    | -                    | 0                  | 0.00%                 |      |
| Repayment of debentures                             | 7           | (25,410,640)         | (1,803,547)          | <b>(1,770,266)</b>   | 33,281             | 1.85%                 |      |
| Transfer to reserves                                |             | (4,282,611)          | -                    | -                    | 0                  | 0.00%                 |      |
| <b>Amount attributable to financing activities</b>  |             | <b>17,360,960</b>    | <b>(1,972,190)</b>   | <b>(1,991,852)</b>   | (19,662)           | (1.00%)               |      |
| <b>Closing Funding Surplus / (Deficit)</b>          | 1(c)        | <b>(735,915)</b>     | <b>51,974,110</b>    | <b>73,348,092</b>    | 21,373,982         | 41.12%                |      |

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Budget data as per the adopted materiality threshold.

Refer to Note 12 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Local Government (Financial Management) Regulation 1996.

|                                                                | Notes | Annual Budget     | YTD Budget (a)    | YTD Actual (b)    |
|----------------------------------------------------------------|-------|-------------------|-------------------|-------------------|
| <b>Non-cash items excluded from operating activities</b>       |       | \$                | \$                | \$                |
| <b>Adjustments to operating activities</b>                     |       |                   |                   |                   |
| Less: Profit on asset disposals                                |       | (18,399)          | (1,533)           | -                 |
| Movement in pensioner deferred rates (non-current)             |       | -                 | -                 | (144,478)         |
| Movement in employee benefit provisions (non-current)          |       | -                 | -                 | 1,621,579         |
| Add: Loss on asset disposals                                   |       | 353,191           | 29,433            | -                 |
| Add: Depreciation on assets                                    |       | 35,440,869        | 11,808,896        | 10,117,063        |
| <b>Total non-cash items excluded from operating activities</b> |       | <b>35,775,661</b> | <b>11,836,795</b> | <b>11,594,164</b> |

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with regulation 32 of the Local Government (Financial Management) Regulations 1996 to agree to the surplus/(deficit) after imposition of general rates.

|                                                |   | Budget Closing 30 Jun 2020 | Budget Closing 30 Jun 2021 | Year to Date 31 Oct 2020 |
|------------------------------------------------|---|----------------------------|----------------------------|--------------------------|
| <b>Adjustments to net current assets</b>       |   |                            |                            |                          |
| Less: Reserves - restricted cash               |   | (34,557,228)               | (20,116,870)               | (39,199,174)             |
| Less: Unspent loans                            |   | -                          | (431,591)                  | (1,531,765)              |
| Less: ESL debtors                              |   | 185,905                    | -                          | (5,143,068)              |
| Less: Prepaid Rates                            |   | (2,455,879)                | (2,455,879)                | -                        |
| Less: Clearing accounts                        |   |                            |                            | (574,573)                |
| Add: Borrowings                                | 7 | 5,410,639                  | 7,499,999                  | 3,016,491                |
| Add: Other liabilities                         |   | 7,437,433                  | 3,081,188                  | -                        |
| Add: Lease liability                           |   | 1,416,287                  | 608,382                    | 748,690                  |
| Add: Provisions - employee                     |   | 4,944,527                  | 5,041,426                  | 5,103,667                |
| Add: Loan Facility offset                      |   | -                          | -                          | 13,000,000               |
| <b>Total adjustments to net current assets</b> |   | <b>(17,618,316)</b>        | <b>(6,773,345)</b>         | <b>(24,579,732)</b>      |

(c) Net current assets used in the Statement of Financial Activity

|                                                      |      |                     |                    |                     |
|------------------------------------------------------|------|---------------------|--------------------|---------------------|
| <b>Current assets</b>                                |      |                     |                    |                     |
| Cash and cash equivalents                            | 2    | 39,407,751          | 23,099,413         | 40,780,907          |
| Rates receivables                                    | 3    | 4,019,116           | 3,519,116          | 52,447,227          |
| Receivables                                          | 3    | 4,444,928           | 3,644,928          | 19,732,793          |
| Other current assets                                 |      | 428,974             | 524,062            | 650,868             |
| <b>Less: Current liabilities</b>                     |      |                     |                    |                     |
| Payables                                             |      | (7,761,299)         | (4,555,419)        | (5,535,479)         |
| Borrowings                                           | 7    | (5,410,639)         | (7,499,999)        | (3,016,491)         |
| Other current liabilities                            |      | (5,275,266)         | (3,464,329)        | (85,840)            |
| Lease liabilities                                    |      | (1,416,287)         | (608,382)          | (748,690)           |
| Provisions                                           |      | (8,621,960)         | (8,621,960)        | (6,297,471)         |
| <b>Less: Total adjustments to net current assets</b> | 1(b) | <b>(17,618,316)</b> | <b>(6,773,345)</b> | <b>(24,579,732)</b> |
| <b>Closing Funding Surplus / (Deficit)</b>           |      | <b>2,197,002</b>    | <b>(735,915)</b>   | <b>73,348,092</b>   |

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

|                                | Total Amount      | Interest rate | Total<br>calculated<br>interest<br>Earnings | Institution  | S&P rating | Deposit Date | Maturity<br>Date | Term days |
|--------------------------------|-------------------|---------------|---------------------------------------------|--------------|------------|--------------|------------------|-----------|
|                                | \$                | \$            | \$                                          | \$           |            |              |                  |           |
| <b>Cash on hand</b>            |                   |               |                                             |              |            |              |                  |           |
| Westpac Municipal Bank Account | 9,083,253         | Variable      |                                             | Westpac      | AA-        | NA           | NA               |           |
|                                | 9,083,253         |               |                                             |              |            |              |                  |           |
| <b>Municipal Investments</b>   |                   |               |                                             |              |            |              |                  |           |
| Muni 10 - 9652-46197           | 29,770            | 0.25%         | 74                                          | ANZ          | AA-        | 1/10/2020    | 1/10/2021        | 365       |
| MNS 31 - 582058                | 6,106,465         | 0.75%         | 3,762                                       | Westpac      | AA-        | 30/09/2020   | 30/10/2020       | 30        |
| MNS 60 - 582007                | 338,869           | 0.80%         | 223                                         | Westpac      | AA-        | 30/09/2020   | 30/10/2020       | 30        |
|                                | 6,475,104         |               |                                             |              |            |              |                  |           |
| <b>Reserve Investments</b>     |                   |               |                                             |              |            |              |                  |           |
| Reserve 30 - 78-911-3263       | 3,043,982         | 0.70%         | 5,303                                       | NAB          | AA-        | 7/09/2020    | 7/12/2020        | 91        |
| Reserve 31 - 78-920-6945       | 3,044,432         | 0.62%         | 4,647                                       | NAB          | AA-        | 24/09/2020   | 24/12/2020       | 91        |
| Reserve 32 - 33713404          | 3,017,573         | 0.48%         | 3,607                                       | Commonwealth | AA-        | 24/08/2020   | 23/11/2020       | 91        |
| Reserve 33 - 93-656-8445       | 3,041,505         | 0.60%         | 4,543                                       | NAB          | AA-        | 1/10/2020    | 31/12/2020       | 91        |
| Reserve 34 - 72-684-2987       | 3,040,367         | 0.65%         | 4,919                                       | NAB          | AA-        | 22/09/2020   | 22/12/2020       | 91        |
| RNS 31 - 581565                | 6,826,898         | 0.75%         | 4,206                                       | Westpac      | AA-        | 30/09/2020   | 30/10/2020       | 30        |
| RNS 60 - 581573                | 3,207,792         | 0.80%         | 2,108                                       | Westpac      | AA-        | 30/09/2020   | 30/10/2020       | 30        |
|                                | 25,222,550        |               |                                             |              |            |              |                  |           |
| <b>Total</b>                   | <b>40,780,907</b> |               | <b>33,392</b>                               |              |            |              |                  |           |

**Interest revenue**

|                             |                |
|-----------------------------|----------------|
| Investment Interest Accrued | 33,392         |
| Investment Interest Matured | 36,366         |
| Rates Interest              | 132,248        |
|                             | <b>202,006</b> |

**Interest Earned**

**\$202,006**

**Total Municipal and Reserve Funds 40,780,907**

|                             | Amount     | Interest rate on<br>loans | Interest Saved | YTD Interest<br>Saved |
|-----------------------------|------------|---------------------------|----------------|-----------------------|
| <b>Loan Offset Facility</b> |            |                           |                |                       |
| Westpac                     | 13,000,000 | 1.97%                     | 21,551         | 71,101                |

**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of twelve months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

| Total Municipal Cash | Unrestricted     |
|----------------------|------------------|
| <b>\$53.78 M</b>     | <b>\$28.56 M</b> |

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020

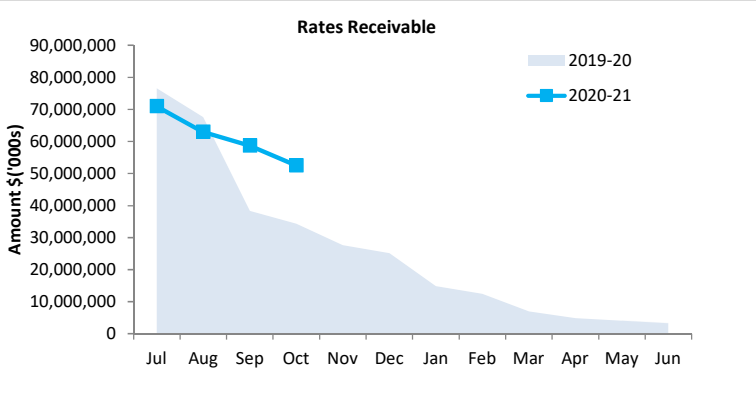
OPERATING ACTIVITIES  
NOTE 3  
RECEIVABLES

| Rates Receivable                                           | 30-Jun-20        | 31-Oct-19         | 31 Oct 20         |
|------------------------------------------------------------|------------------|-------------------|-------------------|
|                                                            | \$               |                   | \$                |
| Opening Arrears Previous Years                             | 2,873,789        | 2,873,789         | 3,317,555         |
| Rates levied                                               | 80,212,522       | 78,487,059        | 80,045,904        |
| Less - Collections to date                                 | (79,768,756)     | (46,956,267)      | (30,916,231)      |
| Equals Current Outstanding                                 | 3,317,555        | 34,404,582        | 52,447,227        |
| <b>Net Rates Collectable</b>                               | <b>3,317,555</b> | <b>34,404,582</b> | <b>52,447,227</b> |
| % Collected                                                | 96%              | 57.7%             | 37.1%             |
| No. of Legal Proceedings Commenced for the 2020/21 year    |                  |                   | 4                 |
| No. of properties > \$10,000 outstanding                   |                  |                   | 27                |
| No. of properties between \$3,000 and \$10,000 outstanding |                  |                   | 178               |
| Value of Rates Concession                                  |                  |                   | 73,427            |
| Value of Rates Exemptions                                  |                  |                   | 1,988,179         |

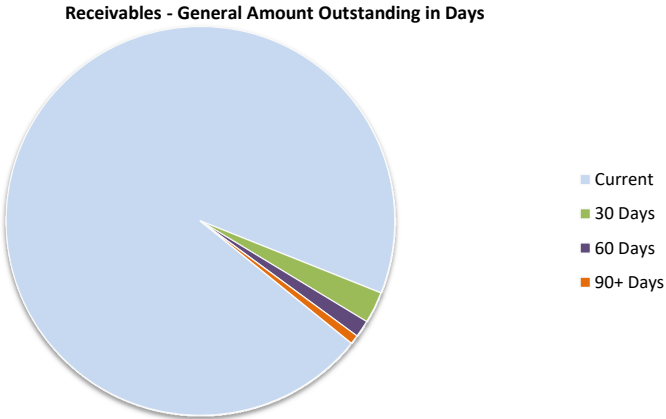
| Receivables - General                        | Credit | Current           | 30 Days        | 60 Days        | 90+ Days       | Total             |
|----------------------------------------------|--------|-------------------|----------------|----------------|----------------|-------------------|
|                                              | \$     | \$                | \$             | \$             | \$             | \$                |
| <b>Balance per Trial Balance</b>             |        |                   |                |                |                |                   |
| Sundry receivable                            |        | 2,088,948         | 374,456        | 249,976        | 148,201        | 2,861,582         |
| Recreation Centres                           |        | 124,700           |                |                |                | 124,700           |
| Mandurah Ocean Marina                        |        | 151,396           | 142,529        | 31,915         |                | 325,840           |
| GST receivable                               |        | 944,536           |                |                |                | 944,536           |
| Allowance for impairment of receivables      |        | (139,014)         |                |                |                | (139,014)         |
| Infringements                                |        | 1,001,616         |                |                |                | 1,001,616         |
| Pensioners rates and ESL deferred            |        | 5,052,055         |                |                |                | 5,052,055         |
| Other Receivables                            |        | 9,561,477         |                |                |                | 9,561,477         |
| <b>Total Receivables General Outstanding</b> |        | <b>18,785,716</b> | <b>516,985</b> | <b>281,891</b> | <b>148,201</b> | <b>19,732,793</b> |
| Percentage                                   |        | 95.2%             | 2.6%           | 1.4%           | 0.8%           |                   |

KEY INFORMATION

Rates and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of rates and other receivables is reviewed on an ongoing basis. Other receivables that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



| Collected | Rates Due    |
|-----------|--------------|
| 37.1%     | \$52,447,227 |

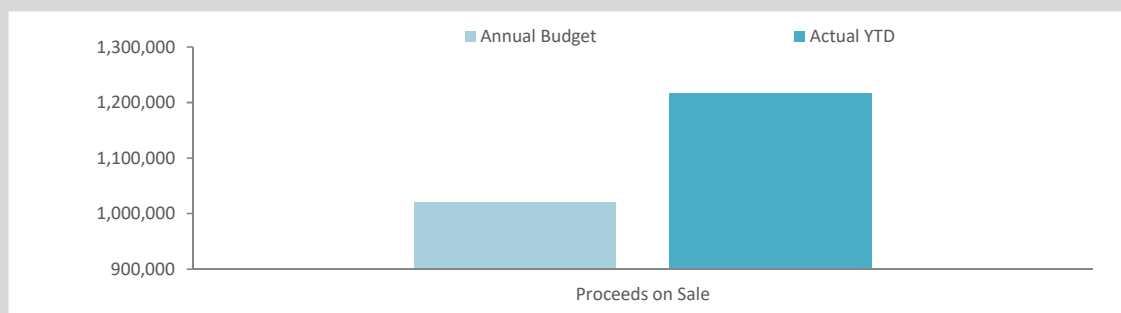


|                     |
|---------------------|
| Debtors Due         |
| <b>\$19,732,793</b> |
| Over 30 Days        |
| <b>5%</b>           |
| Over 90 Days        |
| <b>1%</b>           |

| Asset                                                 | Asset Description                          | Budget   | YTD Actual |
|-------------------------------------------------------|--------------------------------------------|----------|------------|
|                                                       |                                            | Proceeds | Proceeds   |
|                                                       |                                            | \$       | \$         |
|                                                       | Sale of Land - Shearwater L102, L105, L109 | 0        | 856,601    |
| <b><u>Light Passenger Vehicles - Replacement</u></b>  |                                            |          |            |
| MAZDA CX-5 - C00316                                   | SUSTAINABLE DEVELOPMENT                    | 15,502   |            |
| MITSUBISHI OUTLANDER - C00816                         | WORKS AND SERVICES                         | 13,669   |            |
| MITSUBISHI OUTLANDER - C01016                         | SUSTAINABLE DEVELOPMENT                    | 11,419   |            |
| TOYOTA PRADO - C01117                                 | MAYORS OFFICE                              | 24,367   |            |
| MITSUBISHI OUTLANDER - C02217                         | WORKS AND SERVICES                         | 11,574   |            |
| MAZDA CX-5 - C02817                                   | SUSTAINABLE DEVELOPMENT                    | 13,467   |            |
| VOLKSWAGEN GOLF - C03717                              | WORKS AND SERVICES                         | 11,924   | 13,464     |
| MAZDA CX-5 - C03917                                   | WORKS AND SERVICES                         | 15,975   |            |
| MAZDA CX-5 - C04016                                   | WORKS AND SERVICES                         | 16,150   |            |
| MITSUBISHI OUTLANDER - C04217                         | PEOPLE AND COMMUNITIES                     | 11,815   |            |
| FORD MONDEO - C04516                                  | SUSTAINABLE DEVELOPMENT                    | 15,917   | 14,600     |
| MAZDA CX-5 - C04617                                   | SUSTAINABLE DEVELOPMENT                    | 16,460   |            |
| TOYOTA RAV4 - C04916                                  | SUSTAINABLE DEVELOPMENT                    | 14,438   |            |
| TOYOTA RAV4 - C05117                                  | SUSTAINABLE DEVELOPMENT                    | 14,002   |            |
| MAZDA CX-5 - C05216                                   | PEOPLE AND COMMUNITIES                     | 15,502   |            |
| MAZDA CX-5 - C05317                                   | SUSTAINABLE DEVELOPMENT                    | 16,460   |            |
| MAZDA CX-5 - C05517                                   | STRATEGY AND BUSINESS PERFORMANCE          | 16,460   |            |
| HOLDEN TRAILBLAZER - C06716                           | WORKS AND SERVICES                         | 19,159   | 28,009     |
| VW Golf - C072                                        | WORKS AND SERVICES                         | 9,939    |            |
| MAZDA CX-5 - C07317                                   | WORKS AND SERVICES                         | 16,460   |            |
| HYUNDAI I30 - C07718                                  | WORKS AND SERVICES                         | 8,662    | 14,145     |
| <b><u>Light Commercial Vehicles - Replacement</u></b> |                                            |          |            |
| FORD RANGER - U00116                                  | PARKS-SOUTHERN                             | 18,762   |            |
| MITSUBISHI TRITON - U00517                            | PARKS PROJECTS                             | 13,650   |            |
| ISUZU D'MAX - U00916                                  | PARKS ASSETS                               | 15,169   |            |
| FORD RANGER - U01116                                  | WASTE MANAGEMENT                           | 19,283   |            |
| FORD RANGER - U01417                                  | PARKS CENTRAL                              | 18,915   |            |
| FORD RANGER - U01517                                  | PARKS MAINTENANCE - RETIC                  | 13,839   |            |
| FORD RANGER - U01617                                  | PARKS MAINTENANCE - RETIC                  | 18,450   |            |
| TOYOTA HIACE - U01716                                 | PARKS MAINTENANCE - RETIC                  | 16,157   |            |
| FORD RANGER - U01816                                  | PARKS PROJECTS                             | 19,630   |            |
| FORD RANGER - U02617                                  | PARKS NORTHERN                             | 16,100   |            |
| FORD RANGER - U03017                                  | PARKS MAINTENANCE - RETIC                  | 13,839   |            |
| HOLDEN COLORADO - U03317                              | RANGERS                                    | 16,822   |            |
| FORD RANGER - U03716                                  | MARINA AND DEPOT                           | 18,607   |            |
| FORD RANGER - U04116                                  | HEALTH SERVICES                            | 18,809   |            |
| FORD RANGER - U04417                                  | PARKS CENTRAL                              | 14,715   |            |
| TOYOTA HIACE - U04617                                 | PARKS MAINTENANCE - RETIC                  | 16,588   |            |
| FORD RANGER - U05517                                  | PARKS MAINTENANCE - RETIC                  | 15,760   |            |
| FORD RANGER - U05617                                  | LANDSCAPING SERVICES                       | 15,544   |            |
| FORD RANGER - U06017                                  | WORKS CONSTRUCTION                         | 19,430   |            |
| HOLDEN COLORADO - U06118                              | SURVEYING SERVICES                         | 17,356   |            |
| FORD RANGER - U06217                                  | RECREATION SERVICES COORDINATOR            | 16,100   |            |
| FORD RANGER - U06317                                  | CIVIL MAINTENANCE                          | 19,720   |            |
| FORD RANGER - U06417                                  | PARKS-SOUTHERN                             | 16,315   |            |
| FORD RANGER - U06517                                  | PARKS ASSETS                               | 18,408   |            |
| FORD RANGER - U06617                                  | EMERGENCY MANAGEMENT SDBFB                 | 19,720   |            |
| <b><u>Trucks &amp; Buses Replacements</u></b>         |                                            |          |            |
| TOYOTA HIACE 12 SEAT BUS - T028                       | EMERGENCY MANAGEMENT                       | 23,876   |            |
| <b><u>Trailers</u></b>                                |                                            |          |            |
| FLAT TOP 1500KG - P016                                | WORKS CONSTRUCTION                         | 700      |            |
| MOWING 4500KG - V003                                  | PARKS-SOUTHERN                             | 3,040    |            |
| MOWING 4500KG - V004                                  | PARKS NORTHERN                             | 3,040    |            |
| MOWING 4500KG - V005                                  | PARKS-SOUTHERN                             | 3,040    |            |
| BOXTOP 2000KG - V022                                  | WORKS CONSTRUCTION                         | 700      |            |
| BOXTOP 2000KG - V025                                  | CIVIL CONSTRUCTION(DRAINAGE)               | 700      |            |
| BOXTOP 1500KG - V026                                  | CITYBUILD                                  | 750      |            |
| 3T TANDEM TIPPER - V033                               | CIVIL MAINTENANCE                          | 1,660    |            |
| 2T TANDEM TIPPER - V034                               | CIVIL CONSTRUCTION (DRAINAGE)              | 1,330    |            |
| LUGGAGE TRAILER SINGLE AXLE 2000KG - V040             | PARKS ASSETS                               | 1,090    |            |
| WASTECH SEMI TRAILER - V050                           |                                            | 35,327   |            |
| WASTECH SEMI TRAILER - V051                           |                                            | 35,327   |            |
| WASTECH CONVERTED DOLLY TRAILER - V052                |                                            | 35,327   |            |

|                                                   |                               | Budget    | YTD Actual |
|---------------------------------------------------|-------------------------------|-----------|------------|
| Asset                                             | Asset Description             | Proceeds  | Proceeds   |
| <b><u>Parks &amp; Mowers</u></b>                  |                               |           |            |
| TORO REELMASTER 7000D - M02517                    | PARKS ASSETS                  | 18,252    |            |
| KUBOTA OFD 72 INCH - CAB+TRAILER - M01516         | PARKS ASSETS                  | 7,500     |            |
| KUBOTA ZERO TURN 72 INCH - M01916                 | PARKS SOUTH                   | 6,000     |            |
| KUBOTA OFD 72 INCH - M03416                       | PARKS NORTH                   | 7,500     |            |
| TURF CUTTER - P302                                | PARKS SOUTH                   | 1,000     |            |
| <b><u>Miscellaneous Equipment &gt;\$1500</u></b>  |                               |           |            |
| ROBIN TRASH PUMP - S107                           | CIVIL CONSTRUCTION (DRAINAGE) | 890       |            |
| EARLEX ELECTRIC SPRAY UNIT - P021                 | CITYBUILD                     | 640       |            |
| VERTI MOWER - M008                                | PARKS ASSETS                  | 400       |            |
| <b><u>Construction Vehicles - Replacement</u></b> |                               |           |            |
| KOMATSU WA250PZ-6 WHEEL LOADER - G006             | WORKS CONSTRUCTION            | 79,405    |            |
| BOMAG BW24R MULTI TYRE ROLLER - R002              | WORKS CONSTRUCTION            | 45,900    |            |
| <b><u>Plant Disposed from 2019/20 budget</u></b>  |                               |           |            |
| FORD RANGER - U043                                | WORKS CONSTRUCTION            | 0         | 15,509     |
| FORD RANGER - U05216                              | PARKS ASSETS                  | 0         | 24,600     |
| FORD RANGER - U0516                               | PARKS CENTRAL                 | 0         | 23,918     |
| DEUTSCHER H660-11 ROTARY MOWER - AM100            | PARKS ASSETS                  | 0         | 667        |
| HYUNDAI I30 HATCH - C00116                        | MARINA AND DEPOT              | 0         | 12,782     |
| MITSUBISHI OUTLANDER - C02316                     | ASSET MANAGEMENT              | 0         | 17,782     |
| HOLDEN COLORADO - U03216                          | RANGERS                       | 0         | 21,418     |
| ROADSWEEPER - T051                                | CIVIL MAINTENANCE             | 0         | 65,613     |
| TRALIER SINGLE AXLE - V01716                      | PARKS CENTRAL                 | 0         | 2,312      |
| FORD RANGER - U05916                              | PARKS ASSETS                  | 0         | 20,282     |
| FORD RANGER - U00316                              | HEALTH SERVICES               | 0         | 29,145     |
| FORD RANGER - U05316                              | PARKS ASSETS                  | 0         | 25,509     |
| HOLDEN COLORADO - U069                            | SUSTAINABLE DEVELOPMENT       | 0         | 22,555     |
| AIR COMPRESSOR - P054                             | WORKS AND SERVICES            | 0         | 417        |
| ROTARY MOWER - M02616                             | PARKS ASSETS                  | 0         | 7,154      |
|                                                   |                               | 1,020,562 | 1,216,482  |

#### KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020

NOTE 5  
TENDERS AWARDED FOR THE MONTH

CEO delegation – accepted tenders during the month  
Delegation over \$250,000

| Tender code | Tender Description                                           | Company Awarded to                     | Contract Term | Contract Amount |
|-------------|--------------------------------------------------------------|----------------------------------------|---------------|-----------------|
|             |                                                              |                                        |               | \$              |
| T13-2020    | Demolish and Construct of Ablution Block at Novara Foreshore | Palace Homes and Construction Pty Ltd  | 16 Weeks      | 161,982         |
| RFQ11-2020  | Supply and Delivery of Asphalt                               | Downer Infrastructure - Australia West | 3 years       | 2,800,000       |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

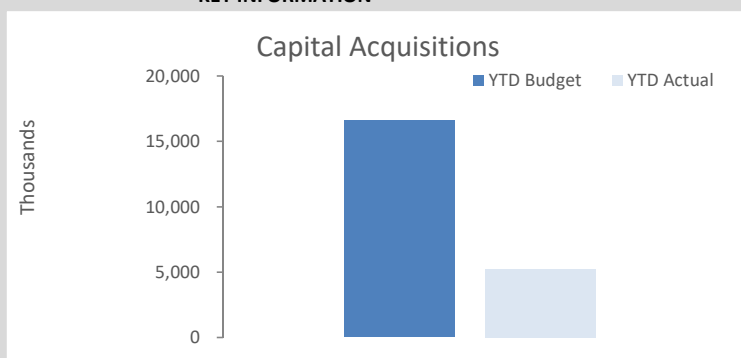
**INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS**

| Capital Acquisitions                   | Adopted Budget    | Annual Budget     | YTD Budget        | YTD Actual       | YTD Actual<br>Variance |
|----------------------------------------|-------------------|-------------------|-------------------|------------------|------------------------|
|                                        | \$                |                   | \$                | \$               | \$                     |
| Buildings                              | 3,271,990         | 3,192,454         | 1,106,686         | 550,505          | (556,181)              |
| Equipment                              | 336,820           | 336,820           | 142,914           | 49,815           | (93,099)               |
| Machinery                              | 3,506,697         | 3,506,697         | 1,059,154         | 270,885          | (788,269)              |
| Infrastructure - Roads                 | 10,964,511        | 12,190,158        | 5,599,588         | 1,820,909        | (3,778,680)            |
| Bridges                                | 400,000           | 750,000           | 248,620           | 0                | (248,620)              |
| Parks                                  | 19,901,580        | 21,110,352        | 7,435,970         | 2,187,923        | (5,248,048)            |
| Drainage                               | 1,118,523         | 1,107,601         | 485,096           | 150,543          | (334,552)              |
| Coastal & Estuary                      | 422,601           | 499,600           | 273,804           | 131,214          | (142,590)              |
| Other Infrastructure                   | 3,143,492         | 2,024,266         | 219,266           | 87,206           | (132,060)              |
| <b>Capital Expenditure Totals</b>      | <b>43,066,214</b> | <b>44,717,948</b> | <b>16,571,098</b> | <b>5,248,999</b> | <b>(11,322,099)</b>    |
| <b>Capital Acquisitions Funded By:</b> |                   |                   |                   |                  |                        |
|                                        | \$                |                   | \$                | \$               | \$                     |
| City of Mandurah Contribution          | 8,553,048         | 8,829,336         | 11,846,539        | 1,382,535        | (10,464,004)           |
| Capital grants and contributions       | 11,279,174        | 12,162,222        | 4,611,163         | 3,506,583        | (1,104,580)            |
| Borrowings                             | 7,931,591         | 8,700,611         |                   | 0                | 0                      |
| Other (Disposals & C/Fwd)              | 1,020,562         | 1,020,562         | 113,396           | 359,881          | 246,485                |
| Cash Backed Reserves                   |                   |                   |                   |                  |                        |
| Building Reserve                       | 2,161,990         | 2,069,292         |                   | 0                | 0                      |
| Asset Management Reserve               | 1,404,778         | 1,444,816         |                   | 0                | 0                      |
| Property Acquisition Reserve           | 1,830,000         | 780,000           |                   | 0                | 0                      |
| Sustainability Reserve                 | 229,180           | 229,180           |                   | 0                | 0                      |
| Sanitation Reserve                     | 756,471           | 756,471           |                   | 0                | 0                      |
| Traffic Bridge Reserve                 | 400,000           | 400,000           |                   | 0                | 0                      |
| Waterways Reserve                      | 40,990            | 40,990            |                   | 0                | 0                      |
| Unspent Grants & Contributions Reserve | 5,258,590         | 6,084,628         |                   | 0                | 0                      |
| City Centre Land Acquisition Reserve   | 2,000,000         | 2,000,000         |                   | 0                | 0                      |
| Plant Reserve                          | 199,841           | 199,841           |                   | 0                | 0                      |
| <b>Capital Funding Total</b>           | <b>43,066,214</b> | <b>44,717,948</b> | <b>16,571,098</b> | <b>5,248,999</b> | <b>(11,322,099)</b>    |

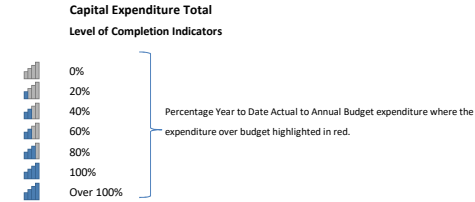
**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**KEY INFORMATION**



| Acquisitions  | Annual Budget    | YTD Actual      | % Spent    |
|---------------|------------------|-----------------|------------|
|               | <b>\$44.72 M</b> | <b>\$5.25 M</b> | <b>12%</b> |
| Capital Grant | Annual Budget    | YTD Actual      | % Received |
|               | <b>\$12.16 M</b> | <b>\$3.51 M</b> | <b>29%</b> |



Level of completion indicator, please see table at the end of this note for further detail.

| Account Description |                                                                                     | Adopted Budget | Annual Budget | YTD Budget | YTD Actual | Remaining Unspent Funds | Comment                                                                                                                                                                                                                        |
|---------------------|-------------------------------------------------------------------------------------|----------------|---------------|------------|------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Buildings           |                                                                                     |                |               |            |            |                         |                                                                                                                                                                                                                                |
| 400030              | Owen Avenue Ablution                                                                | 298,889        | 298,889       | 111,288    | 168        | 298,721                 | Tender being awarded.                                                                                                                                                                                                          |
| 750619              | Community Sport and Recreation Facility Fund Program - Small Grants                 | 160,119        | 54,556        | (8,160)    | 0          | 54,556                  | Funding allocated to Peel Hockey Assoc Floodlighting \$95,443 and Sth Mh Tennis Club Resurfacing \$10,120.                                                                                                                     |
| 750620              | Solar Plan                                                                          | 64,048         | 64,048        | 0          | 0          | 64,048                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 750621              | Milgar St Reserve Water Service Replacement                                         | 21,350         | 21,350        | 21,351     | 1,350      | 20,000                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 750622              | Installation of Air Conditioning at Halls Head Parade Community and Sports Facility | 48,035         | 20,145        | 6,648      | 0          | 20,145                  | Project has been deferred and budget reallocated to Mandurah Bowling Club Compressor (Sept FR) and Mandurah Visitors Centre Upgrade (October FR).                                                                              |
| 750623              | Administration Building - Foyer Security                                            | 80,059         | 80,059        | 0          | 0          | 80,059                  | Construction to commence Q3.                                                                                                                                                                                                   |
| 750624              | Seniors Centre Heating Cooling System Upgrade                                       | 48,035         | 48,035        | 48,036     | 0          | 48,035                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 750625              | Mandurah Community Museum Roof Replacement.                                         | 160,119        | 160,119       | 0          | 0          | 160,119                 | Construction to commence Q3.                                                                                                                                                                                                   |
| 750626              | Site Main Switchboard Program                                                       | 53,373         | 18,373        | 0          | 0          | 18,373                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 750627              | Administration Centre External Painting Project                                     | 84,329         | 84,329        | 0          | 0          | 84,329                  | Construction to commence Q3.                                                                                                                                                                                                   |
| 750628              | Civic Building-Mayors Office Reconfiguration                                        | 53,373         | 53,373        | 0          | 3,873      | 49,500                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 750629              | Health & Safety Improvements at Pottery Place                                       | 16,011         | 16,011        | 5,284      | 0          | 16,011                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 750630              | Mandurah Ocean Marina Chalets - External Refurbishment                              | 160,119        | 160,119       | 0          | 0          | 160,119                 | Construction to commence Q3.                                                                                                                                                                                                   |
| 750631              | Mandurah Bowling & Recreation Club - Bar Repairs                                    | 21,350         | 21,350        | 7,046      | 0          | 21,350                  | Structural assessment being undertaken.                                                                                                                                                                                        |
| 750632              | Falcon Pavilion Re Roofing Project                                                  | 77,924         | 77,924        | 25,715     | 0          | 77,924                  | Construction to commence Q3.                                                                                                                                                                                                   |
| 750633              | Stage 2 of Upgrades to Peelwood Reserve Changerooms                                 | 106,746        | 106,746       | 0          | 0          | 106,746                 | Construction to commence Q4.                                                                                                                                                                                                   |
| 750634              | MARC - Hardstands for Pool Blankets                                                 | 10,674         | 10,674        | 3,522      | 0          | 10,674                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 750635              | MARC - Aquatic Plant Rooms Automatic Pool Acid Feed System                          | 5,337          | 5,337         | 1,761      | 0          | 5,337                   | Construction to commence Q2.                                                                                                                                                                                                   |
| 750636              | WMC - Upgrade Alarm System                                                          | 30,000         | 30,000        | 30,000     | 0          | 30,000                  | Construction to commence Q2.                                                                                                                                                                                                   |
| 400015              | South Mandurah Football Club Changeroom Project                                     | 106,746        | 136,746       | 45,126     | 0          | 136,746                 | Construction to commence Q2.                                                                                                                                                                                                   |
| 750638              | Ablution Bortolo Reserve                                                            | 213,492        | 213,492       | 0          | 0          | 213,492                 | Construction to commence Q3.                                                                                                                                                                                                   |
| 400021              | Mh Mustangs FC - Facility Development                                               | 176,131        | 176,131       | 0          | 0          | 176,131                 | Construction to commence Q3.                                                                                                                                                                                                   |
| 400022              | Peelwood Res - Changeroom Upgrade                                                   | 21,350         | 21,350        | 0          | 0          | 21,350                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 400007              | CASM Ablution Upgrade                                                               | 47,020         | 47,020        | 47,021     | 42,383     | 4,637                   | Completed.                                                                                                                                                                                                                     |
| 400031              | Admin Building First Floor Carpet                                                   | 38,535         | 38,535        | 12,717     | 0          | 38,535                  | Out to quote.                                                                                                                                                                                                                  |
| 400009              | Change Rooms Upgrade Program                                                        | 213,487        | 213,487       | 213,488    | 136,161    | 77,326                  | Construction complete. Finances to be finalised.                                                                                                                                                                               |
| 400004              | MARC/Waste Transfer Station - Solar Plan Phase 5                                    | 309,414        | 159,411       | 159,412    | 170,045    | (10,634)                | Construction complete. Finances to be finalised. Budget Variation for overspend to be processed in due course, as savings are identified in completed CityBuild projects.                                                      |
| 400046              | Site Main Switchboards                                                              | 89,133         | 95,133        | 0          | 0          | 95,133                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 400042              | Southern Ops Transportable Meeting Room                                             | 79,832         | 79,832        | 52,688     | 57,576     | 22,256                  | Construction 75% complete.                                                                                                                                                                                                     |
| 400033              | Civic Chamber Meeting Rooms                                                         | 64,403         | 16,510        | 16,509     | 12,959     | 3,551                   | Completed.                                                                                                                                                                                                                     |
| 400013              | Civic Building - Tuckey Room                                                        | 121,177        | 91,705        | 91,704     | 118,113    | (26,408)                | Construction complete. Scope increased as per request for further works and inclusion of landscaping. Budget Variation for overspend to be processed in due course, as savings are identified in completed CityBuild projects. |
| 400026              | Peel Community Kitchen                                                              | 247,200        | 248,200       | 81,906     | 2,818      | 245,382                 | Construction to commence Q2.                                                                                                                                                                                                   |
| 400028              | MARC LED & Lighting Control                                                         | 44,180         | 59,012        | 59,012     | 0          | 59,012                  | Construction 85% complete.                                                                                                                                                                                                     |
| 750639              | Peel Hockey Association - Floodlighting                                             | 0              | 95,443        | 31,800     | 0          | 95,443                  | Construction to commence Q3.                                                                                                                                                                                                   |
| 750640              | South Mnd Tennis Club - Resurfacing                                                 | 0              | 10,120        | 3,372      | 5,060      | 5,060                   | Construction to commence Q2.                                                                                                                                                                                                   |
| 750641              | Reading Cinema Complex FIP                                                          | 0              | 35,000        | 11,550     | 0          | 35,000                  | Construction complete. Finances to be finalised.                                                                                                                                                                               |
| 750642              | Mandurah Bowling Club Compressor                                                    | 0              | 27,890        | 27,890     | 0          | 27,890                  | Construction complete. Finances to be finalised.                                                                                                                                                                               |
| 750643              | Falcon Family Centre Upgrade                                                        | 0              | 96,000        | 0          | 0          | 96,000                  | Construction to commence Q3.                                                                                                                                                                                                   |
| Bridges             |                                                                                     |                |               |            |            |                         |                                                                                                                                                                                                                                |
| 880000              | Old Mandurah Bridge                                                                 | 400,000        | 400,000       | 132,000    | 0          | 400,000                 | Construction to commence Q2.                                                                                                                                                                                                   |
| 880012              | Lakelands-Madora Bay Pedestrian Bridge                                              | 0              | 350,000       | 116,620    | 0          | 350,000                 | Budget reallocation to be processed once funding body approval received.                                                                                                                                                       |
| Parks               |                                                                                     |                |               |            |            |                         |                                                                                                                                                                                                                                |
| 700439              | Enclosed Dog Park                                                                   | 213,492        | 213,492       | 0          | 19,862     | 193,630                 | Construction to commence Q3.                                                                                                                                                                                                   |
| 700440              | Major Public Artworks                                                               | 125,000        | 125,000       | 41,652     | 0          | 125,000                 | Ongoing Program 2020/21.                                                                                                                                                                                                       |
| 700441              | Bortolo Reserve - Shade Sail                                                        | 33,926         | 33,926        | 11,196     | 0          | 33,926                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 700471              | Hermitage Park - Shade Sail                                                         | 45,234         | 45,234        | 14,927     | 0          | 45,234                  | Construction to commence Q4.                                                                                                                                                                                                   |
| 700472              | Country Club Drive - Shade Sail                                                     | 33,926         | 33,926        | 11,196     | 0          | 33,926                  | Construction to commence Q4.                                                                                                                                                                                                   |

Level of completion indicator, please see table at the end of this note for further detail.

| Account Description |        |                                                              | Adopted Budget | Annual Budget | YTD Budget | YTD Actual | Remaining Unspent Funds | Comment                                                                                                                                                                                     |
|---------------------|--------|--------------------------------------------------------------|----------------|---------------|------------|------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                     | 700442 | Shade Sail Renewal Program                                   | 56,544         | 56,544        | 18,660     | 49,384     | 7,160                   | Ongoing Program 2020/21 to commence in Q2.                                                                                                                                                  |
|                     | 700443 | Falcon Bay Upgrade - Stage 4 of 5                            | 339,261        | 339,261       | 56,521     | 77,876     | 261,385                 | Construction 25% complete.                                                                                                                                                                  |
|                     | 700444 | Novara Foreshore Stage 4                                     | 452,348        | 452,348       | 0          | 1,186      | 451,162                 | Construction to commence Q3.                                                                                                                                                                |
|                     |        | Wittenoom Reserve - Drinking Fountain                        | 9,047          | 0             | 0          | 0          | 0                       |                                                                                                                                                                                             |
|                     | 700466 | Calypso Reserve - Drinking Fountain                          | 9,047          | 18,192        | 0          | 0          | 18,192                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700467 | Halls Head Foreshore - Drinking Fountain                     | 9,047          | 17,529        | 0          | 0          | 17,529                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700468 | Lord Hobart Reserve - Drinking Fountain                      | 16,963         | 19,225        | 0          | 0          | 19,225                  | Construction to commence Q2.                                                                                                                                                                |
|                     |        | Mogum Reserve - Drinking Fountain                            | 12,440         | 0             | 0          | 0          | 0                       |                                                                                                                                                                                             |
|                     | 700446 | BBQ Caterpillar Park                                         | 26,687         | 26,687        | 8,807      | 0          | 26,687                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700470 | BBQ Templetonia Reserve, Coodanup                            | 26,687         | 26,687        | 8,807      | 0          | 26,687                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700447 | Rakoa Reserve and Bridgewater South Replace Fencing          | 33,926         | 33,926        | 0          | 0          | 33,926                  | Construction 75% complete.                                                                                                                                                                  |
|                     | 700448 | Melaleuca Tce - Replace broken pine fencing                  | 67,852         | 67,852        | 0          | 1,104      | 66,748                  | Construction 50% complete.                                                                                                                                                                  |
|                     | 700449 | Pump Station Replacement of Pumps                            | 46,599         | 46,599        | 15,528     | 0          | 46,599                  | Ongoing Program 2020/21 to commence in Q2.                                                                                                                                                  |
|                     | 700450 | San Remo deck modifications                                  | 11,308         | 11,308        | 3,732      | 1,808      | 9,500                   | Construction to commence Q2.                                                                                                                                                                |
|                     | 700451 | Halls Cottage Fencing                                        | 53,373         | 53,373        | 0          | 0          | 53,373                  | Construction to commence Q4.                                                                                                                                                                |
|                     | 700452 | Seascape Village Precinct - Shade Structure Refurbishment    | 32,024         | 32,024        | 0          | 940        | 31,084                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700453 | Falcon Reserve Activation Plan - Stage 2                     | 226,173        | 226,173       | 37,681     | 40,360     | 185,813                 | Construction 25% complete.                                                                                                                                                                  |
|                     | 700454 | Cemetery - Upgrade of lakes                                  | 96,125         | 96,125        | 0          | 0          | 96,125                  | Construction to commence Q4.                                                                                                                                                                |
|                     | 700455 | Lakes Cemetery Fencing - renewal                             | 35,058         | 35,058        | 35,060     | 0          | 35,058                  | Construction 25% complete.                                                                                                                                                                  |
|                     | 700456 | Old Coast Road/Wilderness Drive - Playground Renewal         | 31,665         | 63,330        | 0          | 0          | 63,330                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 700457 | BMX Track Renewal Program                                    | 56,544         | 56,544        | 9,421      | 0          | 56,544                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 700458 | Yalgor Heights Reserve - Playground Renewal                  | 31,665         | 0             | 0          | 0          | 0                       | Project has been deferred and budget reallocated to Old Coast Road/Wilderness Drive - Playground Renewal.                                                                                   |
|                     | 700459 | War Memorial - Redesign and replace reticulation             | 22,618         | 22,618        | 7,464      | 0          | 22,618                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 700438 | Riverside Gardens Boardwalk                                  | 22,416         | 22,416        | 7,397      | 0          | 22,416                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 700460 | Westbury Way Reserve Revegetation Plan (Offset) Capital      | 21,486         | 21,486        | 0          | 0          | 21,486                  | Construction to commence Q4.                                                                                                                                                                |
|                     | 700461 | Hexham Wetland Fencing                                       | 20,340         | 20,340        | 20,340     | 20,852     | (512)                   | Completed.                                                                                                                                                                                  |
|                     | 700462 | Madora Bay Beach                                             | 113,087        | 113,087       | 0          | 0          | 113,087                 | Construction to commence Q4.                                                                                                                                                                |
|                     | 700463 | Madora Bay Shade Shelters                                    | 67,852         | 67,852        | 22,391     | 162        | 67,690                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 700464 | Shade Sails Over Playgrounds                                 | 226,173        | 226,173       | 74,637     | 6,097      | 220,076                 | Construction to commence Q3.                                                                                                                                                                |
|                     | 700465 | Dawesville Channel SE Foreshore Upgrade                      | 226,173        | 226,173       | 0          | 0          | 226,173                 | Construction to commence Q3.                                                                                                                                                                |
|                     | 700009 | Falcon Reserve Activation Plan                               | 209,035        | 203,365       | 134,222    | 169,664    | 33,701                  | Construction 75% complete.                                                                                                                                                                  |
|                     | 700013 | Lakelands Community Garden                                   | 30,000         | 30,000        | 9,900      | 0          | 30,000                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 700020 | Pebble Beach Boulevard Res 46649                             | 156,945        | 156,945       | 103,584    | 19,669     | 137,276                 | Construction 25% complete.                                                                                                                                                                  |
|                     | 700017 | Grahame Heal Reserve                                         | 67,177         | 36,882        | 12,170     | 30,538     | 6,344                   | Construction to commence Q2. Journal to be processed to reallocate actuals to Duverney & Templetonia capital projects.                                                                      |
|                     | 700035 | Louis Dawe Park                                              | 46,212         | 51,218        | 51,217     | 51,280     | (62)                    | Completed.                                                                                                                                                                                  |
|                     | 700006 | MARC improvement to car park area                            | 10,000         | 12,418        | 12,419     | 13,625     | (1,207)                 | Completed.                                                                                                                                                                                  |
|                     | 700010 | Falcon Skate Park Upgrade                                    | 160,000        | 161,791       | 161,791    | 135,010    | 26,781                  | Construction complete. Finances to be finalised.                                                                                                                                            |
|                     | 700034 | Eastern Foreshore Softfall Renewal                           | 0              | 9,091         | 9,091      | 9,091      | 0                       | Completed.                                                                                                                                                                                  |
|                     | 700036 | Mogum Reserve Softfall Renewal                               | 0              | 23,400        | 23,400     | 23,400     | 0                       | Completed.                                                                                                                                                                                  |
|                     | 700042 | Kerosene Tank Bunding                                        | 0              | 6,071         | 6,071      | 6,451      | (380)                   | Completed.                                                                                                                                                                                  |
|                     | 700027 | Duverney Park Picnic Facilities                              | 0              | 40,000        | 40,000     | 14,964     | 25,036                  | Construction complete. Finances to be finalised. Savings to be reallocated to Grahame Heal Reserve at Budget Review.                                                                        |
|                     | 700473 | Templetonia Reserve                                          | 0              | 5,000         | 5,000      | 0          | 5,000                   | Construction 95% complete. Post to be replaced.                                                                                                                                             |
| Roads               |        |                                                              |                |               |            |            |                         |                                                                                                                                                                                             |
|                     | 501036 | RS Aldgate Street                                            | 97,535         | 97,535        | 97,535     | 0          | 97,535                  | Project being deferred until 2021/22 due to Black Spot Funding application. Budget to be reallocated to other resurfacing projects within the Roads Renewal - Reseal Program in due course. |
|                     | 501066 | RS Castlewood Place                                          | 17,340         | 17,340        | 0          | 0          | 17,340                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 501067 | RS Mississippi Drive Stage 2                                 | 232,999        | 232,999       | 0          | 0          | 232,999                 | Construction to commence Q3.                                                                                                                                                                |
|                     | 501068 | RS Oakmont Avenue Cool Seal                                  | 97,535         | 97,535        | 0          | 0          | 97,535                  | Construction to commence Q4.                                                                                                                                                                |
|                     | 501069 | RS Oakmont Avenue                                            | 86,697         | 86,697        | 86,697     | 3,401      | 83,296                  | Construction has been rescheduled to Q3 to align with extensive school holiday break.                                                                                                       |
|                     | 501070 | RS Perie Banou Close                                         | 92,116         | 92,116        | 30,399     | 0          | 92,116                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 501071 | RS Sedgemere Terrace                                         | 24,925         | 24,925        | 0          | 0          | 24,925                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 501072 | RS Valley Road                                               | 27,093         | 27,093        | 8,941      | 0          | 27,093                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 501073 | RS Valley Road                                               | 70,442         | 70,442        | 23,247     | 0          | 70,442                  | Construction to commence Q2.                                                                                                                                                                |
|                     | 501074 | Donnelly Gardens                                             | 205,906        | 205,906       | 67,949     | 0          | 205,906                 | Construction to commence Q2.                                                                                                                                                                |
|                     | 501075 | Westbourn Pass                                               | 28,177         | 28,177        | 0          | 0          | 28,177                  | Construction to commence Q3.                                                                                                                                                                |
|                     | 501026 | Bortolo Reserve - Shared Use Parking and Fire Track Facility | 417,233        | 417,233       | 417,233    | 43,451     | 373,782                 | Construction 25% complete.                                                                                                                                                                  |
|                     | 501027 | RR Pinjarra Road Stage 1                                     | 812,789        | 1,625,578     | 536,440    | 128,034    | 1,497,544               | Construction to commence Q4.                                                                                                                                                                |
|                     | 501028 | RR Peel Street                                               | 812,789        | 812,789       | 812,788    | 70,752     | 742,037                 | Construction is 25% complete.                                                                                                                                                               |
|                     |        | RR Pinjarra Road Stage 2                                     | 812,789        | 0             | 0          | 0          | 0                       |                                                                                                                                                                                             |
|                     | 501030 | RR Leslie Street                                             | 812,789        | 812,789       | 536,440    | 0          | 812,789                 | Construction to commence Q2.                                                                                                                                                                |
|                     | 501031 | RR Catalina Dr/Badgerup Ave Roundabout                       | 596,045        | 596,045       | 99,301     | 0          | 596,045                 | Construction to commence Q3.                                                                                                                                                                |
|                     | 501032 | RR Thera St Stage 2                                          | 184,233        | 184,233       | 184,233    | 189,395    | (5,162)                 | Construction complete. Finances to be finalised.                                                                                                                                            |
|                     | 501033 | RR Old Coast Road/Albany Drive                               | 140,883        | 140,883       | 46,491     | 0          | 140,883                 | Construction to commence Q2.                                                                                                                                                                |
|                     | 501034 | RR Old Coast Rd - Cossack Way to Shoshone View               | 270,930        | 270,930       | 0          | 0          | 270,930                 | Construction to commence Q4.                                                                                                                                                                |
|                     | 501035 | CP Halls Head Parade - Roberts Point                         | 88,865         | 88,865        | 88,864     | 40,072     | 48,793                  | Construction 95% complete.                                                                                                                                                                  |
|                     | 501025 | SP Halls Head Parade PSP                                     | 21,674         | 21,674        | 0          | 0          | 21,674                  | Design to commence Q4.                                                                                                                                                                      |

Level of completion indicator, please see table at the end of this note for further detail.

| Account Description                                                               |        |                                                                   | Adopted Budget | Annual Budget | YTD Budget | YTD Actual | Remaining Unspent Funds | Comment                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------|--------|-------------------------------------------------------------------|----------------|---------------|------------|------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | 501055 | SP Casuarina Drive                                                | 16,256         | 16,256        | 0          | 0          | 16,256                  | Construction to commence Q3.                                                                                                                                                                            |
|    | 501056 | SP Eldora Crescent                                                | 54,186         | 54,186        | 54,187     | 36,609     | 17,577                  | Construction 95% complete.                                                                                                                                                                              |
|    | 501057 | SP First Avenue                                                   | 34,679         | 34,679        | 11,444     | 0          | 34,679                  | To be combined with SP Lanyon Street to improve project efficiencies within the Shared Paths Program.                                                                                                   |
|    | 501058 | SP Lanyon Street                                                  | 70,442         | 70,442        | 23,247     | 7,545      | 62,897                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501059 | SP Melita Street                                                  | 45,516         | 45,516        | 45,518     | 38,507     | 7,009                   | Construction 95% complete.                                                                                                                                                                              |
|    | 501060 | SP Murdoch Drive                                                  | 91,032         | 91,032        | 30,040     | 0          | 91,032                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501061 | SP Pinjarra Road                                                  | 81,279         | 81,279        | 0          | 0          | 81,279                  | Construction to commence Q4.                                                                                                                                                                            |
|    | 501062 | SP Pinjarra Road Park                                             | 72,609         | 72,609        | 0          | 8,133      | 64,476                  | Construction has been rescheduled to Q2 due to design and public interface resolution.                                                                                                                  |
|    | 501063 | SP Wanjeep Street                                                 | 102,953        | 102,953       | 0          | 0          | 102,953                 | Construction to commence Q4.                                                                                                                                                                            |
|    | 501064 | Mulberry Close PAW                                                | 26,009         | 26,009        | 0          | 2,185      | 23,825                  | Construction to commence Q3.                                                                                                                                                                            |
|    | 501065 | Missing Links                                                     | 33,595         | 33,595        | 0          | 5,553      | 28,042                  | Ongoing program 2020/21 to commence in Q2.                                                                                                                                                              |
|    | 501037 | SP Cox Bay Footpath Renewal                                       | 117,041        | 117,041       | 117,042    | 111,811    | 5,230                   | Construction is 95% complete.                                                                                                                                                                           |
|    | 501038 | SP Stingray Point Footpath Replacement                            | 146,302        | 146,302       | 48,281     | 0          | 146,302                 | Construction to commence Q4.                                                                                                                                                                            |
|    | 501039 | SL Street Lighting New Program                                    | 162,558        | 162,558       | 54,164     | 23,265     | 139,293                 | Ongoing Program 2020/21.                                                                                                                                                                                |
|    | 501040 | SL Upgrade of the older lighting Poles on Peelwood Reserve Oval 2 | 53,373         | 53,373        | 0          | 0          | 53,373                  | Construction to commence Q3.                                                                                                                                                                            |
|    | 501041 | SL Rushton Sports Flood Lighting - Replacement                    | 106,746        | 106,746       | 35,226     | 0          | 106,746                 | Rebudget in 2021-2022.                                                                                                                                                                                  |
|    | 501042 | SL Light pole replacement                                         | 53,373         | 38,541        | 0          | 0          | 38,541                  | Construction to commence Q3.                                                                                                                                                                            |
|    | 501043 | SL Mandurah Marina canal light pole rectification                 | 53,373         | 53,373        | 17,613     | 0          | 53,373                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501044 | SL Carpark Lighting Replacement Program                           | 58,711         | 58,711        | 0          | 0          | 58,711                  | Construction to commence Q3.                                                                                                                                                                            |
|    | 501045 | SL Mandurah Scoop Lighting Replacement                            | 18,147         | 18,147        | 5,989      | 0          | 18,147                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501046 | SL Parks and Reserves LED Program                                 | 80,059         | 80,059        | 0          | 0          | 80,059                  | Ongoing Program 2020/21.                                                                                                                                                                                |
|    | 501047 | Pinjarra Road East - Median Stage 3                               | 33,926         | 24,525        | 24,527     | 23,001     | 1,524                   | Completed.                                                                                                                                                                                              |
|    | 501048 | TM Discretionary Traffic Management Program                       | 162,558        | 157,782       | 52,577     | 23,223     | 134,559                 | Ongoing Program 2020/21.                                                                                                                                                                                |
|    | 501049 | TM Merlin St/Mistral St Roundabout                                | 243,837        | 273,837       | 180,730    | 23,185     | 250,652                 | Construction to commence Q2.                                                                                                                                                                            |
|    | 501050 | Mandurah Road Median                                              | 169,631        | 169,631       | 0          | 0          | 169,631                 | Construction to commence Q3.                                                                                                                                                                            |
|    | 501051 | SF Street Furniture New Program                                   | 65,024         | 65,024        | 21,664     | 0          | 65,024                  | Ongoing Program 2020/21.                                                                                                                                                                                |
|    | 500016 | Smart Street Mall                                                 | 2,000,000      | 2,351,939     | 783,668    | 259,590    | 2,092,349               | Electrical and lighting works to be completed December 2020. Hard and soft landscape works to be completed after Christmas holiday period.                                                              |
|    | 501052 | WMC Loading Area - Column Protection                              | 35,000         | 35,000        | 11,550     | 0          | 35,000                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501053 | SL MARC Carpark Additional Lights                                 | 21,675         | 21,675        | 7,153      | 0          | 21,675                  | Construction to commence Q2.                                                                                                                                                                            |
|    | 501054 | Waste Transfer Station Road Construction                          | 108,371        | 108,371       | 0          | 0          | 108,371                 | Construction to commence Q4.                                                                                                                                                                            |
|    | 500019 | Peel Street                                                       | 250,000        | 495,287       | 495,286    | 507,604    | (12,317)                | Construction complete. Finances to be finalised.                                                                                                                                                        |
|    | 500004 | Coodanup Drive                                                    | 111,930        | 111,930       | 111,930    | 125,459    | (13,529)                | Construction complete. Finances to be finalised. Overspend is due to costs associated with TM Discretionary Traffic Mgmt being coded to this project (\$15,615) which has been reallocated in November. |
|    | 500029 | TM Discretionary Traffic Mgmt                                     | 46,628         | 45,657        | 45,655     | 46,175     | (518)                   | Completed.                                                                                                                                                                                              |
|   | 500028 | RR Thera Street                                                   | 80,000         | 158,206       | 158,203    | 80,378     | 77,828                  | Completed.                                                                                                                                                                                              |
|  | 500082 | WMC Recovery Facility Hardstand                                   | 205,907        | 205,907       | 67,949     | 0          | 205,907                 | Construction to commence Q4.                                                                                                                                                                            |
|  | 500055 | SP Cox Bay                                                        | 0              | 22,672        | 22,672     | 19,185     | 3,487                   | Completed.                                                                                                                                                                                              |
|  | 501076 | Guava Way                                                         | 0              | 351,000       | 116,952    | 0          | 351,000                 | Construction to commence Q4.                                                                                                                                                                            |
|  | 501077 | SP Harbord Avenue                                                 | 0              | 59,331        | 19,764     | 0          | 59,331                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 501078 | SP Sandforth Crescent                                             | 0              | 66,131        | 0          | 0          | 66,131                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 501079 | Pallas Way - Troy Place PAW                                       | 0              | 13,531        | 0          | 0          | 13,531                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 501080 | Boundary Road PAW                                                 | 0              | 37,531        | 0          | 0          | 37,531                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 500031 | Wilderness Dr/Old Coast Rd                                        | 0              | 0             | 0          | 4,397      | (4,397)                 | Expense to be allocated in November.                                                                                                                                                                    |
| Drainage                                                                          |        |                                                                   |                |               |            |            |                         |                                                                                                                                                                                                         |
|  | 600171 | DR Leighton Road/Halls Head Parade                                | 27,093         | 60,093        | 60,096     | 3,903      | 56,190                  | Construction 95% complete.                                                                                                                                                                              |
|  | 600172 | DR Rainbow Way Swale Reinstatement                                | 81,278         | 48,278        | 48,279     | 8,597      | 39,681                  | Construction to commence Q2.                                                                                                                                                                            |
|  | 600173 | DR Koolinda Street                                                | 162,558        | 162,558       | 53,644     | 0          | 162,558                 | Construction to commence Q2.                                                                                                                                                                            |
|  | 600174 | DR Yeedong Road                                                   | 108,371        | 108,371       | 35,762     | 0          | 108,371                 | Construction to commence Q2.                                                                                                                                                                            |
|  | 600175 | DR 294 Estuary Road                                               | 81,278         | 81,278        | 81,281     | 0          | 81,278                  | Construction to commence Q2.                                                                                                                                                                            |
|  | 600176 | DR Northport Boulevard                                            | 81,278         | 81,278        | 26,823     | 0          | 81,278                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 600177 | DR Discretionary Drainage                                         | 92,116         | 92,116        | 30,696     | 10,683     | 81,433                  | Ongoing Program 2020/21.                                                                                                                                                                                |
|  | 600178 | DR Halls Head Parade - Roberts Point                              | 73,693         | 73,693        | 73,695     | 42,298     | 31,395                  | Construction 95% complete.                                                                                                                                                                              |
|  | 600179 | DR Estuary View Road Flooding Stage 2                             | 65,024         | 65,024        | 65,025     | 73,237     | (8,213)                 | Construction complete. Finances to be finalised.                                                                                                                                                        |
|  | 600180 | Bortolo Sump - Water Sensitive Urban Design                       | 325,116        | 325,116       | 0          | 2,030      | 323,086                 | Construction to commence Q3.                                                                                                                                                                            |
|  | 600011 | DR Orion Rd Park Stage 2                                          | 20,719         | 9,796         | 9,795      | 9,796      | 0                       | Construction 95% complete.                                                                                                                                                                              |
| Coastal & Estuary                                                                 |        |                                                                   |                |               |            |            |                         |                                                                                                                                                                                                         |
|  | 910106 | Keith Holmes Reserve POS Upgrade                                  | 97,307         | 97,307        | 97,308     | 41,714     | 55,593                  | Construction 50% complete.                                                                                                                                                                              |
|  | 910107 | Marina Pens WIFI                                                  | 20,000         | 20,000        | 6,600      | 0          | 20,000                  | Construction to commence Q3.                                                                                                                                                                            |
|  | 910108 | South Harbour Paving Upgrade Stage 2                              | 183,801        | 183,801       | 60,655     | 16,375     | 167,426                 | Construction 20% complete.                                                                                                                                                                              |
|  | 910109 | Cambria Island abutment walls repair                              | 32,435         | 32,435        | 32,436     | 0          | 32,435                  | Construction 80% complete.                                                                                                                                                                              |
|  | 900012 | Parkridge Boat Ramp                                               | 62,060         | 62,060        | 0          | 0          | 62,060                  | Grant application for RBFS Round 25 submitted. Notification of outcome in April 2021.                                                                                                                   |
|  | 900002 | Avalon Foreshore                                                  | 27,000         | 63,211        | 63,217     | 38,432     | 24,779                  | Construction 95% complete.                                                                                                                                                                              |
|  | 900009 | South Harbour Paving Replacement                                  | 0              | 40,786        | 13,588     | 34,694     | 6,092                   | Construction 90% complete.                                                                                                                                                                              |
| Equipment                                                                         |        |                                                                   |                |               |            |            |                         |                                                                                                                                                                                                         |
|  | 820175 | MARC Pool Covers Program Pool                                     | 37,361         | 37,361        | 12,329     | 0          | 37,361                  | Construction to commence Q2.                                                                                                                                                                            |
|  | 820176 | Sign / sticker printer                                            | 37,930         | 37,930        | 37,930     | 37,962     | (32)                    | Completed.                                                                                                                                                                                              |

Level of completion indicator, please see table at the end of this note for further detail.

| Account Description                                                             |                    |                                                              | Adopted Budget    | Annual Budget     | YTD Budget        | YTD Actual       | Remaining Unspent Funds | Comment                                                                             |
|---------------------------------------------------------------------------------|--------------------|--------------------------------------------------------------|-------------------|-------------------|-------------------|------------------|-------------------------|-------------------------------------------------------------------------------------|
|  | 820177             | MARC CCTV Aquatic Facilities                                 | 32,024            | 32,024            | 10,568            | 0                | 32,024                  | Construction to commence Q2.                                                        |
|  | 820178             | CCTV Upgrade at Meadow Springs Sports Facility               | 21,350            | 21,350            | 7,046             | 0                | 21,350                  | Construction to commence Q2.                                                        |
|  | 820179             | MARC Pool Covers Leisure Exercise Pool                       | 24,552            | 24,552            | 8,102             | 0                | 24,552                  | Construction to commence Q2.                                                        |
|  | 820180             | Furniture & Equipment Renewal Program                        | 55,508            | 55,508            | 24,668            | 0                | 55,508                  | Construction to commence Q2.                                                        |
|  | 820174             | MPAC Orchestra Lift                                          | 128,095           | 128,095           | 42,271            | 11,853           | 116,242                 | Construction to commence Q3.                                                        |
| Plant & Machinery                                                               |                    |                                                              |                   |                   |                   |                  |                         |                                                                                     |
|  | 770001             | Light Passenger Vehicles - Replacement                       | 672,651           | 672,651           | 224,128           | 115,289          | 557,362                 |                                                                                     |
|  | 770002             | Light Commercial Vehicles - Replacement                      | 981,185           | 981,185           | 326,932           | 40,059           | 941,126                 |                                                                                     |
|                                                                                 |                    | Light Passenger Vehicles - New                               | 0                 | 0                 | 0                 | 0                | 0                       |                                                                                     |
|  | 770018             | Light Commercial Vehicles - New                              | 36,000            | 36,000            | 11,996            | 0                | 36,000                  |                                                                                     |
|  | 770006             | Trucks & Buses Replacements                                  | 72,893            | 72,893            | 12,144            | 0                | 72,893                  |                                                                                     |
|  | 770007             | Trailers                                                     | 743,550           | 743,550           | 247,752           | 0                | 743,550                 |                                                                                     |
|  | 770009             | Parks & Mowers                                               | 285,438           | 285,438           | 95,108            | 83,880           | 201,558                 |                                                                                     |
|  | 770011             | Miscellaneous Equipment >\$1500                              | 131,919           | 131,919           | 43,956            | 31,656           | 100,263                 |                                                                                     |
|  | 770008             | Construction Vehicles                                        | 583,061           | 583,061           | 97,138            | 0                | 583,061                 |                                                                                     |
| Other Infrastructure                                                            |                    |                                                              |                   |                   |                   |                  |                         |                                                                                     |
|  | 930033             | Christmas Decorations 2020                                   | 213,492           | 213,492           | 213,491           | 81,266           | 132,226                 | Project delivery Q2.                                                                |
|  | 930034             | Waste Transfer Station increase hardstand area with concrete | 100,000           | 100,000           | 0                 | 0                | 100,000                 | Construction to commence Q4.                                                        |
|  | 930035             | Restart Mandurah - Other                                     | 2,785,000         | 1,705,000         | 0                 | 0                | 1,705,000               | Remaining Restart Mandurah funding available.                                       |
|  | 930002             | Road Sweeper Spoil                                           | 45,000            | 5,774             | 5,775             | 5,940            | (166)                   | Completed.                                                                          |
|  | 400050             | Lakelands DOS Clubroom Facility                              | 200,000           | 762,524           | 503,266           | 450,706          | 311,818                 | Clubroom Facility complete. Landscaping around building to commence early November. |
|  | 700052             | Lakelands DOS                                                | 1,000,000         | 1,143,257         | 754,550           | 168              | 1,143,089               | Refer to Financial Report, Key Capital Projects table.                              |
|  | 500085             | Lakelands DOS Parking                                        | 0                 | 3,594             | 1,196             | 900              | 2,694                   | Refer to Financial Report, Key Capital Projects table.                              |
|  | 700050             | Lakelands DOS - Irrigation                                   | 0                 | 26,125            | 8,704             | 4,144            | 21,981                  | Refer to Financial Report, Key Capital Projects table.                              |
|  | 700053             | Lakelands DOS - Sports Specific Infr                         | 0                 | 23,763            | 7,916             | 0                | 23,763                  | Refer to Financial Report, Key Capital Projects table.                              |
|  | 700054             | Lakelands DOS - Water Provision Infr                         | 0                 | 311,941           | 103,940           | 1,785            | 310,156                 | Refer to Financial Report, Key Capital Projects table.                              |
|  | 700055             | Eastern Foreshore South Precinct                             | 6,870,103         | 6,936,603         | 2,311,272         | 49,809           | 6,886,794               | Refer to Financial Report, Key Capital Projects table.                              |
|  | 700056             | Western Foreshore Recreation Precinct                        | 8,300,000         | 8,315,856         | 2,770,844         | 987,088          | 7,328,768               | Refer to Financial Report, Key Capital Projects table.                              |
|  | <b>Grand Total</b> |                                                              | <b>43,066,214</b> | <b>44,717,948</b> | <b>16,571,098</b> | <b>5,248,999</b> | <b>39,468,949</b>       |                                                                                     |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**FINANCING ACTIVITIES**

**NOTE 7**

**BORROWINGS**

**Repayments - Borrowings**

| Information on Borrowings<br>Particulars                     | 1 July 2020 | New Loans |           | Principal Repayments |         | Principal Outstanding |           | Interest Repayments |        |
|--------------------------------------------------------------|-------------|-----------|-----------|----------------------|---------|-----------------------|-----------|---------------------|--------|
|                                                              |             | Actual    | Budget    | Actual               | Budget  | Actual                | Budget    | Actual              | Budget |
|                                                              | \$          | \$        | \$        | \$                   | \$      | \$                    | \$        | \$                  | \$     |
| <b>Law, order, public safety</b>                             |             |           |           |                      |         |                       |           |                     |        |
| Port Bouvard Surf Life Saving Club [WTC 316(v)]              | 0           |           | 0         |                      | 110     |                       | (110)     |                     | 0      |
| <b>Health</b>                                                |             |           |           |                      |         |                       |           |                     |        |
| <b>Community amenities</b>                                   |             |           |           |                      |         |                       |           |                     |        |
| Compactor Waste Trailers and Dolly [336]                     | 240,815     |           | 0         | 19,062               | 54,610  | 221,753               | 186,205   | 1,842               | 8,102  |
| Waste Water Reuse [349]                                      | 146,255     |           | 0         | 7,450                | 20,376  | 138,805               | 125,879   | 1,090               | 5,244  |
| Halls Head Ablution Block [350]                              | 97,505      |           | 0         | 4,966                | 13,580  | 92,539                | 83,925    | 726                 | 3,496  |
| Halls Head Recycled Water 2019/20                            | 200,051     |           | 0         | 5,953                | 17,389  | 194,098               | 182,662   | 1,551               | 5,891  |
| Ablutions 2020/21                                            | 0           |           | 200,000   | -                    | 17,344  | 0                     | 182,656   | 0                   | 5,935  |
| <b>Recreation and culture</b>                                |             |           |           |                      |         |                       |           |                     |        |
| Allnutt Reserve Community Facility [316(iii)]                | 0           |           | 0         | -                    | 513     | 0                     | (513)     | 0                   | 0      |
| Town Beach Ablutions [316(vii)]                              | 0           |           | 0         | -                    | 220     | 0                     | (220)     | 0                   | 0      |
| Rushton Park Redevelopment [318(ii)]                         | 334,327     |           | 0         | 31,298               | 83,095  | 303,029               | 251,232   | 487                 | 10,917 |
| Meadow Springs Recreation Facility [318(iii)]                | 250,493     |           | 0         | 23,510               | 63,310  | 226,983               | 187,183   | 366                 | 8,317  |
| Mandurah Rugby Club [320]                                    | 42,468      |           | 0         | 13,834               | 39,316  | 28,634                | 3,152     | 270                 | 763    |
| Mandurah Cricket Club [321]                                  | 14,145      |           | 0         | 4,614                | 13,094  | 9,531                 | 1,051     | 90                  | 254    |
| Mandurah Football & Sporting Club [324]                      | 165,129     |           | 0         | 26,658               | 78,869  | 138,471               | 86,260    | 1,202               | 4,711  |
| Mandurah Rugby Club [325]                                    | 12,698      |           | 0         | 2,052                | 6,070   | 10,646                | 6,628     | 92                  | 362    |
| Bowling Club Relocation [326]                                | 1,092,880   |           | 0         | 186,650              | 537,467 | 906,230               | 555,413   | 3,206               | 32,101 |
| Ablutions - Netball Centre [329(i)]                          | 88,582      |           | 0         | 14,160               | 41,873  | 74,422                | 46,709    | 631                 | 2,501  |
| Parks Construction [329(v)]                                  | 87,089      |           | 0         | 14,160               | 41,873  | 72,929                | 45,216    | 631                 | 2,501  |
| Halls Head Bowling Club upgrade [331]                        | 310,795     |           | 0         | 12,055               | 32,228  | 298,740               | 278,567   | 2,433               | 11,236 |
| Parks - Falcon Bay Reserve [333(i)]                          | 72,390      |           | 0         | 7,828                | 22,739  | 64,562                | 49,651    | 532                 | 2,339  |
| MARC Redevelopment [338]                                     | 763,964     |           | 0         | 53,795               | 144,275 | 710,169               | 619,689   | 3,305               | 27,025 |
| MARC Redevelopment Stage 1 [340]                             | 503,911     |           | 0         | 27,214               | 72,790  | 476,697               | 431,121   | 3,050               | 18,002 |
| MARC Redevelopment Stage 2 [341]                             | 1,277,816   |           | 0         | 73,335               | 187,831 | 1,204,481             | 1,089,985 | 4,761               | 46,457 |
| Eastern Foreshore Wall [344]                                 | 835,933     |           | 0         | 47,688               | 121,623 | 788,245               | 714,310   | 2,880               | 30,081 |
| MARC Stage 2 [345]                                           | 1,228,894   |           | 0         | 68,499               | 174,502 | 1,160,395             | 1,054,392 | 4,249               | 43,742 |
| Falcon Bay Seawall [351]                                     | 244,836     |           | 0         | 12,452               | 34,049  | 232,384               | 210,787   | 1,824               | 8,779  |
| MARC Solar Plan [353]                                        | 173,490     |           | 0         | 6,654                | 17,759  | 166,836               | 155,731   | 1,358               | 6,277  |
| Novara Foreshore Development [355]                           | 346,980     |           | 0         | 13,307               | 35,518  | 333,673               | 311,462   | 2,717               | 12,554 |
| Falcon Bay Foreshore Upgrades [356]                          | 346,980     |           | 0         | 13,307               | 35,518  | 333,673               | 311,462   | 2,717               | 12,554 |
| Mandjar Square Development [358]                             | 433,630     |           | 0         | 16,633               | 44,391  | 416,997               | 389,239   | 3,395               | 15,693 |
| Lakelands DOS [360]                                          | 2,365,997   |           | 0         | 107,083              | 248,575 | 2,258,914             | 2,117,422 | 5,069               | 87,881 |
| Mandjar Square Stage 3 and 4                                 | 458,859     |           | 0         | 15,013               | 82,410  | 443,846               | 376,449   | 3,267               | 27,270 |
| Falcon Seawall                                               | 908,175     |           | 0         | 33,145               | 41,205  | 875,030               | 866,970   | 3,415               | 13,635 |
| Novara Foreshore Stage 3                                     | 183,582     |           | 0         | 6,005                | 16,482  | 177,577               | 167,100   | 1,307               | 5,454  |
| Smart Street Mall Upgrade 2019/20                            | 500,127     |           | 0         | 16,375               | 43,460  | 483,752               | 456,667   | 3,873               | 14,728 |
| Falcon Bay Foreshore Stage 3 of 4                            | 300,076     |           | 0         | 8,929                | 26,083  | 291,147               | 273,993   | 2,327               | 8,837  |
| Mandjar Square Final Stage                                   | 300,076     |           | 0         | 8,929                | 26,083  | 291,147               | 273,993   | 2,327               | 8,837  |
| Falcon Skate Park Upgrade                                    | 120,030     |           | 0         | 3,931                | 10,433  | 116,100               | 109,597   | 929                 | 3,535  |
| Westbury Way North side POS Stage 3                          | 200,051     |           | 0         | 5,948                | 17,389  | 194,103               | 182,662   | 1,556               | 5,891  |
| Eastern/ Western Foreshore 2020/21                           | 0           |           | 2,770,000 | -                    | 240,145 | 0                     | 2,529,855 | 0                   | 82,211 |
| Smart Street Mall 2020/21                                    | 0           |           | 2,000,000 | -                    | 173,382 | 0                     | 1,826,618 | 0                   | 59,358 |
| Novara Foreshore Stage 4                                     | 0           |           | 400,000   | -                    | 34,676  | 0                     | 365,324   | 0                   | 11,872 |
| Bortolo Reserve - Shared Use Parking and Fire Track Facility | 0           |           | 350,000   | -                    | 30,352  | 0                     | 319,648   | 0                   | 10,387 |
| Falcon Bay Upgrade - Stage 4 of 5                            | 0           |           | 300,000   | -                    | 26,016  | 0                     | 273,984   | 0                   | 8,904  |
| Enclosed Dog Park                                            | 0           |           | 200,000   | -                    | 17,344  | 0                     | 182,656   | 0                   | 5,936  |
| South Harbour Paving Upgrade Stage 2                         | 0           |           | 50,000    | -                    | 4,336   | 0                     | 45,664    | 0                   | 1,484  |
| Falcon Skate Park Upgrade 2020/21                            | 0           |           | 80,000    | -                    | 7,521   | 0                     | 72,479    | 0                   | 1,816  |
| <b>Transport</b>                                             |             |           |           |                      |         |                       |           |                     |        |
| Road Construction [316(ii)]                                  | 0           |           | 0         | -                    | 1,642   | 0                     | (1,642)   | 0                   | 0      |
| Car Parking [316(iv)]                                        | 0           |           | 0         | -                    | 121     | 0                     | (121)     | 0                   | 0      |
| Drainage [318(iv)]                                           | 83,835      |           | 0         | 78,171               | 19,784  | 5,664                 | 64,051    | 1,216               | 2,599  |
| Road Construction [318(v)]                                   | 836,324     |           | 0         | 7,788                | 213,672 | 828,536               | 622,652   | 121                 | 28,071 |
| Road Construction [329(ii)]                                  | 188,410     |           | 0         | 30,820               | 91,136  | 157,590               | 97,274    | 1,373               | 5,443  |
| Drainage Construction [329(iii)]                             | 63,624      |           | 0         | 9,996                | 29,557  | 53,628                | 34,067    | 445                 | 1,765  |
| Peelwood Oval - Parking [329(iv)]                            | 24,957      |           | 0         | 4,165                | 12,316  | 20,792                | 12,641    | 186                 | 736    |
| Path Construction [329(vi)]                                  | 13,856      |           | 0         | 2,499                | 7,389   | 11,357                | 6,467     | 111                 | 441    |
| Street Lighting [329(viii)]                                  | 18,102      |           | 0         | 3,332                | 9,852   | 14,770                | 8,250     | 148                 | 588    |
| Road Construction [333(ii)]                                  | 320,984     |           | 0         | 35,659               | 103,588 | 285,325               | 217,396   | 2,422               | 10,654 |
| New Pedestrian Bridge Construction [335]                     | 481,195     |           | 0         | 38,554               | 110,329 | 442,642               | 370,866   | 3,678               | 16,367 |
| New Road Construction [339]                                  | 544,949     |           | 0         | 36,474               | 102,919 | 508,475               | 442,030   | 4,198               | 19,313 |
| New Road Construction [342]                                  | 651,651     |           | 0         | 36,565               | 93,915  | 615,086               | 557,736   | 2,483               | 23,229 |
| WMC Tims Thicket [343]                                       | 98,545      |           | 0         | 5,094                | 14,096  | 93,451                | 84,449    | 766                 | 3,484  |
| Road Construction [346]                                      | 385,053     |           | 0         | 19,615               | 53,646  | 365,438               | 331,407   | 2,869               | 13,806 |
| MARC Carpark [347]                                           | 292,521     |           | 0         | 14,901               | 40,752  | 277,620               | 251,769   | 2,179               | 10,488 |
| MPAC Forecourt [348]                                         | 121,886     |           | 0         | 6,208                | 16,978  | 115,678               | 104,908   | 908                 | 4,370  |
| Mandurah Marina [352]                                        | 173,490     |           | 0         | 6,654                | 17,759  | 166,836               | 155,731   | 1,358               | 6,277  |
| MARC Carpark [354]                                           | 260,243     |           | 0         | 9,978                | 26,632  | 250,265               | 233,611   | 2,038               | 9,416  |
| Mandurah Foreshore Boardwalk Renewal [357]                   | 390,262     |           | 0         | 14,968               | 39,948  | 375,294               | 350,314   | 3,056               | 14,124 |
| New Road Construction [359]                                  | 1,191,883   |           | 0         | 53,291               | 125,617 | 1,138,592             | 1,066,266 | 3,385               | 44,411 |
| Smoke Bush Retreat Footpath [361]                            | 86,736      |           | 0         | 3,329                | 8,886   | 83,407                | 77,850    | 679                 | 3,138  |
| New Boardwalks 18/19                                         | 458,859     |           | 0         | 15,013               | 41,205  | 443,846               | 417,654   | 3,267               | 13,635 |
| Coodanup Drive - Road Rehabilitation                         | 91,791      |           | 0         | 3,002                | 8,241   | 88,789                | 83,550    | 654                 | 2,727  |
| Pinjarra Road Carpark                                        | 183,582     |           | 0         | 6,005                | 16,482  | 177,577               | 167,100   | 1,307               | 5,454  |
| New Road Construction 2018/19                                | 1,497,356   |           | 0         | 56,267               | 135,963 | 1,441,089             | 1,361,393 | 4,053               | 44,997 |
| New Road Construction 2019/20                                | 900,229     |           | 0         | 32,544               | 78,226  | 867,684               | 822,003   | 3,904               | 26,510 |
| South Harbour Upgrade 2019/20                                | 230,058     |           | 0         | 6,844                | 19,997  | 223,214               | 210,061   | 1,784               | 6,774  |
| New Roads 2020/21                                            | 0           |           | 1,150,000 | -                    | 99,693  | 0                     | 1,050,307 | 0                   | 34,131 |

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020

FINANCING ACTIVITIES

NOTE 7

BORROWINGS

Repayments - Borrowings

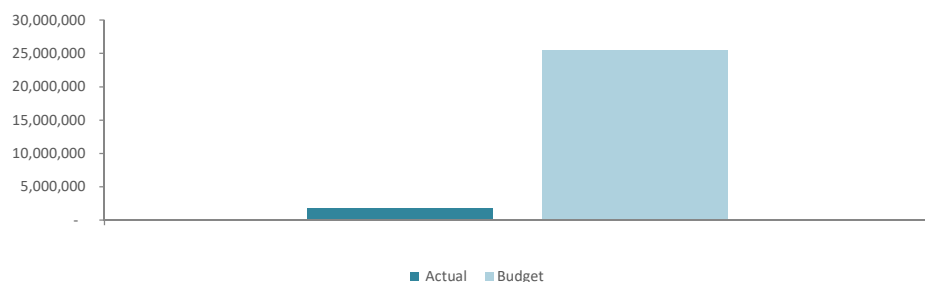
| Information on Borrowings              | 1 July 2020 | New Loans |            | Principal Repayments |            | Principal Outstanding |            | Interest Repayments |           |
|----------------------------------------|-------------|-----------|------------|----------------------|------------|-----------------------|------------|---------------------|-----------|
|                                        |             | Actual    | Budget     | Actual               | Budget     | Actual                | Budget     | Actual              | Budget    |
| <b>Other property and services</b>     |             |           |            |                      | -          |                       |            |                     |           |
| Office Building [272]                  | 215,016     |           | 0          | 84,102               | 195,631    | 130,913               | 19,385     | 1,290               | 3,140     |
| Information Systems [316(i)]           | 0           |           | 0          | -                    | 110        | 1                     | (110)      | 0                   | 0         |
| IT Server Room Upgrade [316(vi)]       | 0           |           | 0          | -                    | 296        | 0                     | (296)      | 0                   | 0         |
| IT Communications Equipment [318(i)]   | 67,470      |           | 0          | 6,171                | 15,828     | 61,299                | 51,642     | 96                  | 2,079     |
| IT Equipment [329(vii)]                | 25,700      |           | 0          | 4,165                | 12,316     | 21,535                | 13,384     | 186                 | 736       |
| Land Purchase [330]                    | 1,223,995   |           | 0          | 210,590              | 606,689    | 1,013,405             | 617,306    | 3,718               | 36,235    |
| Civic Building - Tuckey Room Extension | 458,859     |           | 0          | 15,013               | 41,205     | 443,846               | 417,654    | 3,267               | 13,634    |
| Short term loan COVID-19               | 0           |           | 20,000,000 | -                    | 20,000,000 | 0                     | 0          | 0                   | 35,000    |
|                                        | 26,230,451  | 0         | 27,500,000 | 1,770,266            | 25,410,640 | 24,460,185            | 28,319,811 | 126,622             | 1,127,642 |
| <b>Total</b>                           | 26,230,451  | 0         | 27,500,000 | 1,770,266            | 25,410,640 | 24,460,185            | 28,319,811 | 126,622             | 1,127,642 |
| Current borrowings                     | 25,410,640  |           | 27,500,000 | 1,770,266            | 25,410,640 | 3,016,491             | 25,410,640 | 126,622             | 1,127,642 |
| Non-current borrowings                 | 819,811     |           |            |                      |            | 21,443,694            | 2,909,171  |                     |           |
|                                        | 26,230,451  |           |            |                      |            | 24,460,185            | 28,319,811 |                     |           |

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

2020/21 Principal Repayments



Principal Repayments

**\$1,770,266**

Interest Expense

**\$126,622**

Loans Due

**\$24.46 M**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 8**

**OPERATING GRANTS AND CONTRIBUTIONS**

**Operating Grants, Subsidies and Contributions Revenue**

| Provider                                               | Adopted<br>Budget | Budget<br>Variations | Annual<br>Budget | YTD Revenue<br>Actual |
|--------------------------------------------------------|-------------------|----------------------|------------------|-----------------------|
|                                                        | \$                | \$                   | \$               | \$                    |
| <b>Operating Grants and Subsidies</b>                  |                   |                      |                  |                       |
| <b>General purpose funding</b>                         |                   |                      |                  |                       |
| Financial Assistance Grant - General Purpose           | 845,000           |                      | 845,000          | 219,247               |
| Financial Assistance Grant - Local Roads               | 670,000           |                      | 670,000          | 150,650               |
| <b>Law, order, public safety</b>                       |                   |                      |                  |                       |
| Lifeguard Service Funding                              | 100,000           |                      | 100,000          | 95,667                |
| DFES Bushfire Mitigation Funding                       | 0                 | 318,600              | 318,600          | 159,300               |
| Operating Grant SES                                    | 64,233            |                      | 64,233           | 11,938                |
| <b>Education and welfare</b>                           |                   |                      |                  |                       |
| Waterwise Verge Grant                                  | 10,000            |                      | 10,000           | 0                     |
| NAIDOC                                                 | 3,038             |                      | 3,038            | 0                     |
| International Disability Day Grant                     | 1,013             | 5,000                | 6,013            | 5,000                 |
| National Australia Day Council                         | 0                 | 0                    | 0                | 21,000                |
| Gnoonie Youth Football Cup 2019                        | 1,013             |                      | 1,013            | 0                     |
| CHRMAP                                                 | 37,500            |                      | 37,500           | 0                     |
| Lotterywest (Childrens Festival Grant)                 | 8,859             |                      | 8,859            | 0                     |
| Lotterywest (Christmas Pageant)                        | 10,125            |                      | 10,125           | 0                     |
| Tourism WA (Crabfest Sponsorship)                      | 141,742           |                      | 141,742          | 0                     |
| Every Club Funding                                     | 20,250            |                      | 20,250           | 0                     |
| Friday Night Skillz - DLGSCI                           | 14,485            |                      | 14,485           | 0                     |
| PTA - Annual Bus Shelter Maintenance Assistance Scheme | 15,000            |                      | 15,000           | 0                     |
|                                                        | <b>1,942,258</b>  | <b>323,600</b>       | <b>2,265,858</b> | <b>662,801</b>        |
| <b>TOTALS</b>                                          | <b>1,942,258</b>  | <b>323,600</b>       | <b>2,265,858</b> | <b>662,801</b>        |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 9  
NON-OPERATING GRANTS AND CONTRIBUTIONS**

**Non Operating Grants, Subsidies and Contributions Revenue**

| Provider                                                       | Adopted<br>Budget<br>Revenue | Budget<br>Variations | Annual<br>Budget  | YTD Revenue<br>Actual<br>(b) |
|----------------------------------------------------------------|------------------------------|----------------------|-------------------|------------------------------|
|                                                                | \$                           | \$                   | \$                | \$                           |
| <b>Non-Operating Grants and Subsidies</b>                      |                              |                      |                   |                              |
| <b>Community amenities</b>                                     |                              |                      |                   |                              |
| : Donnelly Gardens                                             | 111,716                      | 0                    | 111,716           | 0                            |
| <b>Recreation and culture</b>                                  |                              |                      |                   |                              |
| : Eastern Foreshore South Precinct                             | 2,500,000                    | 0                    | 2,500,000         | 2,000,000                    |
| : Eastern Foreshore South Precinct                             | 1,228,250                    | 0                    | 1,228,250         | 0                            |
| : Western Foreshore Recreation Precinct                        | 3,771,750                    | 0                    | 3,771,750         | 0                            |
| : Parkridge Boat Ramp                                          | 16,410                       | 0                    | 16,410            | 0                            |
| : Falcon Skate Park Upgrade                                    | 80,000                       | 6,338                | 86,338            | 86,338                       |
| : Lakelands DOS Clubroom Facility                              | 50,000                       | 0                    | 50,000            | 0                            |
| : Lakelands DOS                                                | 325,000                      | 0                    | 325,000           | 0                            |
| <b>Transport</b>                                               |                              |                      |                   |                              |
| : RR Pinjarra Road Stage 1                                     | 500,000                      | 0                    | 500,000           | 400,000                      |
| : Peel Street                                                  | 100,000                      | 0                    | 100,000           | 100,000                      |
| : RR Peel Street                                               | 500,000                      | 0                    | 500,000           | 200,000                      |
| : RR Pinjarra Road Stage 2                                     | 500,000                      | 0                    | 500,000           | 0                            |
| : RR Leslie Street                                             | 500,000                      | 0                    | 500,000           | 200,000                      |
| : RR Catalina Dr/Badgerup Ave Roundabout                       | 550,000                      | 0                    | 550,000           | 0                            |
| : RR Thera St Stage 2                                          | 170,000                      | 0                    | 170,000           | 170,000                      |
| : RR Old Coast Road/Albany Drive                               | 120,708                      | 0                    | 120,708           | 110,905                      |
| : RR Old Coast Road/Albany Drive                               | 215,000                      | (814)                | 214,186           | 215,000                      |
| : Lakelands-Madora Bay Pedestrian Bridge                       | 0                            | 350,000              | 350,000           | 0                            |
| : Guava Way                                                    | 0                            | 351,000              | 351,000           | 0                            |
| : SP Harbord Avenue                                            | 0                            | 176,524              | 176,524           | 0                            |
| <b>Economic services</b>                                       |                              |                      |                   |                              |
| : SP Halls Head Parade PSP                                     | 20,000                       | 0                    | 20,000            | 4,000                        |
|                                                                | <b>11,258,834</b>            | <b>883,048</b>       | <b>12,141,882</b> | <b>3,486,243</b>             |
| <b>Non-Operating Contributions</b>                             |                              |                      |                   |                              |
| <b>Recreation and culture</b>                                  |                              |                      |                   |                              |
| : Hexham Wetland Fencing                                       | 20,340                       | 0                    | 20,340            | 20,340                       |
|                                                                | <b>20,340</b>                | <b>0</b>             | <b>20,340</b>     | <b>20,340</b>                |
| <b>Total Non-operating grants, subsidies and contributions</b> | <b>11,279,174</b>            | <b>883,048</b>       | <b>12,162,222</b> | <b>3,506,583</b>             |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 10  
BUDGET AMENDMENTS APPROVED**

Amendments to original budget since budget adoption. Surplus/(Deficit)

A positive number in the amended budget running balance represents an estimated closing surplus.

A negative number in the amended budget running balance represents an estimated closing deficit

| GL Code              | Description                                             | Council Resolution | Classification                 | Non Cash<br>Adjustment | Increase in<br>Available Cash | Decrease in<br>Available Cash | Amended<br>Budget Running<br>Balance |
|----------------------|---------------------------------------------------------|--------------------|--------------------------------|------------------------|-------------------------------|-------------------------------|--------------------------------------|
|                      |                                                         |                    |                                | \$                     | \$                            | \$                            | \$                                   |
|                      | Budget Adoption                                         |                    | Opening Surplus/(Deficit)      |                        |                               |                               | (358,718)                            |
| 1643.930035.20501.13 | Restart Mandurah Other                                  | G. 10/7/20 June FR | Capital Expenses               |                        | 150,000                       |                               | (208,718)                            |
| 9624.102249.14000.13 | Mandurah CBD Revitalisation Project                     | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (150,000)                     | (358,718)                            |
| 1643.930035.20501.13 | Restart Mandurah Other                                  | G. 10/7/20 June FR | Capital Expenses               |                        | 100,000                       |                               | (258,718)                            |
| 9555.101010.14000.10 | Community Services: Comm Assistant Grants               | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (100,000)                     | (358,718)                            |
| 1643.930035.20501.13 | Restart Mandurah Other                                  | G. 10/7/20 June FR | Capital Expenses               |                        | 100,000                       |                               | (258,718)                            |
|                      | Transfer to Unspent Grant Reserve                       | G. 10/7/20 June FR | Other: Transfer Into Reserve   |                        |                               | (100,000)                     | (358,718)                            |
| 1635.700421.20501.13 | Eastern Foreshore Softfall Renewal                      | G. 10/7/20 June FR | Capital Expenses               |                        |                               | (9,091)                       | (367,809)                            |
| 1635.700423.20501.13 | Mogum Softfall Renewal                                  | G. 10/7/20 June FR | Capital Expenses               |                        |                               | (23,400)                      | (391,209)                            |
| 1635.700430.20501.10 | Kerosene Tank Bunding                                   | G. 10/7/20 June FR | Capital Expenses               |                        |                               | (6,071)                       | (397,280)                            |
| 1636.500990.20501.13 | SP Cox Bay                                              | G. 10/7/20 June FR | Capital Expenses               |                        |                               | (22,672)                      | (419,952)                            |
| 9676.138750.14000.10 | WSUD                                                    | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (52,859)                      | (472,811)                            |
| 308810.9200.10       | Corp Comms: Corp Projects                               | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (22,250)                      | (495,061)                            |
| 308810.9058.10       | Corp Comms: General Advertising                         | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (19,500)                      | (514,561)                            |
| 9655.163032.10058.13 | Emergency Management: Bushfire Mitigation               | G. 10/7/20 June FR | Operating Expenses             |                        |                               | (318,600)                     | (833,161)                            |
| 318910.0050.55       | Emergency Management Grants                             | G. 10/7/20 June FR | Operating Revenue              |                        | 318,600                       |                               | (514,561)                            |
|                      | Capital Works 2019/20 Carryovers Reconciliation         | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (1,723,043)                   | (2,237,604)                          |
|                      | Capital Works 2019/20 Carryovers Reconciliation         | G. 6/8/20 July FR  | Capital Revenue                |                        | 6,338                         |                               | (2,231,266)                          |
|                      | Capital Works 2019/20 Carryovers Reconciliation         | G. 6/8/20 July FR  | Other: Unutilised Loans        |                        | 825,088                       |                               | (1,406,178)                          |
|                      | Capital Works 2019/20 Carryovers Reconciliation         | G. 6/8/20 July FR  | Other: Transfer Out of Reserve |                        | 677,377                       |                               | (728,801)                            |
| 1634.880012.         | Lakelands-Madora Bay Pedestrian Bridge                  | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (350,000)                     | (1,078,801)                          |
| 1636.501076.         | Guava Way                                               | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (351,000)                     | (1,429,801)                          |
| Various              | Shared Paths                                            | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (176,524)                     | (1,606,325)                          |
| 386915.0070.60       | Bridge Mtce Grants & Subs Non-op                        | G. 6/8/20 July FR  | Capital Revenue                |                        | 350,000                       |                               | (1,256,325)                          |
| 381915.0070.60       | Road Planned Mtce Grants & Subs Non-op                  | G. 6/8/20 July FR  | Capital Revenue                |                        | 351,000                       |                               | (905,325)                            |
| 394915.0070.60       | Footpath Mtce Grants & Subs Non-op                      | G. 6/8/20 July FR  | Capital Revenue                |                        | 176,524                       |                               | (728,801)                            |
| 1636.501027.         | RR Pinjarra Road Stage 1                                | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (812,789)                     | (1,541,590)                          |
| 1636.501029.         | RR Pinjarra Road Stage 2                                | G. 6/8/20 July FR  | Capital Expenses               |                        | 812,789                       |                               | (728,801)                            |
| 9564.102701.14000.10 | Cultural Development: Arts & Culture Group Grants       | G. 6/8/20 July FR  | Operating Expenses             |                        | 30,375                        |                               | (698,426)                            |
| 9555.101010.14000.10 | Community Services: Comm Assitant Grants                | G. 6/8/20 July FR  | Operating Expenses             |                        |                               | (30,375)                      | (728,801)                            |
| 9637.102608.14000.05 | Community Safety Projects: ADF Grant Expenditure        | G. 6/8/20 July FR  | Operating Expenses             |                        |                               | (6,300)                       | (735,101)                            |
| 9555.101012.10057.10 | Community Services: In Day for People with a Disability | G. 6/8/20 July FR  | Operating Expenses             |                        |                               | (5,000)                       | (740,101)                            |
| 0555.101012.31012.55 | Community Services Revenue: Operating Grant             | G. 6/8/20 July FR  | Operating Revenue              |                        | 5,000                         |                               | (735,101)                            |
| 381915.0070.60       | Road Planned Mtce Grants & Subs Non-op                  | G. 6/8/20 July FR  | Capital Revenue                |                        |                               | (814)                         | (735,915)                            |
| 1632.750586.         | MARC LED & Lighting Control                             | G. 6/8/20 July FR  | Capital Expenses               |                        |                               | (14,832)                      | (750,747)                            |
| 1636.501042.         | SL Light Pole Replacement Program                       | G. 6/8/20 July FR  | Capital Expenses               |                        |                               |                               | (735,915)                            |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 10  
BUDGET AMENDMENTS APPROVED**

Amendments to original budget since budget adoption. Surplus/(Deficit)

A positive number in the amended budget running balance represents an estimated closing surplus.

A negative number in the amended budget running balance represents an estimated closing deficit

| GL Code                | Description                                                  | Council Resolution | Classification                 | Non Cash Adjustment | Increase in Available Cash | Decrease in Available Cash | Amended Budget Running Balance |
|------------------------|--------------------------------------------------------------|--------------------|--------------------------------|---------------------|----------------------------|----------------------------|--------------------------------|
| 1639.910095.           | Avalon Foreshore                                             | G. 6/8/20 July FR  | Capital Expenses               |                     |                            | (10,000)                   | (745,915)                      |
| 1637.600164.           | DR Orion Rd Park Stage 2                                     | G. 6/8/20 July FR  | Capital Expenses               |                     | 10,000                     |                            | (735,915)                      |
| 1632.750639.           | Peel Hockey Association - Floodlighting                      | G. 6/8/20 July FR  | Capital Expenses               |                     |                            | (95,443)                   | (831,358)                      |
| 1632.750640.           | South Mnd Tennis Club - Resurfacing                          | G. 6/8/20 July FR  | Capital Expenses               |                     |                            | (10,120)                   | (841,478)                      |
| 1632.750619.           | CSRFF Program - Small Grants                                 | G. 6/8/20 July FR  | Capital Expenses               |                     | 105,563                    |                            | (735,915)                      |
| 1636.500950.           | Smart Street Mall                                            | G.11/9/20 Aug FR   | Capital Expenses               |                     | 20,197                     |                            | (715,718)                      |
| 1636.500953.           | Peel Street                                                  | G.11/9/20 Aug FR   | Capital Expenses               |                     | 35,871                     |                            | (679,847)                      |
|                        |                                                              | G.11/9/20 Aug FR   | Other: Unutilised Loans        |                     |                            | (56,068)                   | (735,915)                      |
| 1637.600171.           | DR Leighton Road/Halls Head Parade                           | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (33,000)                   | (768,915)                      |
| 1637.600172.           | DR Rainbow Way Swale Reinstatement                           | G.11/9/20 Aug FR   | Capital Expenses               |                     | 33,000                     |                            | (735,915)                      |
| 1636.501049.           | TM Merlin St/Mistral St Roundabout                           | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (30,000)                   | (765,915)                      |
| 1636.500962.           | RR Thera Street                                              | G.11/9/20 Aug FR   | Capital Expenses               |                     | 30,000                     |                            | (735,915)                      |
| 1635.700456.           | Old Coast Road/Wilderness Drive - Playground Renewal         | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (31,665)                   | (767,580)                      |
| 1635.700458.           | Yalgor Heights Reserve - Playground Renewal                  | G.11/9/20 Aug FR   | Capital Expenses               |                     | 31,665                     |                            | (735,915)                      |
| 1635.700422.           | Louis Dawe Park                                              | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (6,500)                    | (742,415)                      |
| 1636.501047.           | Pinjarra Road East - Median Stage 3                          | G.11/9/20 Aug FR   | Capital Expenses               |                     | 6,500                      |                            | (735,915)                      |
| 1635.700413.           | Duverney Park Picnic Facilities                              | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (40,000)                   | (775,915)                      |
| 1635.700473.           | Templetonia Reserve                                          | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (5,000)                    | (780,915)                      |
| 1635.700403.           | Grahame Heal Reserve                                         | G.11/9/20 Aug FR   | Capital Expenses               |                     | 45,000                     |                            | (735,915)                      |
| 9564.102734.           | CASM Education Programs                                      | G.11/9/20 Aug FR   | Operating Expenses             |                     |                            | (20,000)                   | (755,915)                      |
| 9564.102707.           | Arts and Culture Projects                                    | G.11/9/20 Aug FR   | Operating Expenses             |                     | 20,000                     |                            | (735,915)                      |
| 1632.750641.           | Reading Cinema Complex FIP                                   | G.11/9/20 Aug FR   | Capital Expenses               |                     |                            | (35,000)                   | (770,915)                      |
| 1632.750626.           | Site Main Switchboard Program                                | G.11/9/20 Aug FR   | Capital Expenses               |                     | 35,000                     |                            | (735,915)                      |
| 100050-1110-1001-63171 | Ready Now - Business Capability Grants                       | S. 6/10/20 Restart | Operating Expenses             |                     |                            | (100,000)                  | (835,915)                      |
| 930035-6500-1045-61129 | Restart Mandurah - Other                                     | S. 6/10/20 Restart | Capital Expenses               |                     | 100,000                    |                            | (735,915)                      |
| 100051-1110-1001-63171 | Grow Now - Investment Attraction Fund                        | S. 6/10/20 Restart | Operating Expenses             |                     |                            | (250,000)                  | (985,915)                      |
| 930035-6500-1045-61129 | Restart Mandurah - Other                                     | S. 6/10/20 Restart | Capital Expenses               |                     | 250,000                    |                            | (735,915)                      |
|                        | Admininstration Materials and Contracts - Community Facility |                    |                                |                     |                            |                            | (737,615)                      |
| 100005-3470-1166-61001 | Management                                                   | G.12/10/20 Sep FR  | Operating Expenses             |                     |                            | (1,700)                    | (735,915)                      |
|                        | Sports Club Maintenance Levy Reserve                         | G.12/10/20 Sep FR  | Other: Transfer Out of Reserve |                     | 1,700                      |                            | (763,805)                      |
| 750642-6100-1045       | Mandurah Bowling Club Compressor                             | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (27,890)                   | (735,915)                      |
|                        | Installation of Air Conditioning at Halls Head Parade        |                    |                                |                     |                            |                            | (735,915)                      |
| 750622-6100-1045       | Community and Sports Facility                                | G.12/10/20 Sep FR  | Capital Expenses               |                     | 27,890                     |                            | (765,915)                      |
| 400015-6100-1045       | South Mandurah Football Club Changeroom Project              | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (30,000)                   | (735,915)                      |
| 930035-6500-1045-61129 | Restart Mandurah - Other                                     | G.12/10/20 Sep FR  | Capital Expenses               |                     | 30,000                     |                            | (737,513)                      |
| 700006-6600-1045       | MARC Improvement to Car Park Area                            | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (1,598)                    | (735,915)                      |
| 700466-6600-1045       | Calypso Reserve - Drinking Fountain                          | G.12/10/20 Sep FR  | Capital Expenses               |                     | 1,598                      |                            |                                |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 10  
BUDGET AMENDMENTS APPROVED**

Amendments to original budget since budget adoption. Surplus/(Deficit)

A positive number in the amended budget running balance represents an estimated closing surplus.

A negative number in the amended budget running balance represents an estimated closing deficit

| GL Code                | Description                                 | Council Resolution | Classification                 | Non Cash Adjustment | Increase in Available Cash | Decrease in Available Cash | Amended Budget Running Balance |
|------------------------|---------------------------------------------|--------------------|--------------------------------|---------------------|----------------------------|----------------------------|--------------------------------|
| 500029-6250-1045       | TM Discretionary Traffic Mgmt               | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (4,776)                    | (740,691)                      |
| 501048-6250-1045       | TM Discretionary Traffic Management Program | G.12/10/20 Sep FR  | Capital Expenses               |                     | 4,776                      |                            | (735,915)                      |
| 600011-6200-1045       | DR Orion Rd Park Stage 2                    | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (2,901)                    | (738,816)                      |
| 501047-6250-1045       | Pinjarra Road East - Median Stage 3         | G.12/10/20 Sep FR  | Capital Expenses               |                     | 2,901                      |                            | (735,915)                      |
|                        | Transfer to Unspent Grant Reserve           | G.12/10/20 Sep FR  | Other: Transfer Into Reserve   |                     |                            | (350,000)                  | (1,085,915)                    |
| 930035-6500-1045-61129 | Restart Mandurah Other                      | G.12/10/20 Sep FR  | Capital Expenses               |                     | 350,000                    |                            | (735,915)                      |
| 750643-6100-1045       | Falcon Family Centre Upgrade                | G.12/10/20 Sep FR  | Capital Expenses               |                     |                            | (96,000)                   | (831,915)                      |
|                        | Asset Management Reserve                    | G.12/10/20 Sep FR  | Other: Transfer Out of Reserve |                     | 96,000                     |                            | (735,915)                      |
|                        |                                             |                    |                                | <b>0</b>            | <b>5,155,584</b>           | <b>(5,532,781)</b>         |                                |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 11  
PROPOSED BUDGET VARIATIONS FOR COUNCIL APPROVAL**

The following are for consideration for Council to approve as budget variations

| GL Code                | Description                                                       | Council Resolution | Classification            | Non Cash<br>Adjustment | Increase in<br>Available Cash | Decrease in<br>Available Cash | Amended<br>Budget Running<br>Balance |
|------------------------|-------------------------------------------------------------------|--------------------|---------------------------|------------------------|-------------------------------|-------------------------------|--------------------------------------|
|                        |                                                                   |                    |                           | \$                     | \$                            | \$                            | \$                                   |
|                        |                                                                   |                    | Opening Surplus/(Deficit) |                        |                               |                               | (735,915)                            |
| New-6100-1045          | Mandurah Visitors Centre Refurbishment                            |                    | Capital Expenses          |                        |                               | (142,145)                     | (878,060)                            |
|                        | Installation of Air Conditioning at Halls Head Parade             |                    |                           |                        |                               |                               |                                      |
| 750622-6100-1045       | Community and Sports Facility \$                                  |                    | Capital Expenses          |                        | 20,145                        |                               | (857,915)                            |
| 100005-1200-1001-63402 | Mandurah Visitors Centre - Other Operating Costs                  |                    | Operating Expenses        |                        | 122,000                       |                               | (735,915)                            |
| New-3400-1045-61001    | Australia Day 2021 - Iconic Event Grant                           |                    | Operating Expenses        |                        |                               | (507,360)                     | (1,243,275)                          |
| New-3400-1045-61001    | Australia Day 2021 - COVID Safe Grant                             |                    | Operating Expenses        |                        |                               | (20,000)                      | (1,263,275)                          |
| New-3400-1045-61001    | Australia Day 2021 - Branding                                     |                    | Operating Expenses        |                        |                               | (1,000)                       | (1,264,275)                          |
| 102203-3400-1568-41400 | Australia Day - Festivals & Events                                |                    | Operating Revenue         |                        | 528,360                       |                               | (735,915)                            |
| 101031-4500-1045-61001 | Mandurah Mental Health Initiative                                 |                    | Operating Expenses        |                        |                               | (100,000)                     | (835,915)                            |
| 101031-4500-1247-41400 | Administration - Grants & Subs Operating                          |                    | Operating Revenue         |                        | 100,000                       |                               | (735,915)                            |
| New-4510-1045-61001    | Mandurah Assertive Outreach Trial                                 |                    | Operating Expenses        |                        |                               | (365,000)                     | (1,100,915)                          |
| 100015-4510-1247-41400 | Administration - Grants & Subs Operating - Community Safety       |                    | Operating Revenue         |                        | 350,000                       |                               | (750,915)                            |
| 102600-4510-1045-61001 | Community Safety Programmes - Community Safety                    |                    | Operating Expenses        |                        | 15,000                        |                               | (735,915)                            |
| New-4700-1045-61001    | Colours of Mandurah Artwork Project                               |                    | Operating Expenses        |                        |                               | (16,500)                      | (752,415)                            |
| 100015-4700-1247-41400 | Administration - Grants & Subs Operating - City Centre Activation |                    | Operating Revenue         |                        | 9,000                         |                               | (743,415)                            |
| 101902-4700-1045-61001 | Linger Longer Day - City Centre Activation                        |                    | Operating Expenses        |                        | 7,500                         |                               | (735,915)                            |
| 100004-1110            | Payroll Services - Economic Development                           |                    | Operating Expenses        |                        | 50,332                        |                               | (685,583)                            |
| 100004-2100            | Payroll Services - Governance, Procurement and Land               |                    | Operating Expenses        |                        |                               | (50,332)                      | (735,915)                            |
|                        |                                                                   |                    |                           | <b>0</b>               | <b>1,202,337</b>              | <b>(1,202,337)</b>            |                                      |

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2020**

**NOTE 12**  
**EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2020-21 year is 10.00%

| Reporting Program                                 | Var. \$     | Var. %    | Timing/ Permanent | Explanation of Variance                                                                                                                                                  |
|---------------------------------------------------|-------------|-----------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                   | \$          | %         |                   |                                                                                                                                                                          |
| <b>Revenue from operating activities</b>          |             |           |                   |                                                                                                                                                                          |
| Operating grants, subsidies and contributions     | 825,851     | 89.40%    | ▲ Timing          | Received Lifeguard Service funding, 50% DFES Bushfire Mitigation funding and the CLAG 2020/21 Mosquito Management contribution earlier than expected.                    |
| Interest earnings                                 | (284,551)   | (58.48%)  | ▼ Timing          | Interest earnings not yet received.                                                                                                                                      |
| Other revenue                                     | 31,564      | 40.22%    | ▲ Timing          | Early receipt of other revenue and will be monitored as year progresses.                                                                                                 |
| Profit on disposal of assets                      | (18,399)    | (100.00%) | ▼ Timing          | Non-cash variance from disposal of assets to be monitored throughout the year.                                                                                           |
| <b>Expenditure from operating activities</b>      |             |           |                   |                                                                                                                                                                          |
| Employee costs                                    | 3,636,594   | 21.74%    | ▲ Timing          | Expenditure to increase as projects pick up during the year mainly in Cityparks, Cityworks and MARC.                                                                     |
| Materials and contracts                           | 2,902,889   | 19.65%    | ▲ Timing          | Expenditure to increase as projects pick up during the year.                                                                                                             |
| Utility charges                                   | 286,397     | 21.58%    | ▲ Timing          | Invoices have been received later then expected and will be monitored throughout the year.                                                                               |
| Depreciation on non-current assets                | 1,691,833   | 14.33%    | ▲ Timing          | Will be adjusted at budget review to reflect 2019/20 actuals.                                                                                                            |
| Interest expenses                                 | 695,896     | 83.05%    | ▲ Permanent       | Favourable variance an indication of interest savings from loan off-set facility. This will be reviewed as part of budget review.                                        |
| Other expenditure                                 | (100,915)   | (110.75%) | ▼ Timing          | Payment made in August for the Peel Mosquito Management program 2020/21 season.                                                                                          |
| Loss on disposal of assets                        | 353,191     | 100.00%   | ▲ Timing          | Non-cash variance from disposal of assets to be monitored throughout the year.                                                                                           |
| <b>Investing Activities</b>                       |             |           |                   |                                                                                                                                                                          |
| Non-operating Grants, Subsidies and Contributions | (1,104,580) | (23.95%)  | ▼ Timing          | Milestones not met yet for the receival of capital grants. Will be monitored throughout the year.                                                                        |
| Proceeds from Disposal of Assets                  | 876,295     | 257.59%   | ▲ Permanent       | Favourable variance as a result of unbudgeted land sales and unbudgeted proceeds on sale of plant that were not sold in 2019/20. This will be reviewed at budget review. |
| Capital Acquisitions                              | 11,322,099  | 68.32%    | ▲ Timing          | Refer to note 4.                                                                                                                                                         |
| <b>Financing Activities</b>                       |             |           |                   |                                                                                                                                                                          |
| Payment of lease liability                        | (64,841)    | (32.10%)  | ▼ Permanent       | Additional leases taken up in 2020/21. To be adjusted at Budget Review,                                                                                                  |

|   |                      |                                                                           |
|---|----------------------|---------------------------------------------------------------------------|
| 2 | <b>SUBJECT:</b>      | Alfresco Dining Licence: Reserve 27622 (No. 7) Mandurah Terrace, Mandurah |
|   | <b>DIRECTOR:</b>     | Business Services                                                         |
|   | <b>MEETING:</b>      | Ordinary Council Meeting                                                  |
|   | <b>MEETING DATE:</b> | 24 November 2020                                                          |

## Summary

In 2017, Council supported the assignment of an alfresco dining licence over 76 square metres, being a portion of Reserve 27622 adjoining Lot 123 (No. 7) Mandurah Terrace, Mandurah. The Council's support of the assignment was conditional on the then pending sale of 7 Mandurah Terrace Mandurah, to ensure that the ground floor tenant Golden Cloud Spur Restaurant had the continuing use of the alfresco dining area.

The remaining term on the original ten year licence agreement was three years which expired on the 18 October 2020. The landowner has approached City officers with a request to enter into a new five + five year licence agreement over the same 76 square metre portion of Reserve 27622.

In accordance with section 3.58(4) of the *Local Government Act 1995 (LGA)*, an independent valuation is required to determine the current market value for the licensed area. Independent valuers were appointed to undertake the valuation which was assessed at \$6,080 per annum (excluding GST) or \$80 per square metre. Officers propose a new alfresco dining licence be granted to the current landowners of Lot 123 (No. 7) Mandurah Terrace Mandurah, on similar terms and conditions as the current agreement.

Council is requested to approve the advertising of, and if no submissions received, the disposal of the alfresco dining licence to John and Elizabeth Baltyn, over a 76 square metre portion of Reserve 27622 adjoining (No.7) Mandurah Terrace, Mandurah, for a term of five years with a further five year term option (5+5 years). An annual rent of \$6,080 (excluding GST), with market rent review due at the end of the first term, and Consumer Price Index (CPI) rate applied annually. The licence is also conditional upon the approval of the Minister for Lands.

## Disclosure of Interest

Nil

## Location



Alfresco Dining Licence area

## Previous Relevant Documentation

- G.14/9/17 12 September 2017 Council supported the assignment of the Alfresco Licence over portion of Reserve 27622 from Tremolat Group Pty Ltd to John and Elizabeth Baltyn;
- 17/10/11 11 October 2011 Council supported a sub-licence of the alfresco dining area being portion of Reserve 27622 adjoining the property known as No. 7 Mandurah Terrace, Mandurah, to West Coast Inspirations Pty Ltd trading as Golden Cloud Spur Restaurant;
- G.30/1/10 27 January 2010 Council supported the alfresco dining licence to Tremolat the landowners of No. 7 Mandurah Terrace, Mandurah, for a maximum term of ten years;
- G.27/10/09 13 October 2009 Advertising the disposal of the alfresco licence and balcony lease was approved by Council with 14 days local advertising being undertaken and no submissions being received.

## Background

The site was redeveloped in 2009 to accommodate a restaurant, with the potential for future office accommodation and apartments. As part of the redevelopment, a boardwalk alfresco dining area was constructed at the rear of the property (estuary side), into the adjoining Crown Reserve 27622.

In 2010, Council supported a licence to occupy a 76 square metre alfresco area, and in October 2011, Council supported the sub-licence of the alfresco area from Tremolat Group Australia Pty Ltd to the tenants of the Golden Cloud Spur Restaurant, who are the current holders of the alfresco sub-licence.

In 2017, the property was sold by Tremolat Group Australia Pty Ltd to John and Elizabeth Baltyn, conditional on the assignment of the alfresco dining licence, as well as the sub-licence agreement to West Coast Inspirations Pty Ltd trading as Golden Cloud Spur.

## Comment

City officers contacted the landowners in late March 2020 in an attempt to gauge their position regarding the option to apply for a new alfresco licence agreement.

COVID-19 significantly impacted the business operations of the licensee's sub-tenants upon the implementation of the State Government restrictions which commenced in March 2020. As such, the licensee required further time to consider their position. As the current agreement does not contain a holding over clause the City received legal advice which confirmed a short extension to the renewal term would allow the licensee continued use of the site as a periodical tenant, to be bound by the terms and conditions of the current licence until the licensee had the appropriate time to consider their options.

In May 2020, the landowner confirmed their desire to enter into a new agreement, and requested support for a new five plus five year licence which would give them security of tenure, and enable them to enter into a sub-licence agreement with a new tenant, who has requested the continuing use of the alfresco dining space.

Independent valuers were engaged to determine the current market rental value for the 76 square metre area which was assessed at \$6,080 per annum (excluding GST) or \$80 per square metre. The current annual rent is \$7,222.68 per annum or \$90 per square metre. The reduction in the square metre rate is reflective of the current market response to COVID-19 which is impacting commercial rental rates.

To align with the current licence agreement, officers propose the following terms and conditions for the new alfresco dining licence subject to the approval of Council to advertise and the Minister for Lands consent;

- Term of five years with a further five-year term option
- Area of 76 square metres
- Annual rent commencing at \$6,080 + GST
- Market rent review at the end of the first term with annual CPI rates applied
- Commencement date after the approval of the Minister for Lands

A new agreement will be subject to Council support to advertise the disposal and if no submissions are received during the advertising period, approve the disposal via a licence agreement to Mr and Mrs Baltyn.

## Consultation

Independent valuers calculated the current market licence fee for the subject area by applying a rate between \$70- to \$90 per square metre, with the mid-range of \$80 per square metre being adopted.

Representatives of the landowners of 7 Mandurah Terrace, Mandurah.

## Statutory Environment

Section 3.58 of the *Local Government Act 1995* – Disposal of Property

*'Dispose' includes to sell, lease, or otherwise dispose of, whether absolutely or not.*

Section 3.58 (3) of the *Local Government Act 1995*

*A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

*(a) it gives local public notice of the proposed disposition —*

*(i) describing the property concerned; and*

*(ii) giving details of the proposed disposition; and*

*(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*

*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Section 3.58 (4) of the *Local Government Act 1995*

*The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

*(a) the names of all other parties concerned; and*

*(b) the consideration to be received by the local government for the disposition; and*

*(c) the market value of the disposition —*

*(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

*(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Section 18(1)(2)(3) and (4) of the *Land Administration Act 1997* Crown land transactions that need Minister's approval.

*(1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land;*

*(2) A person must not without authorisation under subsection (7) –*

*(a) grant a lease or licence under this Act, or a licence under the Local Government Act 1995, in respect of Crown land in a manager reserve;*

*(b) being the holder of such a lease or licence, grant a sublease or sublicense in respect of the whole or any part of that Crown land; and*

- (3) *A person must not without authorisation under section (7) mortgage a lease of Crown land: and*  
(4) *A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.*

## Policy Implications

Nil

## Economic Implications

The City will receive rental income of \$6,080 (excluding GST) per annum, with market rent review at the end of the first term, and CPI rate to be applied annually.

In accordance with the City of Mandurah 2020/21 Fees and Charges Schedule, the Licence Preparation Administration Charge of \$620.00 (incl GST) and Council Report fee of \$580.00 (Incl GST) are to be borne by the Licensee.

All legal costs associated with the preparation of the Alfresco Dining Licence are to be borne by the licensee.

## Risk Analysis

Nil

## Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

### Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.

### Social:

- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

### Organisational Excellence:

- Build and retain a skilled, agile, motivated and healthy workforce.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

## Conclusion

The landowners of Lot 123 (No. 7) Mandurah Terrace Mandurah, John and Elizabeth Baltyn have formally requested support to enter into a new alfresco dining licence agreement with the City of Mandurah upon the expiry of the current renewal term which occurred on 18 October 2020.

Council is requested to approve the advertising of, and if no submissions received, the disposal of an alfresco dining licence to John and Elizabeth Baltyn, over a portion of Reserve 27622 adjoining (No. 7) Mandurah Terrace, Mandurah, for a term of five years with a further five-year term option (5+5 years). An annual rent of \$6,080 (excluding GST), with market rent review due at the end of the first term, and Consumer Price Index (CPI) rate applied annually. The licence is also conditional upon the approval of the Minister for Lands.

### NOTE:

- Refer **Attachment 2.1 Alfresco Dining Licence Area**

## **RECOMMENDATION**

### **That Council:**

- 1. Approves the advertisement of, and if no submissions received, the disposal of an alfresco dining licence to John and Elizabeth Baltyn, over a portion of Reserve 27622 with the following terms and conditions:**
  - 1.1 Term of five years with a further five year term option;**
  - 1.2 Licensed area of 76 square metres;**
  - 1.3 Annual rent commencing at \$6,080 (excluding GST);**
  - 1.4 Market rent review at the end of the first term, and annual CPIs to apply;**
  - 1.5 Commencement date after the approval of the Minister for Lands; and**
  - 1.6 Subject to the Minister for Lands consent.**
- 2. Acknowledge any submissions will be reported to Council, if no submissions are received the licence will be disposed to John and Elizabeth Baltyn.**
- 3. Acknowledges all legal costs associated with the preparation of the alfresco dining licence are to be borne by the licensee.**
- 4. Authorises the Chief Executive Officer to finalise the conditions of the licence agreement.**

NOTES:

- 1. CADASTRAL BOUNDARIES DERIVED FROM LANDGATE INFORMATION, DIMENSIONS SUBJECT TO SURVEY BY LICENCE SURVEYOR
- 2. TOTAL STATION SURVEY

ATTACHMENT 2.1

PEEL INLET



LEASE AREA = 76m<sup>2</sup>

2026  
DP 404907

123  
D 1222

R 27622  
2025  
DP 209581  
111m<sup>2</sup>

ALFRESCO

BUILDING

123  
D 1334  
(SP62868)  
331m<sup>2</sup>

503  
DP 404907

504  
DP 404907

MANDURAH TERRACE

FOR INFORMATION



1:200

A3

|            |                        |      |            |
|------------|------------------------|------|------------|
|            |                        |      |            |
|            |                        |      |            |
|            |                        |      |            |
|            |                        |      |            |
|            |                        |      |            |
| A          | ISSUED FOR INFORMATION | PB   | 24/07/2020 |
| NO.        | REVISION               | APPR | DATE       |
| AMENDMENTS |                        |      |            |



3 Peel Street PO Box 210  
Mandurah WA 6210  
T (08) 9550 3777  
F (08) 9550 3888

| METADATA                                     |  |
|----------------------------------------------|--|
| HORIZONTAL DATUM : PCG 94                    |  |
| VERTICAL DATUM : AHD                         |  |
| FILE LOCATION :                              |  |
| L:\SURVEY DATA\MANDURAH NORTH                |  |
| WEST\AUTOCAD\S20-1403 RESERVE 27622 LOT 2025 |  |
| MANDURAH TCE LEASE AREA SKETCH.DWG           |  |

|                | BY   | DATE       |
|----------------|------|------------|
| SURVEYED       | JS   | 15/07/2020 |
| DRAWN          | JS   | 16/07/2020 |
| CHECK          | PB   | 24/07/2020 |
| APPROVED       | PB   | 24/07/2020 |
| ACCOUNT NUMBER | N/A  |            |
| CLIENT         | R.L. |            |

|                                                |             |          |
|------------------------------------------------|-------------|----------|
| PROJECT – LEASE AREA SKETCH FOR SPURS          |             |          |
| SITE – R 27622 LOT 2025 MANDURAH TCE, MANDURAH |             |          |
| TITLE – LEASE AREA SKETCH                      |             |          |
| SHEET 01 OF 01                                 | DWG NO.     | REVISION |
|                                                | S20-1403-01 | A        |

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|          |                      |                                                                   |
|----------|----------------------|-------------------------------------------------------------------|
| <b>3</b> | <b>SUBJECT:</b>      | Naming: Mandurah Skate Park                                       |
|          | <b>DIRECTOR:</b>     | Director Business Services/Director Built and Natural Environment |
|          | <b>MEETING:</b>      | Ordinary Council Meeting                                          |
|          | <b>MEETING DATE:</b> | 24 November 2020                                                  |

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### Summary

The redevelopment of the existing Western Foreshore skate park into a regional scale skate and activity space for the Mandurah community and visitors alike is nearing completion, with an anticipated opening date of mid December 2020.

As the skate and activity space will be a greatly enhanced destination for the local community and visitors, with an international competition level facility, officers recommend that the existing name of 'Bill Bowler Skate Park' should be reconsidered. The current name is not easily recognisable and therefore a new name providing greater prominence around the location by including 'Mandurah' in its name should be considered for the facility.

Consultation processes, both internal and external, have suggested the name 'Mandurah Skate Park' would be considered a natural choice, with anecdotal evidence inferring the community will likely refer to the facility by this name irrespective of any other name applied.

The Geographic Naming Committee (GNC) at Landgate has given their consent to the decommissioning of the existing name subject to family support, which has been obtained; and GNC have confirmed their approval of the new name.

Although a Council resolution is not required for GNC approvals, City Officers considered that due to the prominence of the site and possible public interest in both the new name and the decommissioning of the existing commemorative name, Council support is recommended. An alternative form of commemoration for Mr Bowler will be installed on the Western Foreshore.

Council approval is therefore sought to officially apply to GNC for the decommissioning of the existing topographic feature name 'Bill Bowler Skate Park' and the approval of the new topographic feature name of 'Mandurah Skate Park'.

### Disclosure of Interest

Nil

## Location

- Hall Park (Reserve 27581) Old Coast Road, Halls Head



## Previous Relevant Documentation

- G.38/11/99. 16 November 1999 Council endorses the naming of the skate park as 'The Bill Bowler Skate Park'.

## Background

The demolition of the existing skate park (officially approved topographic feature name of 'Bill Bowler Skate Park') and construction of a new regional, competition level facility is a key part of the re-development of the Western Foreshore Recreation Precinct and Mandurah Waterfront Project.

The pre-existing skate park, located in Hall Park, was built in late 1999 and commemoratively named upon implementation after Bill Bowler, the owner of King Carnival at the time, for his contribution to the community, in particular the young and disabled. The skate park has been a prominent and well-utilised facility by the Mandurah youth and families since its inception.

The site is key to the City's strategic development objective as part of the City Centre Waterfront project and, as one of the foremost youth spaces within the area, and will be a strategic public realm hub for Mandurah and the wider area, becoming a destination for youth and families within the region.

The pre-existing skate park has now been demolished with the new skate and activity space is on target for completion by mid December 2020. Entry and management signs needs to be developed, with the City's new branding, and the signs procured, fabricated and installed to coincide with the opening of the facility, therefore the naming of the new space needs to be confirmed and official approvals arranged through Landgate.

The name 'Bill Bowler Skate Park' was endorsed by Council in November 1999, as a commemorative naming after Mr Alan George "Bill" Bowler who was the owner of the King Carnival fairground at the time, however, it was not officially approved as a feature at Landgate until May 2012.

The Landgate approval for the name advises:

*'Alan George "Bill" Bowler, as he was always known, was a compassionate man who is remembered for his generosity to the community and the compassion he showed to the young and disabled from rural areas, to whom he gave free access and rides at his King Carnival site which was located near this skate park. His contribution to the Mandurah Lions saw him receive a "Melvin Jones Fellowship" in 1990, an award from the Family and Children's Services in 1995 and*

*Mandurah's "Citizen of the Year" from the National Australia Day Council in 1998. Mr Bowler passed away on 18 March 2000 aged 78 years.'*

## Comment

The GNC advise that the existing name can be decommissioned as the skate park has now been demolished and subject to the written consent of the family of Mr Bowler. City officers have obtained this consent from the family, who have advised they are agreeable and understand the reasoning for decommissioning the current name.

As official names are intended to be enduring, City officers propose to arrange an alternative form of commemoration for Mr Bowler such as signage within the Western Foreshore development area, and propose to liaise with the Bowler family and the Mandurah Lions Club, whom Mr Bowler was heavily affiliated with.

With respect to determining a new name for the facility, community members were asked the question of a name (being something meaningful to Mandurah), with many creative responses and discussion with the following responses received:

- *Most Common* - Mandurah Skate Park; Mandjoogoordap Skate Park (indigenous meaning 'meeting place of the heart'); and the retention of the current name of Bill Bowler Skate Park.
- Other suggestions included Blue Manna Park, Sixty-Two Ten Skate Park and The Crab Pit, Crab Park, Claw Park, Bon Scott Skatepark and Peel Plaza.

Analysis of similar such facilities around the globe indicate a multitude of name origins applied as follows:

- Most commonly - Location based, with local relatively new skate parks of a similar scale within Western Australia primarily named on this basis, i.e. Busselton Skate Park, Fremantle Skate Park.
- Activity /Theme Based - e.g. The Snake Run (Albany), The Edge (Kwinana), Monster Skate Park (Sydney), Xtreme Skate Park (Singapore), Skatedome (Denmark), Scarborough Skate Park (known as The Snake Pit), Amazing Square Skate Park (Tokyo).
- Design based – Fitzroy Bowl, Subi Bowl, 'Le Bowl' France, The Level Brighton.

The matter has been considered by City officers with the outcome being a recommendation that the existing name be decommissioned and the name 'Mandurah Skate Park' be applied to the new facility.

Reasons supporting the proposed name include:

- References it being located in Mandurah, which is preferable for a destination, international competition level facility.
- Anecdotally, it is understood the existing name was not well known or used by the general public and the facility was more commonly referred to as the 'Mandurah Skate Park'.
- Bill Bowler's community contribution has more relevance to the King Carnival site (currently Hall Park/Western Foreshore) and previously in location of Mandurah Performing Arts Centre/Reading Cinemas.

The restoration of an Aboriginal Place Name for the Hall Park Western Foreshore area (Diddaalaamaap) along with other areas is being progressed and will be subject to a separate approval process. The new skate park signage will feature the approved facility name and message 'Wandjoo, Welcome to Didaalamaap, Binjareb Boodja' to acknowledge the country on which the facility exists.

## Consultation

City officers have obtained this consent from Bill Bowler's family, who have advised they are agreeable and understand the reasoning for decommissioning the current name.

## Statutory Environment

- *Land Administration Act 1997 – Section 25 (c) Subject to 25A the Minister may name, rename and cancel the name of any topographical feature, road or reserve; - Section 26A – If the local government approves a name it is forwarded to the Minister for Lands for final approval;*
- *Geographic Names Committee – Policies and Standards for Geographical Naming in Western Australia provided by Landgate.*

## Policy Implications

- POL-PKR 04 – Naming of Community Infrastructure and Public Places

## Economic Implications

Nil

## Risk Analysis

Nil

## Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

### Social:

- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

### Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.

## Conclusion

The new skate and activity space on the Western Foreshore, which is a key infrastructure component of the City Centre Waterfront development, is nearing completion and a name for the new space is required to enable signage to be installed at the entrance to the facility.

The existing skate park has been removed and therefore its name, the 'Bill Bowler Skate Park', is able to be decommissioned, subject to the consent of the family, which has been obtained. City officers recommend that, as the new facility is an international competition level space, a new name incorporating 'Mandurah' should be applied to the site, with consultation both internally and externally supporting the name of 'Mandurah Skate Park'.

Council approval is therefore sought to officially apply to GNC for the decommissioning of the name 'Bill Bowler Skate Park' and the approval of the new name 'Mandurah Skate Park', while acknowledging that Mr Bowler will be appropriately commemorated as part of the redevelopment of the Western Foreshore.

### NOTE:

- Refer **Attachment 3.1 Skate and Activity Space - Final Concept Design Overview**

## **RECOMMENDATION**

### **That Council:**

- 1. Supports the decommissioning of the official topographic feature name of 'Bill Bowler Skate Park'.**
- 2. Approves the official naming of the new Western Foreshore skate and activity space as a topographic feature name of 'Mandurah Skate Park'.**
- 3. Supports alternative recognition of Mr Bowler by way of signage and commemoration within the Western foreshore re-development.**

## ATTACHMENT 3.1

### *Skate and Activity Space – Final Concept Design Overview*



|   |                      |                                                                |
|---|----------------------|----------------------------------------------------------------|
| 4 | <b>SUBJECT:</b>      | Proposed Change of Use to Tavern: 3 Mandurah Terrace, Mandurah |
|   | <b>DIRECTOR:</b>     | Business Services                                              |
|   | <b>MEETING:</b>      | Council Meeting                                                |
|   | <b>MEETING DATE:</b> | 24 November 2020                                               |

## Summary

Council is requested to consider a development application for a proposed change of use from 'Small Bar' to 'Tavern' at the subject site. The applicant is seeking a Tavern Restricted licence to permit an increase in maximum occupancy from 120 persons to 180 persons. The establishment will continue to run under the existing business model, with the aim to provide a relaxed, comfortable setting.

The proposal was advertised to approximately 200 landowners representing a 150m radius of the site and numerous properties located across the water on San Marco Quays and within the Port Mandurah canals. During the consultation period, six submissions were received. Key comments raised related to noise, anti-social behaviour and security.

It has been demonstrated, via an acoustic assessment, that the proposal can comply with the *Environmental Protection (Noise) Regulations 1997* subject to the existing Noise Management Plan being maintained. These requirements have been implemented through the recommended conditions, with additional conditions to minimise the potential for anti-social behaviour and disruption.

It is considered that the application of appropriate management conditions would minimise the potential for noise and anti-social behaviour, and therefore through these conditions it is recommended that Council approve the proposed change of use.

## Disclosure of Interest

Nil

## Location



## Property Details

|                            |                                            |
|----------------------------|--------------------------------------------|
| Applicant:                 | Bar Therapy Mandurah ATF Mana Family Trust |
| Owner:                     | J & E Baltyn                               |
| Scheme No 3 Zoning:        | City Centre Development                    |
| Peel Region Scheme Zoning: | Regional Centre                            |
| Lot Size:                  | 1055m <sup>2</sup>                         |
| Topography:                | Predominately flat                         |
| Land Use:                  | Small Bar                                  |

## Previous Relevant Documentation

- G.19/2/19      26 February 2019      Council resolved to forward the Central Mandurah Activity Centre Plan to the Western Australian Planning Commission for final approval.

## Background

### Subject Site

The subject building, known as Tuckey House, is listed on the Local Heritage Inventory as having considerable significance. Previous planning and building approvals have ensured that any alterations or extensions reinforce the significance of the place.

Bar Therapy has occupied the building for a number of years, operating under a Small Bar licence.

### Statutory Framework

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) required the preparation of an Activity Centre Plan for all strategic metropolitan, secondary, district and specialised centres prior to the consideration of any further major development within these centres. In accordance with the requirements of SPP 4.2 and the Deemed Provisions for Local Planning Schemes, an Activity Centre Plan was prepared for the Central Mandurah area, and adopted by Council for advertising in March 2018.

The Central Mandurah Activity Centre Plan (ACP) was prepared in order to meet the requirements of SPP4.2, and combined, consolidated and integrated the three existing Precinct Plans (City Centre, Mandurah Terrace and Inner Mandurah) and two existing Outline Development Plans (Mandurah Ocean Marina and Mandurah Junction) so that planning requirements would be consistent and simplified across Central Mandurah. Of relevance to this application is the City Centre Precinct Plan. Once the ACP is approved by Western Australian Planning Commission (WAPC), the ACP will replace each of these existing Precinct Plans and Outline Development Plans.

In February 2019, Council resolved to forward the ACP to the WAPC for final approval. The WAPC has advised that final approval of the ACP will not be granted until LPS12 is operational. The draft LPS12 has been forward to the WAPC for final approval and endorsement by the Minister for Planning. It is unknown how long the WAPC will take to approve (or require modifications or refuse) LPS12 in order for the draft ACP to subsequently be considered and approved (or require modifications or refuse). However, as the ACP has been supported by Council, the document can be a 'seriously entertained' planning instrument, meaning that the local government is seriously considering adopting or approving. Therefore, Council shall have due regard to both the City Centre Precinct Plan and the ACP when considering this application.

## Comment

### Proposed Development

The application seeks to change the approved land use from Small Bar to Tavern, with the applicant proposing to operate under a Tavern Restricted Liquor Licence. The primary purpose of the change is to enable an increase in maximum occupancy from 120 persons to 180 persons, as requested by the applicant. The applicant will be required to comply with the maximum occupation certificate issued under the *Health (Public Buildings) Regulations 1992*, which the assessment is independent to the development approval. The establishment will continue to run under the existing business model, with the aim to provide a relaxed, comfortable setting with interactive cocktails and gourmet bar food. The increased occupancy would allow the space to be utilised for special events and functions, whilst still having the capacity for walk in customers.

### Land Use

Under the City's Town Planning Scheme No 3 (Scheme) the subject site is zoned City Centre Development. Within this zone, due regard is to be given to the City Centre Precinct Plan (Precinct Plan). Under the Precinct Plan, a Tavern is an 'X' use within the Heritage Sub Precinct, meaning that it is not permitted. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), Council is to have due regard to, but is not bound by, the Precinct Plan when determining an application.

Under the ACP, the subject site is located within the City Centre Precinct. The site is also noted as being within the Heritage Precinct, however unlike the Precinct Plan, the ACP does not stipulate specific land uses for heritage properties. Within the City Centre Precinct, a Tavern is a 'D' (discretionary) use meaning it can be considered by Council.

In the ACP, the objective for the City Centre precinct is to become the key employment, retail and entertainment destination for the wider region. The ACP also notes that residential land uses should not dominate outcomes necessary to ensure that entertainment land uses prevail. As such, it is clear within the ACP that retail and entertainment are the preferred land uses within the City Centre precinct. The subject site is therefore considered to be a suitable location for a proposed Tavern. As with other existing establishments, harm minimisation conditions can be incorporated into the development approval and subsequent liquor licence to ensure that noise, excessive alcohol consumption and patron behaviour are appropriately managed.

### Liquor Licence

There are 15 categories of Liquor Licences available in Western Australia. Each licensed category varies in permitted trading hours and the manner in which liquor can be sold and supplied. The primary difference between a Small Bar licence and Tavern Restricted licence is the number of patrons. A Small Bar licence permits a maximum of 120 persons to be on the premises at any time. The permitted operating hours and type of service (i.e. alcohol without a meal) are the same for a Small Bar and Tavern Restricted licence.

Under the *Liquor Control Act 1988*, an application for a Liquor Licence is made to the Department of Racing Gaming and Liquor (RGL) and is required to include local government certificates demonstrating compliance with:

- the *Public Health Act 2016*;
- the *Food Act 2008*;
- the *Local Government Act 1995*;
- the *Building Act 2011* and,
- specific planning matters.

A local government's local planning scheme serves as an important tool in shaping a community's liquor environment outside of the *Liquor Control Act 1988*. An application for a Liquor Licence cannot be approved by RGL if the local government development approval has not been granted. Through the development application, the City can impose appropriate conditions, which may form part of a subsequent liquor licence, if approved by RGL.

### Amenity

The submissions raised issues associated with excessive noise, the likelihood of anti-social behaviour and concerns about security. These matters are relevant planning considerations, however it is possible to impose appropriate mitigation methods via conditions to reduce the potential risks to the public and private amenity. The submissions raised concerns regarding the potential cumulative impact of existing licensed premises in the locality. Whilst it is acknowledged that a cluster of licensed premises may result in an increase in anti-social behaviour, the cumulative impact is reasonable in this location given that the ACP has identified the City Centre as the preferred location for entertainment uses. The cumulative impact can also be reduced and adequately managed through harm minimisation conditions.

The existing noise management conditions will remain applicable and the applicant does not seek to amend the current Bar Therapy Noise Management Plan dated 15 April 2019. The applicant has submitted a noise assessment which demonstrates that the increase in patron levels will not impact the venues ability to comply with the *Environmental Protection (Noise) Regulations 1997*.

Conditions are recommended with the aim of protecting the amenity of the area, and include:

- Requirements for the presence of seating for the majority of patrons to ensure that patrons are seated whilst consuming alcohol.
- Noise management measures for both background music and live music with style, level and time restrictions.
- Patron management plans that include the monitoring of patrons movements at the closure of the venue and provision of calling facilities to assist in monitoring behaviour.
- Requirement for meals to be available to patrons at all times of trade. As with existing venues, a 'meal' can be pre-prepared food and does not necessary require a chef to be on site at all times.

The above requirements represent harm minimisation measures aimed at reducing the impact of noise, discouraging excessive alcohol consumption and monitoring patron behaviour to ensure that the surrounding amenity is not severely impacted.

The Precinct Plan requires that any amplified music venue must be capable of fully enclosing all parts of the licensed area after 10:00pm and be able to demonstrate that they can practically move all patrons from the outdoor area of the venue into an enclosed noise attenuated area after this time. The intent of this requirement was to prevent large "beer garden" situations which can result in very high levels of patron and music noise emissions. Via a submitted acoustic assessment, the applicant has demonstrated that the venue can operate within the allowable noise levels without shifting patrons inside. Officers consider that in this instance, it would not be necessary to apply this requirement, given the smaller scale of this venue and the separation from existing and future residential land uses. It should also be noted that this requirement has not been included within the ACP.

### Parking

Under the Precinct Plan, no parking bays are required to be provided on site and no cash-in-lieu payments are required within the Heritage Precinct.

Under the ACP, five car parking bays would be required. It is noted that the same number of bays are required for a Small Bar and a Tavern and therefore no additional bays are required for this land use. It is not considered appropriate or necessary to retrospectively require the provision of five parking bays and/or cash-in-lieu payment.

## MEAG Comment

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

## Consultation

The proposed tavern at 3 Mandurah Terrace was advertised to approximately 200 surrounding landowners between 5 October 2020 and 23 October 2020. The consultation included a 150m radius from the subject site and various residential properties located across the water, as highlighted in the image below. The WA Police were also consulted during this time.



Map showing extent of advertising.

During the consultation period the following submissions were received in relation to 3 Mandurah Terrace:

| Owner / Address                 | Submission<br>(Summarised comments)                                                                                                                                                                                                                          | Comment                                                                                                                                                |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. A & S Drummond<br>Halls Head | <p>a. Depending on wind conditions, noise from the tavern may be heard.</p> <p>b. Supportive of the proposed tavern.</p> <p>c. Together with other proximal entertainment and hospitality venues, they are likely to enhance the amenity of this part of</p> | <p>a. The submitted acoustic report demonstrates that the venue will be able to operate within allowable levels.</p> <p>b. Noted.</p> <p>c. Noted.</p> |

|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                      | “downtown” Mandurah and complement the recent and on-going redevelopment of the near-bridge vicinity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2. J Williamson<br>Mandurah                          | <p>Objects to the proposed tavern for the following reasons:</p> <ul style="list-style-type: none"> <li>a. There is already an abundance of licensed premises in the area commonly resulting in excessive noise, anti-social behaviour and property damage.</li> <li>b. The establishment should be required to pay for additional security for at least an hour after closure to move patrons on. The responsibility should not fall onto the Police.</li> <li>c. Acknowledge that increased noise is accepted with inner city living, however anti-social behaviour is an issue.</li> <li>d. Increased capacity will exacerbate the existing problems with increased traffic and associated noise.</li> </ul> | <ul style="list-style-type: none"> <li>a. The subject site is located within an entertainment precinct and is the preferred location for this type of establishment. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</li> <li>b. Noted. Recommended conditions seek to limit anti-social behaviour including the provision of security following closing of the venue.</li> <li>c. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</li> <li>d. The subject site is located within the city centre area, where increased traffic is generally expected.</li> </ul> |
| 3. Council of Owners for One<br>Brighton<br>Mandurah | <p>Object to the proposed tavern for the following reasons:</p> <ul style="list-style-type: none"> <li>a. There is already an abundance of licensed premises in the area commonly resulting in excessive noise, anti-social behaviour, trespassing and property damage.</li> <li>b. Majority of issues are prevalent at closing time, however can also occur as patrons move between venues. There is currently no effective security dealing with the issue.</li> <li>c. Existing issues will be exacerbated by additional venues and increase in patron numbers.</li> </ul>                                                                                                                                   | <ul style="list-style-type: none"> <li>a. The subject site is located within an entertainment precinct and is the preferred location for this type of establishment. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</li> <li>b. Noted. Recommended conditions seek to limit anti-social behaviour including the provision of security following closing of the venue.</li> <li>c. As above, the subject site is located within an entertainment precinct and it is considered appropriate for an accumulation</li> </ul>                                                                                                                                    |

|                                                                            |                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                            |                                                                                                                                                                                                                        | of night-time entertainment uses in this area. Recommended conditions serve as harm minimisation measures.                                                                                                                                                                                                                                                                                       |
| 4. B Hutchen-Craig<br>Brighton Hotel<br>Mandurah                           | a. Trust that all RGL and Building Code of Australia requirements for the licence change will be met, with proper toilet facilities.                                                                                   | a. These requirements are not a planning consideration and do not form part of this assessment. The applicant will also be required to obtain Building and Health approvals for the proposed change. Preliminary assessments by the City's Building and Health Services suggest that the existing facilities are sufficient for the proposed number of patrons.                                  |
| 5. J Hutchen<br>Redmanna Restaurant /<br>The Bridge Garden Bar<br>Mandurah | a. Note that the previous application for a Tavern Restricted License on this site was refused by RGL.<br><br>b. Request that the same rules and regulations for a Tavern Restricted License be applied to all venues. | a. Since the previous application, changes have been made to the statutory framework which would enable the land use to be considered on the subject site.<br><br>b. The application is for a change of use to a Tavern. The recommended conditions are consistent with other taverns within the area. The liquor licence application for a Tavern Restricted License will be determined by RGL. |
| 6. A Barrett                                                               | a. Questions whether the building is suitable for an increase in capacity, in terms of RGL requirements and number of toilet facilities.                                                                               | a. The liquor licence application and assessment by RGL is a separate process, subsequent to this application. The applicant will also be required to obtain Building and Health approvals for the proposed change. Preliminary assessments by the City's Building and Health Services suggest that the existing facilities are sufficient for the proposed number of patrons.                   |

## Statutory Environment

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015* ("Deemed Provisions");
- *Peel Region Scheme*;
- *Town Planning Scheme No. 3*;
- City Centre Precinct Plan; and
- Draft Central Mandurah Activity Centre Plan

The development application was received on 11 September 2020. This is within the required statutory timeframe for assessment of 90 days.

## Policy Implications

The City has an Alcohol Management Policy, POL – PBH 04 with objectives to:

1. Guide the City's approach to encouraging environments where the consumption of alcohol can provide economic opportunity and improved vibrancy; and
2. Provide strategic guidance for the community, applicants and City employees regarding considerations associated with licensed venues and events.

The application provides for extensive seating and meal availability supporting a lower risk drinking environment. While there is a number of similar licensed venues nearby, the City officers consider that with appropriate harm minimisation measures as set out in the proposed conditions that any impacts can be successfully managed.

## Economic Implications

Nil

## Risk Analysis

Should the applicant feel aggrieved by the determination, then an appeal may be lodged with the State Administrative Tribunal.

## Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

### Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.
- Actively partner and engage with business and industry to build Mandurah's entrepreneurial capacity and capability.

### Social:

- Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.

## Conclusion

Council is requested to consider a development application for a proposed change of use from 'Small Bar' to 'Tavern' at the subject site. Six submissions were received, with key comments raised relating to noise, traffic, anti-social behaviour and security. Recommended conditions and management plans serve as harm minimisation measures.

The existing noise management conditions will remain applicable and the applicant does not seek to amend the current Bar Therapy Noise Management Plan. It has been demonstrated via an addendum to the acoustic assessment that with an occupancy of 180 persons, the venue will continue to operate within the allowable levels assigned by the *Environmental Protection (Noise) Regulations 1997*. Appropriate noise management measures have been incorporated into the recommended conditions to ensure that the amenity of the surrounding area is maintained.

It is recommended that Council approve the application subject to conditions.

NOTE:

- Refer **Attachment 4.1 Floor Plan and Seating Layout**

## 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)*, that Council grant development approval for proposed Change of Use to a Tavern (DA9475) at Lot 504, No 3 Mandurah Terrace, subject to the following conditions:

1. Prior to commencement of the use, a waste management plan shall be submitted to and approved by the City of Mandurah. The waste management plan shall be implemented at all times to the satisfaction of the City of Mandurah.
2. The operation of the premises must be carried out in accordance with the Harm Minimization and Management Plan dated June 2020 to the satisfaction of the City of Mandurah.
3. The venue must operate in accordance with the acoustic report AES-890050-R01-1-14032019 and the noise management plan approved by the City of Mandurah (as amended) during the hours of operation.
4. Unless otherwise agreed in writing by the City of Mandurah, the following measures shall be taken to ensure that the proposed operation does not adversely affect the amenity of the neighbourhood:
  - 4.1. The maximum number of patrons shall be 180 at any one time, subject to compliance with the *Health (Public Buildings) Regulations 1992* Maximum Accommodation Certificate and whichever is the lesser amount.
  - 4.2. Seating must be provided for a minimum 75% of the approved maximum accommodation number granted under the *Health (Public Buildings) Regulations 1992* except for one-off events in accordance with the City's Alcohol Management Policy POL-PBH 04.
  - 4.3. Meals must be available to patrons at all times of trade.
  - 4.4. Delivery vehicles, forklifts and waste vehicles must only enter the site or be operated on or adjacent to the site between 7:00am and 7:00pm Monday to Saturday; and 9:00am and 7:00pm on Sundays or Public Holidays. All vehicles must have their engine turned off during loading and unloading of goods/waste associated with the use of the site to the satisfaction of the City of Mandurah.
  - 4.5. The number of crowd controllers must be provided in accordance with the requirements of the Department of Local Government, Sport and Cultural Industries and be present until 1 hour after trading ceases each Friday and Saturday night and each Sunday that proceeds a Monday long weekend.

## Advice Notes:

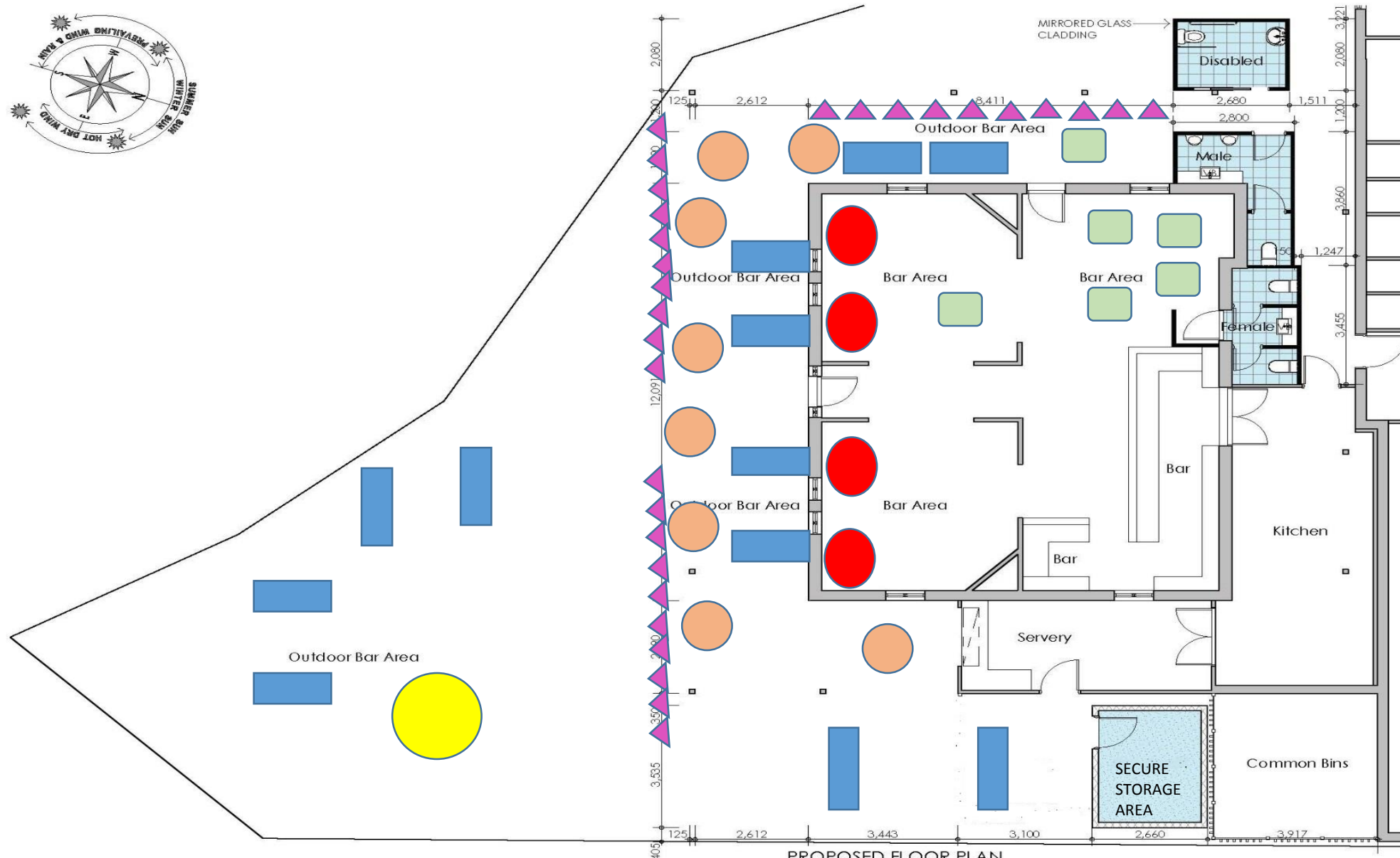
1. The applicant is encouraged to review the City of Mandurah [Waste Management Plan Guidelines for Commercial and Industrial Developments](#).
2. The premises will be subject to the requirements of the *Health (Public Buildings) Regulations 1992*.



# ATTACHMENT 4.1

KEY:

-  Round Cane Table 4-6 seats
-  Long Table and Bench seats - 8 seats
-  Slim Jim seating – 12-14 seats
-  Hi Table 4 Stools
-  Booths 8 seats
-  Stools 1 seat X 30 Stools



PROPOSED FLOOR PLAN

1:100



STAGE: CONCEPT SKETCH

CLIENT: BALTYN

PROJECT: ABLUTION EXTENSION  
3 Mandurah Terrace  
MANDURAH WA 6210

SHEET: PROPOSED FLOOR PLAN

| REV | COMMENT                                     | DATE                |
|-----|---------------------------------------------|---------------------|
| A   | CONCEPT SKETCH (ISSUED FOR CLIENT COMMENT)  | 6/04/2017 2:33 PM   |
| B   | CONCEPT SKETCH (ISSUED FOR COUNCIL COMMENT) | 19/04/2017 9:48 AM  |
| C   | CONCEPT SKETCH (LEASING PLAN)               | 20/04/2017 1:16 PM  |
| D   | CONCEPT SKETCH (LICENSING PLAN)             | 17/05/2017 11:43 AM |

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SHEET NO:  
**5** OF 5  
JOB NO:  
2017-0793  
DRAWING NO:  
5.A

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|          |                      |                                                                |
|----------|----------------------|----------------------------------------------------------------|
| <b>5</b> | <b>SUBJECT:</b>      | Proposed Change of Use to Tavern: 7 Mandurah Terrace, Mandurah |
|          | <b>DIRECTOR:</b>     | Business Services                                              |
|          | <b>MEETING:</b>      | Ordinary Council Meeting                                       |
|          | <b>MEETING DATE:</b> | 24 November 2020                                               |

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## Summary

Council is requested to consider a development application for a proposed change of use from 'Restaurant' to 'Tavern' for the ground floor at the subject site. The applicant will be seeking a Tavern liquor licence to allow for bar service and to enable the small production and sale of packaged liquor. The proposed venue is a 'boutique' style tavern, with tapas style food and an operational distillery making gin and vodka using local produce and ingredients. The proposal includes alfresco dining within the existing pedestrian access easement, providing additional activity and vibrancy to this laneway and waterfront precinct.

The proposal was advertised to approximately 200 landowners representing a 150m radius of the site and numerous properties located across the water on San Marco Quays and within the Port Mandurah canals. During the consultation period, eight submissions were received. Key comments raised related to noise, anti-social behaviour and security.

It has been demonstrated, via an acoustic assessment, that the proposal can comply with the *Environmental Protection (Noise) Regulations 1997*. Appropriate noise management measures have been incorporated into the recommended conditions to ensure that the amenity of the surrounding area is maintained, with additional conditions to minimise the potential for anti-social behaviour and disruption.

It is considered that the application of appropriate management conditions would minimise the potential for noise and anti-social behaviour, and therefore through these conditions it is recommended that Council approve the proposed change of use.

## Disclosure of Interest

Nil

## Location



## Property Details

|                            |                         |
|----------------------------|-------------------------|
| Applicant:                 | ATF Mana Family Trust   |
| Owner:                     | J & E Baltyn            |
| Scheme No 3 Zoning:        | City Centre Development |
| Peel Region Scheme Zoning: | Regional Centre         |
| Lot Size:                  | 656m <sup>2</sup>       |
| Topography:                | Predominately flat      |
| Land Use:                  | Restaurant              |

## Previous Relevant Documentation

- G.19/2/19 26 February 2019 Council resolved to forward the Central Mandurah Activity Centre Plan to the Western Australian Planning Commission for final approval.

## Background

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) required the preparation of an Activity Centre Plan for all strategic metropolitan, secondary, district and specialised centres prior to the consideration of any further major development within these centres. In accordance with the requirements of SPP 4.2 and the Deemed Provisions for Local Planning Schemes, an Activity Centre Plan was prepared for the Central Mandurah area, and adopted by Council for advertising in March 2018.

The Central Mandurah Activity Centre Plan (ACP) was prepared in order to meet the requirements of SPP4.2, and combined, consolidated and integrated the three existing Precinct Plans (City Centre, Mandurah Terrace and Inner Mandurah) and two existing Outline Development Plans (Mandurah Ocean Marina and Mandurah Junction) so that planning requirements would be consistent and simplified across Central Mandurah. Of relevance to this application is the City Centre Precinct Plan. Once approved by the Western Australian Planning Commission (WAPC), the ACP will replace each of these existing Precinct Plans and Outline Development Plans.

In February 2019, Council resolved to forward the ACP to the WAPC for final approval. The WAPC have advised that final approval of the ACP will not be granted until LPS12 is operational. The draft LPS12 has been forward to the WAPC for final approval and endorsement by the Minister for Planning. It is unknown how long the WAPC will take to approve (or require modifications or refuse) LPS12 in order for the draft ACP to subsequently be considered and approved (or require modifications or refuse). However, as the ACP has been supported by Council, the document can be a 'seriously entertained' planning instrument, meaning that the local government is seriously considering adopting or approving. Therefore, Council shall have due regard to both the City Centre Precinct Plan and the ACP when considering this application.

## Comment

### Proposed Development

The application seeks to change the approved land use on the ground floor from Restaurant to Tavern, with the applicant proposing to operate under a Tavern Liquor Licence. The proposed venue is described by the applicant as a 'boutique' style tavern, with an operational distillery making gin and vodka using local produce and ingredients. The venue is intended to be a comfortable, relaxed, family friendly environment where customers can enjoy views of the estuary and surrounds. The commercial kitchen will be fitted out to produce gourmet tapas style food and will be operational during opening hours. The venue does not seek to include a TAB, sports screens, pool tables and loud bands which are generally characteristics that are often associated with taverns. The requested maximum occupancy is 200 persons, however the applicant will be required to comply with the maximum occupation certificate issued under the *Health (Public Buildings) Regulations 1992*, which the assessment is independent to the development approval.

The proposed business operation includes information sessions, distillery tours and tastings available to tourists, visitors and locals. Small batch brews of infused gins and vodkas will be available to taste and purchase.

### Land Use

Under the City's Town Planning Scheme No 3 (Scheme), the subject site is zoned City Centre Development. Within this zone, due regard is to be given to the City Centre Precinct Plan (Precinct Plan). Under the Precinct Plan, a Tavern is a 'SA' use within the Mandurah Waterfront Sub Precinct, meaning that it can be considered by Council and must be advertised. Similarly, under the ACP a Tavern is a 'D' (discretionary) use within the City Centre zone meaning it can be considered by Council.

The objective for the City Centre precinct is to become the key employment, retail and entertainment destination for the wider region. The ACP also notes that residential land uses should not dominate outcomes necessary to ensure that entertainment land uses prevail. As such, it is clear within the ACP that retail and entertainment are the preferred land uses within the City Centre precinct. The subject site is therefore considered to be an ideal location for a proposed Tavern. As with other existing establishments, harm minimisation conditions can be incorporated into the development approval and subsequent liquor licence to ensure that noise, excessive alcohol consumption and patron behaviour are appropriately managed.

### Site Layout and Use of Laneway

The subject site has an existing easement for the purposes of public access along the southern boundary of the property. The easement area is 2.5m wide and runs the entire length of the property. The adjoining property (3 Mandurah Terrace) has a matching easement, which when combined form the existing laneway. The laneway provides a pedestrian connection between Mandurah Terrace and the boardwalk and contributes to the activation of this waterfront precinct.

As part of this application, the proponent is requesting to utilise half of the laneway space for alfresco dining. The easement area on 3 Mandurah Terrace would remain unobstructed to allow for pedestrian access down the laneway. The laneway is currently split over two levels which acts as a physical separation between the two easements, refer to the image below. Legal advice obtained by the City has confirmed that the use of the area for alfresco dining would not require the easement to be modified, provided that no permanent obstructions or fixtures are installed. Officers consider that the partial use of this laneway for alfresco dining would further activate the space and would be a positive contribution to creating a vibrant city centre. The combined width of the easements would still permit sufficient space for pedestrian movement throughout the area.

Both properties are currently under the same ownership and officers have advised the landowner that should Council approve this proposal, the situation will not be able to be replicated on the adjoining easement at 3 Mandurah Terrace. This is to ensure that pedestrian access is retained. Legal advice obtained by the City suggested that a condition be imposed stipulating that the use of the easement may continue only while the two properties are in the same ownership. This has been reflected in the officer's recommendation.



*Pedestrian access easement at 3 & 7 Mandurah Terrace*

### Liquor Licence

There are 15 categories of Liquor Licences available in Western Australia. Each licensed category varies in permitted trading hours and the manner in which liquor can be sold and supplied. A restaurant licence should be focused on the provision of food and requires that alcohol is consumed with a meal unless a liquor without a meal permit is obtained. Table service is required in all circumstances. The applicant is seeking a change to a Tavern licence to allow for bar service and to enable the small production and sale of packaged liquor, which in this case will be a distillery for gin and vodka. A Restaurant licence does not generally have restrictions on trading hours, whereas a Tavern licence has permitted trading hours of 6:00 am to 12 midnight Monday to Saturday, 10:00 am to 12 midnight on Sundays and varied hours on public holidays.

Under the *Liquor Control Act 1988*, an application for a Liquor Licence is made to the Department of Racing Gaming and Liquor (RGL) and is required to include local government certificates demonstrating compliance with:

- the *Public Health Act 2016*;
- the *Food Act 2008*;
- the *Local Government Act 1995*;
- the *Building Act 2011* and
- specific planning matters.

A local government's local planning scheme serves as an important tool in shaping a community's liquor environment outside of the *Liquor Control Act 1988*. An application for a Liquor Licence cannot be approved by RGL if the local government development approval has not been granted. Through the development application, the City can impose appropriate conditions, which may form part of a subsequent liquor licence if approved by RGL.

### Amenity

The submissions raises issues associated with excessive noise, the likelihood of anti-social behaviour and concerns about security. These matters are relevant planning considerations, however it is possible to impose appropriate mitigation methods via conditions to reduce the potential risks to the public and private amenity. The applicant has submitted a noise assessment which demonstrates that the proposed venue

will be able to operate within the allowable levels stipulated within the *Environmental Protection (Noise) Regulations 1997*.

The submissions raised concerns regarding the potential cumulative impact of existing licensed premises in the locality. Whilst it is acknowledged that a cluster of licensed premises may result in an increase in anti-social behaviour, the cumulative impact is reasonable in this location given that the ACP has identified the City Centre as the preferred location for entertainment uses. The cumulative impact can also be reduced and adequately managed through harm minimisation conditions.

Conditions are recommended with the aim of protecting the amenity of the area, and include:

- Requirements for the presence of seating for the majority of patrons to ensure that patrons are seated whilst consuming alcohol.
- Noise management measures for both background music and live music with style, level and time restrictions.
- Patron management plans that include the monitoring of patrons movements at the closure of the venue and provision of calling facilities to assist in monitoring behaviour.
- Requirement for meals to be available to patrons at all times of trade. As with existing venues, a 'meal' can be pre-prepared food and does not necessary require a chef to be on site at all times.

The above requirements represent harm minimisation measures aimed at reducing the impact of noise, discouraging excessive alcohol consumption and monitoring patron behaviour to ensure that surrounding amenity is not severely impacted.

The Precinct Plan requires that any amplified music venue must be capable of fully enclosing all parts of the licensed area after 10:00pm and be able to demonstrate that they can practically move all patrons from the outdoor area of the venue into an enclosed noise attenuated area after this time. The intent of this requirement was to prevent large "beer garden" situations which can result in very high levels of patron and music noise emissions. Via a submitted acoustic assessment, the applicant has demonstrated that the venue can operate within the allowable noise levels without shifting patrons inside. Officers consider that in this instance, it would not be necessary to apply this requirement, given the demonstrated compliance with the *Environmental Protection (Noise) Regulations 1997* and separation from existing and future residential land uses. It should also be noted that this requirement has not been included within the ACP.

### Parking

Under the Precinct Plan and ACP, 10 car parking bays would be required. It is noted that the same number of bays are required for a Restaurant and a Tavern and therefore no additional bays are required for this land use. It is not considered appropriate or necessary to retrospectively require the provision of 10 parking bays and/or cash-in-lieu payment.

### **MEAG Comment**

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment,

### **Consultation**

The proposed tavern at 7 Mandurah Terrace was advertised to approximately 200 surrounding landowners between 5 October 2020 and 23 October 2020. The consultation included a 150m radius from the subject site and various residential properties located across the water, as highlighted in the image below. The WA Police were also consulted during this time.



Map showing extent of advertising.

During the consultation period the following submissions were received in relation to 7 Mandurah Terrace:

| Owner / Address                 | Submission<br>(Summarised comments)                                                                                                                                                                                                                                                                                                                                 | Comment                                                                                                                                                                   |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. A & S Drummond<br>Halls Head | <p>a. Depending on wind conditions, noise from the taverns may be heard.</p> <p>b. Supportive of the proposed tavern.</p> <p>c. Together with other proximal entertainment and hospitality venues, they are likely to enhance the amenity of this part of "downtown" Mandurah and complement the recent and on-going redevelopment of the near-bridge vicinity.</p> | <p>a. The submitted acoustic report demonstrates that the venue will be able to operate within allowable levels.</p> <p>b. Noted.</p> <p>c. Noted.</p>                    |
| 2. J Williamson<br>Mandurah     | <p>Objects to the proposed tavern for the following reasons:</p> <p>a. There is already an abundance of licensed premises in the area commonly resulting in excessive noise, anti-social behaviour and property damage.</p>                                                                                                                                         | <p>a. The subject site is located within an entertainment precinct and is the preferred location for this type of establishment. Recommended conditions serve as harm</p> |

|                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                | <p>b. The establishment should be required to pay for additional security for at least an hour after closure to move patrons on. The responsibility should not fall onto the Police.</p> <p>c. Acknowledge that increased noise is accepted with inner city living, however anti-social behaviour is an issue.</p> <p>d. Increased capacity will exacerbate the existing problems with increased traffic and associated noise.</p>                                                                                             | <p>minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</p> <p>b. Noted. Recommended conditions seek to limit anti-social behaviour including the provision of security following closing of the venue.</p> <p>c. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</p> <p>d. The subject site is located within the city centre area, where increased traffic is generally expected.</p>                                                                                                                                              |
| 3. Council of Owners for One Brighton Mandurah | <p>Object to the proposed tavern for the following reasons:</p> <p>a. There is already an abundance of licensed premises in the area commonly resulting in excessive noise, anti-social behaviour, trespassing and property damage.</p> <p>b. Majority of issues are prevalent at closing time, however can also occur as patrons move between venues. There is currently no effective security dealing with the issue.</p> <p>c. Existing issues will be exacerbated by additional venues and increase in patron numbers.</p> | <p>a. The subject site is located within an entertainment precinct and is the preferred location for this type of establishment. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour and property damage.</p> <p>b. Noted. Recommended conditions seek to limit anti-social behaviour including the provision of security following closing of the venue.</p> <p>c. As above, the subject site is located within an entertainment precinct and it is considered appropriate for an accumulation of night-time entertainment uses in this area. Recommended conditions serve as harm minimisation measures.</p> |
| 4. S & E Von-Paleske                           | <p>a. There are sufficient hotels/taverns in the area.</p> <p>b. Prefer Spurs to remain as it provides a safe family friendly environment.</p>                                                                                                                                                                                                                                                                                                                                                                                 | <p>a. The City's ACP encourages entertainment land uses to locate within this precinct.</p> <p>b. The applicant has applied for a change of use to Tavern and the City is assessing the application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                            | c. Records of unruly behaviour and complaints at Spurs should be compared with licensed premises in the surrounding area.                                                                                                                                                                                                                                                                                                                                                                                                                                    | c. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 5. B Hutchen-Craig<br>Brighton Hotel<br>Mandurah                           | a. Trust that all RGL and Building Code of Australia requirements for the licence change will be met, with proper toilet facilities.                                                                                                                                                                                                                                                                                                                                                                                                                         | a. These requirements are not a planning consideration and do not form part of this assessment. The applicant will also be required to obtain Building and Health approvals for the proposed change. Preliminary assessments by the City's Building and Health Services suggest that the existing facilities are sufficient for the proposed number of patrons.                                                                                                                                                                                                 |
| 6. J Hutchen<br>Redmanna Restaurant /<br>The Bridge Garden Bar<br>Mandurah | a. Request that the same rules and regulations for a Tavern Restricted License be applied to all venues.                                                                                                                                                                                                                                                                                                                                                                                                                                                     | a. The application is for a change of use to a Tavern. The recommended conditions are consistent with other taverns within the area. The liquor licence application for a Tavern Restricted Licence will be determined by RGL.                                                                                                                                                                                                                                                                                                                                  |
| 7. P Fernades<br>Golden Cloud Spur<br>Mandurah                             | <p>a. Objects to the proposal and notes that the application was not done on his behalf.</p> <p>b. Currently disputing their rights to extend the lease of the subject tenancy.</p> <p>c. There are already a sufficient number of venues of the same licence category.</p> <p>d. These establishments attract a particular demographic of patron that depreciates the safety and reputation of the community.</p> <p>e. Need a family-friendly venue which caters for all age demographics and contributes positively to the image of the Mandurah CBD.</p> | <p>a. Noted. The landowner has signed the application form.</p> <p>b. Details of the lease does not form part of the planning assessment.</p> <p>c. The City's ACP encourages entertainment land uses to locate within this precinct.</p> <p>d. As above, the subject site is located within an entertainment precinct. Recommended conditions serve as harm minimisation measures and there are laws in place to deter anti-social behaviour.</p> <p>e. The applicant has applied for a change of use to Tavern and the City is assessing the application.</p> |
| 8. A Barrett                                                               | a. Questions whether the building is suitable for an increase in capacity, in terms of RGL requirements and number of toilet facilities.                                                                                                                                                                                                                                                                                                                                                                                                                     | a. The liquor licence application and assessment by RGL is a separate process, subsequent to this application. The applicant will also be required to obtain Building and Health approvals for the proposed change. Preliminary assessments by the City's Building and Health Services                                                                                                                                                                                                                                                                          |

|  |  |                                                                                         |
|--|--|-----------------------------------------------------------------------------------------|
|  |  | suggest that the existing facilities are sufficient for the proposed number of patrons. |
|--|--|-----------------------------------------------------------------------------------------|

## Statutory Environment

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015* (“Deemed Provisions”);
- *Peel Region Scheme*;
- *Town Planning Scheme No. 3*;
- City Centre Precinct Plan; and
- Draft Central Mandurah Activity Centre Plan (ACP)

## Policy Implications

The City has an Alcohol Management Policy, POL – PBH 04 with objectives to:

1. Guide the City’s approach to encouraging environments where the consumption of alcohol can provide economic opportunity and improved vibrancy; and
2. Provide strategic guidance for the community, applicants and City employees regarding considerations associated with licensed venues and events.

The application provides for extensive seating and meal availability supporting a lower risk drinking environment. While there is a number of similar licensed venues nearby, the City officers consider that with appropriate harm minimisation measures as set out in the proposed conditions that any impacts can be successfully managed.

## Economic Implications

Nil

## Risk Analysis

Should the applicant feel aggrieved by the determination, then an appeal may be lodged with the State Administrative Tribunal.

## Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

### Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.
- Actively partner and engage with business and industry to build Mandurah’s entrepreneurial capacity and capability.

### Social:

- Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.

## Conclusion

Council is requested to consider a development application for a proposed change of use from 'Restaurant' to 'Tavern' for the ground floor at the subject site. Eight submissions were received, with key comments raised relating to noise, traffic, anti-social behaviour and security. Recommended conditions and management plans serve as harm minimisation measures.

It has been demonstrated via an acoustic assessment that the proposed venue can operate within the allowable levels assigned by the *Environmental Protection (Noise) Regulations 1997*. Appropriate noise management measures have been incorporated into the recommended conditions to ensure that the amenity of the surrounding area is maintained.

It is recommended that Council approve the application subject to conditions.

### NOTE:

- Refer **Attachment 5.1 Floor Plans**

## 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)*, that Council grant development approval for proposed Change of Use to a Tavern (DA9475) at Lot 123, No 7 Mandurah Terrace, subject to the following conditions:

1. Prior to commencement of the use, a waste management plan shall be submitted to and approved by the City of Mandurah. The waste management plan shall be implemented at all times to the satisfaction of the City of Mandurah.
2. Prior to commencement of the use, a harm minimisation and management plan shall be submitted to and approved by the City of Mandurah. The operation of the premises must be carried out in accordance with the approved harm minimisation and management plan to the satisfaction of the City of Mandurah.
3. Prior to commencement of the use, a sign concept plan shall be submitted to and approved by the City of Mandurah, and shall indicate all the intended locations of signs to be placed within the site and on any building(s).
4. The venue must operate in accordance with the acoustic report AES-890122-R01-0-31082020 during the hours of operation.
5. Unless otherwise agreed in writing by the City of Mandurah, the following measures shall be taken to ensure that the proposed operation does not adversely affect the amenity of the neighbourhood:
  - 5.1. Seating must be provided for a minimum 75% of the approved maximum accommodation number granted under the *Health (Public Buildings) Regulations 1992* except for one-off events in accordance with the City's Alcohol Management Policy POL-PBH 04.
  - 5.2. Meals must be available to patrons at all times of trade.
  - 5.3. Delivery vehicles, forklifts and waste vehicles must only enter the site or be operated on or adjacent to the site between 7:00am and 7:00pm Monday to Saturday; and 9:00am and 7:00pm on Sundays or Public Holidays. All vehicles must have their engine turned off during loading and unloading of goods/waste associated with the use of the site to the satisfaction of the City of Mandurah.

- 5.4. The number of crowd controllers must be provided in accordance with the requirements of the Department of Local Government, Sport and Cultural Industries and be present until 1 hour after trading ceases each Friday and Saturday night and each Sunday that proceeds a Monday long weekend.**
- 6. The use of the easement area is restricted to temporary furniture (packable tables and chairs etc) only, to the specification and satisfaction of the City of Mandurah. No permanent obstructions or fixtures are permitted to be installed. The use of the easement area may only continue while the two adjoining properties (3 Mandurah Terrace and 7 Mandurah Terrace) are in the same ownership.**

**Advice Notes:**

- 1. The applicant is encouraged to review the City of Mandurah [Waste Management Plan Guidelines for Commercial and Industrial Developments](#).**
- 2. The premises will be subject to the requirements of the *Health (Public Buildings) Regulations 1992*.**
- 3. Any changes to the lay out of the food preparation area must be approved by the City's Health Services team.**
- 4. Prior to commencement of the use, an application for a building permit and occupancy permit are to be submitted to and approved by the City of Mandurah. The applicant is advised to consult a private building surveyor to obtain the appropriate advice and certificates needed for these applications.**

APPDX 2

FOH PATRON AREAS

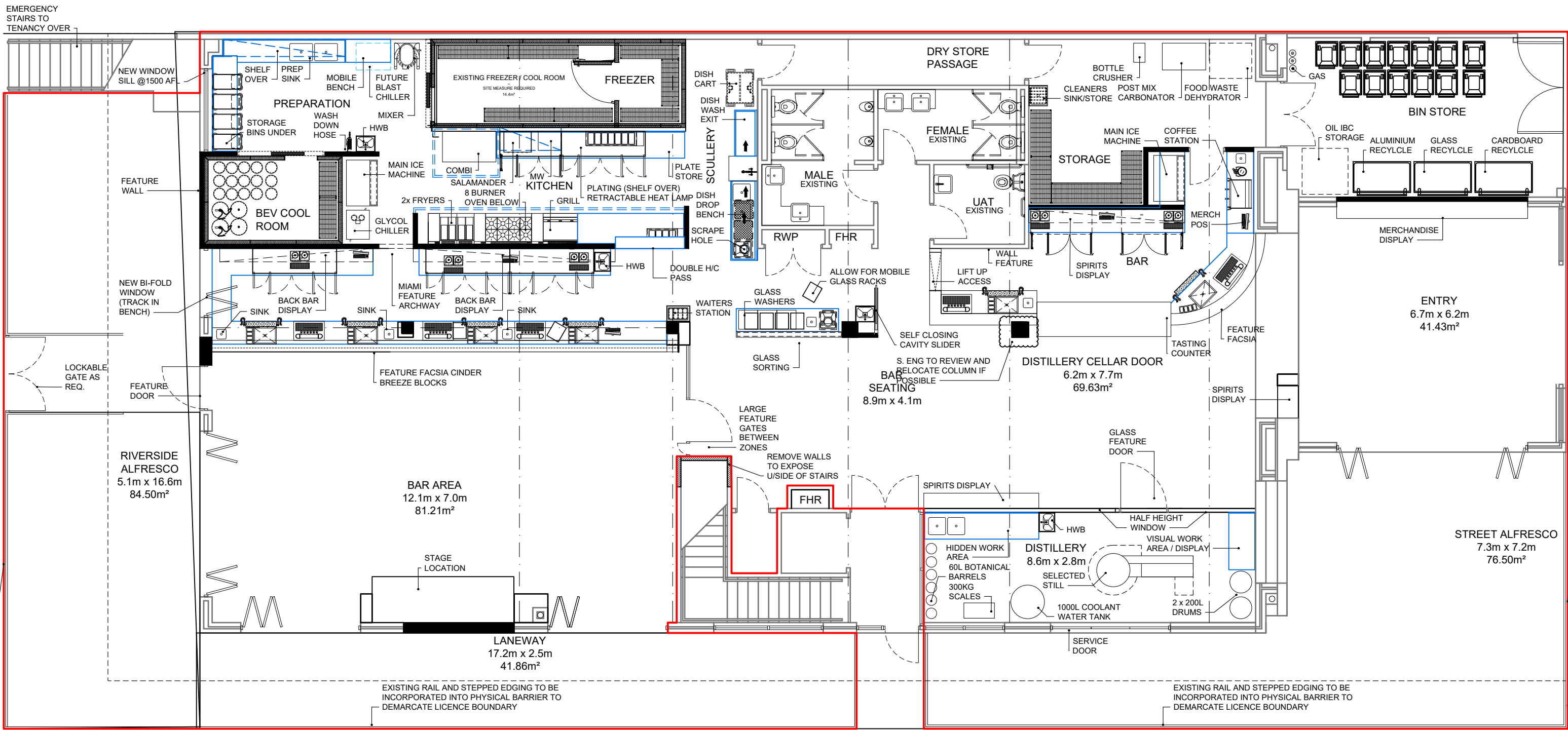
|                        |                       |
|------------------------|-----------------------|
| ENTRY                  | = 41.43m <sup>2</sup> |
| STREET ALFRESCO        | = 76.50m <sup>2</sup> |
| DISTILLERY CELLAR DOOR | = 69.63m <sup>2</sup> |
| BAR AREA               | = 81.21m <sup>2</sup> |
| RIVERSIDE ALFRESCO     | = 84.50m <sup>2</sup> |
| LANEWAY ALFRESCO       | = 41.86m <sup>2</sup> |

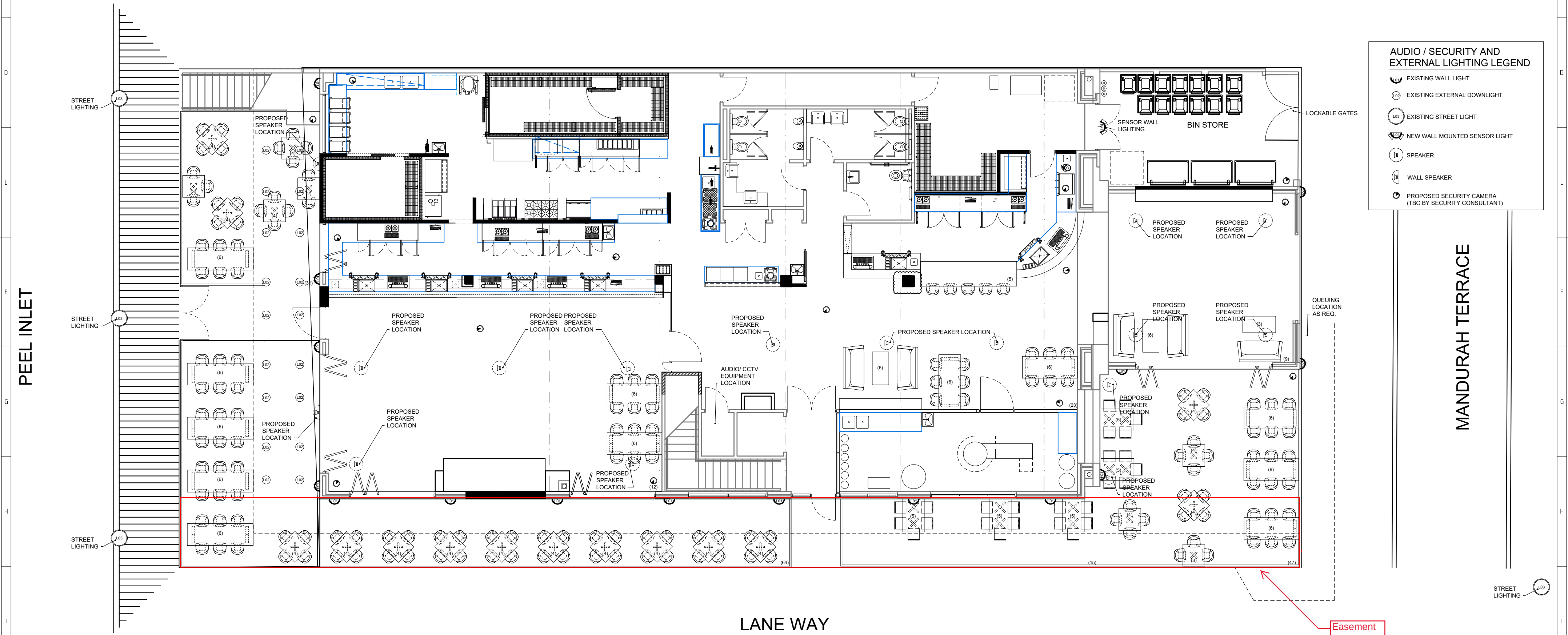
TOTAL APPROX PATRON AREAS =395.13m<sup>2</sup>  
= 464 PATRONS (@1/0.85m<sup>2</sup>)

SERVICE AREAS

|                    |                       |
|--------------------|-----------------------|
| BIN STORE          | = 33.06m <sup>2</sup> |
| STORAGE            | = 29.59m <sup>2</sup> |
| TOILETS            | = 29.31m <sup>2</sup> |
| STREET BAR AREA    | = 27.63m <sup>2</sup> |
| RIVERSIDE BAR AREA | = 44.43m <sup>2</sup> |
| DISTILLERY         | = 24.94m <sup>2</sup> |
| KITCHEN            | = 76.84m <sup>2</sup> |

TOTAL BACK OF HOUSE AREAS =265.80m<sup>2</sup>





**AUDIO / SECURITY AND EXTERNAL LIGHTING LEGEND**

- EXISTING WALL LIGHT
- EXISTING EXTERNAL DOWNLIGHT
- EXISTING STREET LIGHT
- NEW WALL MOUNTED SENSOR LIGHT
- SPEAKER
- WALL SPEAKER
- PROPOSED SECURITY CAMERA (TBC BY SECURITY CONSULTANT)

MANDURAH TERRACE

LANE WAY

Easement

|                             |    |      |             |     |     |          |    |      |             |     |     |                                                                                                              |    |    |                                                                       |    |    |
|-----------------------------|----|------|-------------|-----|-----|----------|----|------|-------------|-----|-----|--------------------------------------------------------------------------------------------------------------|----|----|-----------------------------------------------------------------------|----|----|
| SHEET SIZE A1<br>REFERENCES |    |      | REVISONS    |     |     | REVISONS |    |      | DRAWN       |     |     | ATF Mana Family Trust                                                                                        |    |    | THIRD ANGLE<br>PROJECTION                                             |    |    |
| 1                           | 2  | 3    | 4           | 5   | 6   | 7        | 8  | 9    | 10          | 11  | 12  | 13                                                                                                           | 14 | 15 | 16                                                                    | 17 | 18 |
| REV                         | BY | DATE | DESCRIPTION | CKD | APP | REV      | BY | DATE | DESCRIPTION | CKD | APP | No. 7 LOT 123 MANDURAH TERRACE<br>MANDURAH, WA, 6210<br>FLOOR PLAN - AUDIO, SECURITY AND SEATING ARRANGEMENT |    |    | SCALE 1:100 @A2<br>DRAWING NUMBER 2.02<br>PROJECT/JOB NUMBER G2020-01 |    |    |
| 1                           | 2  | 3    | 4           | 5   | 6   | 7        | 8  | 9    | 10          | 11  | 12  | 13                                                                                                           | 14 | 15 | 16                                                                    | 17 | 18 |

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|          |                      |                            |
|----------|----------------------|----------------------------|
| <b>6</b> | <b>SUBJECT:</b>      | Commercial Vehicle Parking |
|          | <b>DIRECTOR:</b>     | Director Business Services |
|          | <b>MEETING:</b>      | Council Meeting            |
|          | <b>MEETING DATE:</b> | 24 November 2020           |

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## Summary

At the Ordinary Council Meeting of 25 August 2020, a Notice of Motion was carried that requested City officers to review of the approval process and outcomes for the parking of Commercial Vehicles in residential areas. The Notice of Motion sought to provide an overview of the local planning scheme and policy provisions and the history of approvals issued.

Officers have undertaken a review of the process and provided responses to the Notice of Motion questions. It is noted that a small number of commercial vehicle development approvals have been issued over recent years.

As a result of this review and in light of the impending gazettal of the City of Mandurah Local Planning Scheme 12 (LPS12) it recommended that a Local Planning Policy incorporating Commercial Vehicle parking be prepared for consideration by Council prior by 31 March 2021.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

- G.10/8/20      25 August 2020      That Council directs officers to provide a report outlining a review of the approval process and outcomes for the parking of Commercial Vehicles in Residential Areas.
- G.16/7/20      28 July 2020      Council approved Commercial Vehicle Parking at 8 Copperfield Close, Greenfields.

## Background

Commercial vehicle parking in residential areas is a long-standing practice commonly seen throughout local government areas. There are numerous reasons a Commercial Vehicle owner would seek to house their vehicle at their place of residence, with cost savings and convenience the primary reasons. A Commercial Vehicle is, by nature, the source of income and when in use, is away from the premises. The current planning framework allows for the accommodation of such vehicles at residential properties subject to the protection of amenity to other residents in the surrounding area.

A Notice of Motion was carried by Council at the meeting of 25 August 2020 in regards to the parking of Commercial Vehicles in residential areas. The motion moved that Council directs officers to provide a report outlining a review of the approval process and outcomes for the parking of Commercial Vehicles in residential areas. The reason for the motion was noted as aiding Council in gaining a further understanding of the implications of decision making by providing an overview of the current local planning scheme and policy provisions relating to Commercial Vehicles in residential areas.

The following outlines the history of Commercial Vehicle applications the City has received, summarising the different types of vehicles, locations and implications of parking Commercial Vehicles within the residential zone in contrast to confining them to an industrial zone. Officers have also compared the practices of the City of Mandurah with comparable local governments and discovers similarities in the consideration of such proposals. Given all historical and current Commercial Vehicle parking proposals

have been under the provisions of the City's Town Planning Scheme 3 (TPS3), the recommendations consider the future implications with the impending gazettal of LPS12.

## Comment

State of Emergency provisions introduced by the Minister for Planning have provided an exemption for the requirement of obtaining development approval for a Commercial Vehicle in a residential area. It is noted this is a temporary exemption brought about as a result of the global pandemic and upon the lifting of the State of Emergency, the requirements specified below will continue to apply.

### Current Town Planning Scheme requirements and approvals process

Under the provisions of TPS3, a 'Commercial Vehicle'

*"means a vehicle that is used or is designed for the use by a business, a trade or for commercial purposes including a:*

- utility and any attachment;*
- van and any attachment;*
- truck and any attachment;*
- trailer and any attachment;*
- tractor and any attachment;*
- bus and any attachment; or*
- any earthmoving machine, whether self-propelled or not.*

*The term shall not include any vehicle designed as a:*

- passenger car including a trailer or any other thing most commonly used as an attachment to a car, or*
- a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of not more than 1½ tonnes."*

Section 5.17 of TPS3 sets out the current framework for considering Commercial Vehicle parking. It prohibits a Commercial Vehicle from being parked, or remain stationary for more than two hours on any land zoned Residential, Urban Development, Canal, Rural Residential or City Centre Development, where the predominant land use is residential, unless:

- a) it is housed in a domestic garage or domestic outbuilding or,
- b) the vehicle is being used in connection with building, construction works or any other use approved by Council for that land;
- c) Council has issued a planning approval permitting the parking of such a vehicle.

In undertaking an assessment for a Commercial Vehicle, the criteria is stipulated in clause 5.17.2 of Scheme 3 and is outlined as follows:

- a) *The number of dwellings contained on the lot where the vehicle is proposed to be parked;*
- b) *The proposed on-site parking location;*
- c) *The potential impacts on neighbourhood residents with respect to noise, emissions, visual appearance or any other nuisance;*
- d) *The frequency and times of arrival and departure, with such a vehicle not to be taken from or brought to the lot between the hours of 10pm and 6:30am.*

Any approvals granted through TPS3, as specified in section 5.17.3, are granted to a specific person; are not transferable; relate to a specific vehicle; and does not run with the land. This means a new approval is

necessary if the vehicle changes, the ownership changes or a relocation occurs. Section 5.17.4 provides that any approval granted can be rescinded if it is sufficiently demonstrated the Commercial Vehicle is causing a nuisance and section 5.17.5 restricts the servicing or repair of any Commercial Vehicles in the zones where planning approval is required.

Further, TPS 3 section 7.1.3 also states:

*"Without limiting the generality of the expression "development" for the purposes of the Scheme the Council's Development Approval is required in writing in respect of the following:*

*(e) The parking of a Commercial Vehicle on any land zoned Residential, Urban Development, Canal, Rural Residential or City Centre Development, where the predominant land use is residential."*

Officers currently assess a Commercial Vehicle proposal against the above-mentioned framework. Given the potential impact on amenity, officers assessments will seek to ensure that the affected neighbours have been provided the opportunity to comment. This may, and most often does, take the form of formal consultation, however where a proponent has provided documented support from affected neighbours, this can provide that surety.

If, through the process of assessment, the proposal is deemed acceptable, and consultation indicates there are no objections, the proposal is generally granted conditional approval under delegated authority. If, however, significant objection is received and officers cannot reach a resolution through negotiation with the parties affected, a report is generally presented to Council with a recommendation. In either event, if the proposal is supported and approval is granted, it is always subject to conditions to ensure the amenity remains.

#### City of Mandurah Commercial Vehicle parking approvals

Since 1994, the City has received 44 applications for Commercial Vehicles. The below table shows the determination of those applications:

| Determination:                  | Number of Applications: |
|---------------------------------|-------------------------|
| Approved by Delegated Authority | 25                      |
| Refused by Delegated Authority  | 6                       |
| Approved by Council             | 6                       |
| Refused by Council              | 1                       |
| Withdrawn/Cancelled             | 5                       |
| Not Considered                  | 1                       |
| Total:                          | 44                      |

Between 2015 - 2020, 16 Commercial Vehicles have been approved, four have been approved by Council and 12 have been approved under delegated authority:

| Year | No. of Approvals | Determination                                              |
|------|------------------|------------------------------------------------------------|
| 2020 | 2                | One approved by Council and one under delegated authority  |
| 2019 | 2                | Both approved under delegated authority                    |
| 2018 | 7                | Two approved by Council and five under delegated authority |
| 2017 | 3                | All approved under delegated authority                     |
| 2016 | 0                | N/A                                                        |
| 2015 | 2                | One approved by Council and one under delegated authority  |

During this five-year period, of the 16 Commercial Vehicles approved, six were as a result of complaints raised and the initiation of compliance action. Through the subsequent assessment and application of conditions, compliance has been managed and the City has received minimal complaints.

### Development Compliance

The City's Development and Compliance team has historically received between 5-8 complaints per year for Commercial Vehicles within residential areas. Whilst a number of these are where the owner has not made application for planning approval and results in an application for planning approval, a number are not considered acceptable and results in the offending vehicles being moved on. For example, this year has seen eight items raised through the Development Compliance team. Of these, one has been granted conditional approval by Council, two are exercising their rights under the State of Emergency, one is within the statutory timeframe outlined on their directions notice and four have resulted in the trucks being removed from the properties.

### Local Planning Scheme 12 (LPS12)

LPS12 is currently with the Western Australian Planning Commission for approval. LPS12 includes the following definitions relating to Commercial Vehicles:

Commercial Vehicle: means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including;

- (a) A utility, van, truck, tractor, bus or earthmoving equipment; and
- (b) A vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a)

Commercial Vehicle parking: means premises used for parking of one or 2 Commercial Vehicles but does not include:

- (a) Any part of a public road used for parking or for a taxi rank; or
- (b) Parking of Commercial Vehicles incidental to the predominant use of the land.

Commercial Vehicle Parking is included in the land use table of Draft LPS12:

| Use Class                         | C1 – Strategic Centre | C2 – District Centre  | C3 – Neighbourhood Centre | C4 – Local Centre | Service Commercial | Light Industry | Mixed Use | Residential | Rural Residential | Rural Smallholdings | Rural | Private Clubs, Institutions and Place of Public Worship | Tourism | Urban Development     |
|-----------------------------------|-----------------------|-----------------------|---------------------------|-------------------|--------------------|----------------|-----------|-------------|-------------------|---------------------|-------|---------------------------------------------------------|---------|-----------------------|
| <b>Specific Land Uses</b>         |                       |                       |                           |                   |                    |                |           |             |                   |                     |       |                                                         |         |                       |
| brewery                           | Refer to Clause 3.3.7 | Refer to Clause 3.3.7 | X                         | X                 | P                  | P              | X         | X           | X                 | X                   | X     | X                                                       | I       | Refer to Clause 3.3.7 |
| fast food outlet                  |                       |                       | P                         | X                 | X                  | X              | X         | X           | X                 | X                   | X     | X                                                       | X       |                       |
| garden centre                     |                       |                       | X                         | X                 | P                  | P              | X         | X           | D                 | D                   | X     | X                                                       | X       |                       |
| hospital                          |                       |                       | P                         | D                 | D                  | D              | X         | X           | X                 | X                   | X     | X                                                       | X       |                       |
| commercial vehicle parking        |                       |                       | D                         | D                 | P                  | P              | X         | D           | D                 | D                   | D     | X                                                       | X       |                       |
| service station                   |                       |                       | P                         | X                 | D                  | D              | X         | X           | X                 | X                   | X     | X                                                       | X       |                       |
| telecommunications infrastructure | Refer to Clause 3.3.7 | Refer to Clause 3.3.7 | P                         | D                 | P                  | P              | D         | D           | D                 | D                   | X     | D                                                       | D       | Refer to Clause 3.3.7 |
| veterinary centre                 |                       |                       | D                         | X                 | P                  | P              | X         | X           | D                 | D                   | D     | X                                                       | X       |                       |

Commercial Vehicle Parking is only permitted within the Service Commercial and Light Industry Zone. It is a discretionary use in all Residential Zones and not permitted within the Mixed Use, Private Clubs, Institutions and Place of Public Worship and the Tourism Zone.

In regards to the Residential Zone, a discretionary land use means that the use is not permitted unless the local government has exercised its discretion by granting development approval. This process would include consultation with neighbouring properties.

Unlike TPS3, the draft LPS12 does not include an assessment criteria and it is considered this should be addressed through the formulation of a local planning policy.

#### Comparison to other Local Governments

Commercial Vehicle parking in residential areas can be approved in other similarly located local governments such as City of Rockingham, City of Kwinana and City of Cockburn. In these local government areas, the framework for Commercial Vehicle parking within residential areas are controlled through their Scheme and/or a Local Planning Policy. Similarities between these local government examples and the City of Mandurah include restricted hours of arrival/departure; impacts of amenity; preference of the Commercial Vehicle being garaged or screened; similar definitions; and the number of vehicles is limited to 1 or 2 Commercial Vehicles per property. There are also similarities regarding consultation, conditions and compliance.

#### Ranger Involvement:

The approval to park a Commercial Vehicle under the planning framework applies to vehicles parked within private property boundaries. Rangers generally deal with Commercial Vehicles in residential areas that are parked in the street or on verges (i.e. in the public domain). This may be as a result of a complaint or as a result of a patrol.

The City of Mandurah *Parking and Parking Facilities Local Law 2015* provides as follows:

#### 7.12 Stopping on a carriageway—heavy and long vehicles

- 1. A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a Gross Vehicle Mass of 4.5 tonnes on a*
  - a) carriageway in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or*
  - b) carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of heavy and long vehicles.*
- 2. Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or sign relating to the parking or stopping of vehicles.*

If the City receives a complaint that a Commercial Vehicle is parked on private property, then the matter is referred to compliance.

#### **MEAG Comment**

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

#### **Consultation**

Officers consulted with contemporary local governments.

#### **Statutory Environment**

- *Town Planning Scheme No 3*
- *Planning and Development Act 2005*

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Draft Local Planning Scheme No 12
- *Parking and Parking Facilities Amendment Local Law 2015*

### Notice of Exemption (State of Emergency)

In response to the current State of Emergency, a number of changes have been made to the statutory planning framework. A Notice of Exemption was issued on 8 April 2020 which temporarily exempts parking of Commercial Vehicles on residential properties from requiring Development Approval. The Commercial Vehicle parking requirements stipulated in TPS3 still continue to apply and this includes restrictions on times that the Commercial Vehicle can be brought to / leave the property. This exemption will remain in effect until 90 days after the end of the State of Emergency.

### Enforcement of Conditions

Should the City receive complaints regarding alleged non-compliance with the conditions of a Development Approval, an investigation will be carried out and enforcement action may be taken.

The City can gather evidence following any complaints of non-compliance with development conditions or exceedance of assigned noise levels. The City may utilise a recording device at neighbouring properties that can record decibel level, time and also audio of the vehicle. City officers can also undertake on site assessments to verify breaches of legislation.

Subject to the provision of appropriate evidence, there are a range of enforcement options under the provisions of the *Planning and Development Act 2005* (Act). In accordance with Section 223 of the Act, a person who commits an offence under the provisions of the Act, is liable to a fine of \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues. In accordance with Regulation 42 of the *Planning and Development Regulations 2009*, infringement notices of \$500 may be issued as an enforcement option in lieu of prosecution.

### **Policy Implications**

There is not currently a Local Planning Policy that incorporates Commercial Vehicle parking. It is recommended that Council request officers to commence the formulation of a Local Planning Policy that incorporates Commercial Vehicle parking in residential zones and present to Council for consideration.

### **Economic Implications**

The ability to accommodate Commercial Vehicles within the residential area provides potentially significant economic relief for small business owners.

The City can incur additional maintenance costs on its local roads as a result of Commercial Vehicles frequently using these roads and may result in major works being required earlier than anticipated. There are additional costs the City incurs from managing complaints and monitoring compliance.

### **Risk Analysis**

While there are sufficient provisions within TPS 3 and LPS12 to control Commercial Vehicle parking in the residential areas, the risk to amenity could be strengthened by developing a thorough local planning policy. This provides greater certainty to the City and community and reduces the risks of appeal.

### **Strategic Implications**

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.

Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.

**Conclusion**

The practice of accommodating Commercial Vehicles in the residential zone is common throughout the State and provides some small businesses the opportunity to be more economically viable. Whilst at times contentious, the majority of complaints raised with Commercial Vehicle parking are for those that are unapproved. The application of conditions as part of approvals for Commercial Vehicle parking in residential areas can largely be successfully managed. It is considered that while the existing framework allows for assessment and approvals to be issued, the preparation of a local planning policy to address in greater detail the assessment criteria and acceptable provisions for future applications, is warranted.

NOTE:

- Refer **Attachment 6.1** *Examples of Commercial Vehicles*

**RECOMMENDATION**

**That Council requests officers to prepare for Council, consideration of a Local Planning Policy addressing Commercial Vehicles within the residential zone prior to 31 March 2021.**

**Note: The Local Planning Policy will provide a detailed framework that includes clear definitions, assessment criteria, decision making process, implications of conditions and compliance.**

## ATTACHMENT 6.1

### Examples of Commercial Vehicles:





Examples of vehicles that are not a Commercial Vehicle:



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|   |                      |                                                     |
|---|----------------------|-----------------------------------------------------|
| 7 | <b>SUBJECT:</b>      | Lakelands North-East Structure Plan Amendment No. 1 |
|   | <b>DIRECTOR:</b>     | Director Business Services                          |
|   | <b>MEETING:</b>      | Council Meeting                                     |
|   | <b>MEETING DATE:</b> | 24 November 2020                                    |

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## Summary

Council is requested to consider modifications to the Lakelands North-East Structure Plan, located at Lot 105 Stock Road, Lakelands.

In summary, the proposal seeks the following modifications to the Structure Plan:

1. Modify the residential density range from R25 – R40, to R25 – R60;
2. Provide a two-storey boundary wall provision for RMD-40 (R40) and RMD-60 (R60) lots; and,
3. Reconfigure public open space areas (POS) resulting in a decrease in POS allocation from 15.9% to 12.09%, and adjust residential areas and road alignments.

The Structure Plan was advertised for a minimum of 28 days with one submission being received and three submissions from government agencies.

A local government report including any recommendations is required to be submitted to the Western Australian Planning Commission (WAPC) for a decision. It is recommended that Council provide this report to the WAPC outlining that the Structure Plan be approved subject to modifications.

## Disclosure of Interest

Nil

## Location



## Property Details

|                            |                                        |
|----------------------------|----------------------------------------|
| Applicant:                 | CDP Town Planning & Urban Design       |
| Owner:                     | Lot 105 Lakelands Pty Ltd              |
| Scheme No 3 Zoning:        | Urban Development, Regional Open Space |
| Peel Region Scheme Zoning: | Urban, Regional Open Space             |
| Lot Size:                  | 132 hectares                           |
| Topography:                | 2m AHD to 21m AHD                      |
| Land Use:                  | Vacant Urban, Regional Open Space      |

## Previous Relevant Documentation

- G.7/8/17      8 August 2017      Council resolved to support the Lakelands North-East Structure Plan subject to modifications.

## Background

The Structure Plan area is bound by Regional Open Space to the North, Stock Road to the East, the Lakelands East Structure Plan to the South, and the Perth-to-Mandurah train line immediately to the West and the Lakelands North ('Ocean Hill') Structure Plan area.

The site has an area of 132.46ha, however 94ha is reserved as Regional Open Space, resulting in an urban zoned area of 38ha.

The Mandurah North Structure Plan identifies the subject site as being future urban development, subject to the submission of a Structure Plan.

In April 2018, the WAPC granted final approval of the Lakelands North-East Structure Plan which facilitates the development of the Urban portion of the site for residential purposes.

In December 2019, the Minister for Environment issued an approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), enabling implementation of the proposed action. The action being the clearing of black cockatoo habitat and banksia woodland threatened ecological communities vegetation to enable the implementation of residential development across the site.

The EPBC Act approval includes conditions which the developer is required to implement. In response to this approval, the developer has sought to reconfigure the extent of POS areas.

## Comment

### Proposal

In summary, the proposal seeks the following modifications to the Structure Plan:

1. Modify the residential density range from R25 – R40, to R25 – R60;
2. Provide a two-storey boundary wall provision for RMD-40 (R40) and RMD-60 (R60) lots; and,
3. Reconfigure POS areas resulting in a decrease in POS allocation from 15.9% to 12.09%, and adjust residential areas and road alignments.

### 1. Density Range

The subject site is approximately 132ha in total, however the Urban portion equates to approximately 38ha.

The revised Structure Plan seeks to modify the density range for the estate from R25 – R40 to R25 - R60. The applicant has highlighted a greater interest from home builders / prospective landowners for alternative (smaller) lot product, therefore the introduction of an R60 density coding is now proposed.

Application of the medium densities (i.e. R40 and R60) is proposed subject to the relevant locational criteria including laneway product and other walkable catchment development areas (i.e. POS frontage, bus routes, proximity to school site).

Directions 2031 sets the following dwelling target for the Lakelands locality: 15 dwellings per hectare (gross urban zone) which would result in a projection of 569 dwellings for the subject site. A 'business as usual' scenario is based on 10 dwellings per hectare, resulting in a projection of 379 dwellings.

Based on the revised Structure Plan, it is anticipated that a total of 488 lots/dwellings will be provided. Despite the introduction of R60 coding, the revised Structure Plan projects an increase of only 27 lots/dwellings. The proposed yield is projected to be lower than the targets set by the State Government given the developers projected product mix and amount of POS being proposed (being in excess of the minimum 10% as per WAPC policy).

## 2. Two-Storey Boundary Wall Provision

The provisions under WAPC *Planning Bulletin 112/2016 Medium-density single house development standards – Structure Plan areas* ("RMD Codes") are applicable to the Structure Plan area. Given that these provisions have now been adopted by the City within Local Planning Policy 1, 'estate wide' LDP's are no longer considered to be required to facilitate the application of the RMD Codes.

Notwithstanding the above, the RMD Codes do not reference two-storey building height despite two-storey dwellings being prevalent in residential areas coded R40 and R60 – this is particularly applicable to laneway 'terrace' dwelling product.

The revised Structure Plan seeks to provide a two-storey boundary wall provision for RMD-40 (R40) and RMD-60 (R60) lots. The specific wording states:

*"No maximum length to both side boundaries for wall height 7m or less".*

This wording is considered to be consistent with Local Development Plan 1 (LDP) approved in October 2019. Local Development Plan 1 applies to 44 lots coded RMD-40 within the south-east corner of the Structure Plan area. Given that the LDP sought this variation to the medium density code standards, the approval of the WAPC was also required given it represents 'innovative housing typologies' (not considered in the specified type). The changes sought to the Structure Plan facilitate the developers desire of pursuing additional two-storey 'terraced' housing product within 'pockets' of the estate, and ultimately their demand will be market driven.

Officers consider the two-storey boundary wall provision to be acceptable in circumstances where an LDP mandates a minimum two-storey height for dwellings, to ensure the desired built form outcome is realised and to avoid instances of varying dwelling height / typologies (i.e. to avoid impacts when situated adjacent to single storey dwellings).

It is considered that the majority of R40 and R60 coded dwellings will be single storey, and assessed as per the standard residential design provisions. It is the developer's intention to ensure that these lots are either all two-storey or all single-storey, and therefore the mandatory height will be determined via an LDP. It is therefore recommended that the Structure Plan be modified to ensure that the boundary wall provision is only applicable where two-storey dwellings are mandated through an LDP. This approach is considered to be supported by the proponent

## 3. Public Open Space and SP adjustments

In December 2019, the Minister for Environment issued an approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), enabling implementation of the proposed action. The action being the clearing of black cockatoo habitat and banksia woodland threatened ecological communities (TEC) vegetation to enable the implementation of residential development across the site.

The EPBC Act approval includes conditions which the developer is required to implement, these relate to:

- The maximum area of black cockatoo habitat and potential habitat trees allowed to be cleared;
- Revegetation planting of flora species known to be utilised by black cockatoos, within two areas of the subject site:
  - On the east side of Paganoni Swamp, within the 50m Core Conservation Wetland (CCW) buffer; and,
  - On the west side of Paganoni Swamp, within the 50m CCW buffer and existing cleared land up to the western cadastral boundary.
- Identification and implementation of an offsite offset for black cockatoos; and
- Installation of artificial black cockatoo nesting hollows.

The developer is currently implementing the EPBC Act approval as part of their works within the site. The applicant has highlighted that no further approvals under the EPBC Act are required to facilitate implementation of the proposed Structure Plan modifications.

In response to this approval, the developer has sought to reconfigure the extent of POS areas, reducing the approved 15.9% contribution (creditable surplus of 1.96ha) to a 12.09% contribution (creditable surplus of 0.69ha). It is important to note that the reduced POS area is still consistent with Liveable Neighbourhoods and WAPC's Development Control Policy 2.3 Public Open Space in Residential Areas, which specify a minimum of 10%. Furthermore, the CCW buffer (2.569ha) and future primary school site (2.001ha) do not form part of the POS area but contribute to the overall 'greening' of the Structure Plan area, and present opportunities for tree retention.

Collectively, the revised Structure Plan design allows for the future retention of up to 177 native trees (with a diameter at breast height of at least 300mm) within POS areas and the CCW buffer area. The proponents tree survey identifies a total of 468 trees – 205 of which with a diameter at breast height (DBH) of 300-500mm and 263 with a DBH greater than 500mm.

A landscape master plan has been prepared to demonstrate the intended amenities being provided within each of the POS areas (i.e. provision of play and fitness equipment, bbq facilities, shelter and seating, etc) – all but one POS area is located adjacent to the CCW buffer areas to maximise retention of significant remnant vegetation on-site.

### Bushfire Planning

The revised Bushfire Management Plan (BMP) was assessed by the Department of Fire and Emergency Services (DFES). The BMP does not adequately address the policy requirements of State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas in the following ways:

- Landscaping plans should be included to demonstrate how and who will maintain the POS area as 'low threat' vegetation;
- Further information is required to ensure vegetation classification for a specific portion of the site ('vegetation plot 3') can be confirmed;
- Demonstration of POS area as 'low threat' vegetation will ensure future development meets the Guidelines;
- Recommended that Stock Road be upgraded to emergency access way standard providing connectivity to Paganoni Road, given the three permanent neighbourhood connector roads rely on the progress of the development to the south. Further information to be provided to demonstrate a performance based solution against the Guidelines, which involves the provision of a suitable emergency access way (including minimum surface treatment, horizontal and vertical clearance and maximum length).

It is important to note that greater detail will be provided at subdivision stage, and subject to the proponents staging plan will determine the level of bushfire threat. The creation of titled lots is subject to those lots achieving a suitable Bushfire Attack Level (BAL). Officers have come to a preliminary agreement regarding the 'low threat' nature and management of the vegetation within POS areas. Furthermore, the approval of

LDP's as a condition of subdivision approval is a standard tool used to demonstrate required setbacks in order to achieve separation from bushfire risk and as a result achieve a particular BAL.

DFES acknowledge that the land is zoned Urban Development with an expectation of subdivision, and that the current Structure Plan was previously assessed, however the areas to the west, north and east present an extreme bushfire risk and the precautionary principle should apply.

It is recommended that the BMP be revised as required by DFES, prior to final approval of the proposal – this forms part of the officer recommendation.

### **MEAG Comment**

This item was considered by the Mandurah Environmental Advisory Group at its meeting on 22 September 2020. MEAG previously considered the Structure Plan (now approved) at its meeting on 7 July 2017, at the time MEAG provided the following recommendations which they now wish to reiterate. MEAG does not support the proposal in its current form for the following reasons:

1. *Tuart woodlands are on the final priority assessment list for threatened ecological communities, (TEC) protected under the EPBC Act and technically should be awarded the same level of protection until a final assessment is made. The structure plan does not appear to have taken appropriate consideration of this.*

*Officer Comment:*

An approval under the EPBC Act has now been issued for the proposed action. Under this approval the proponent must not clear more than 10.9 ha of black cockatoo habitat, 158 potential breeding trees and 6 suitable nesting hollows. A range of conditions under this approval are intended to offset the loss of black cockatoo habitat.

2. *Tree retention is limited only to the Public Open Space areas immediately adjacent to the wetland area and opportunities to retain trees of significance should be established throughout the site. This should not just be limited to mature trees.*

*Officer Comment:*

The proposal provides in excess of the 10% POS requirement providing opportunities for tree retention. There are also opportunities for retention within the CCW buffer which does not form part of the POS requirement. The proponent has acknowledged that there may be further opportunities for the retention of trees within road reserves and lots subject to future detailed design. The revised Structure Plan allows for the retention of up to 177 native trees within POS and CCW buffer areas.

3. *There are no considerations currently for Fauna Management which is an important concern at this site.*

*Officer Comment:*

The approval of a Fauna Management Plan as a condition of subdivision approval forms part of the Structure Plan.

MEAG also suggested the following recommendations should be considered in a review of the Structure Plan and associated reports:

4. *Early consideration of Fauna Management be conducted with particular reference to the management of kangaroos, venomous snake species, phascogales, chuditch, and quenda, and ensuring connectivity between wetland sites.*

*Officer Comment:*

Noted, see officer comment above (point 3).

5. *Opportunities be investigated to harvest and utilise timber from trees felled for development purposes.*

*Officer Comment:*

Noted, this advice can be provided to the proponent.

6. *Any activity shown to be adding a nutrient load to Paganoni Swamp be controlled or ceased as this wetland already has a high nutrient load due to previous farming practices at this site. This should be established through a water monitoring program.*

*Officer Comment:*

The approval of a Wetland Management Plan and a Local Water Management Strategy as conditions of subdivision approval forms part of the Structure Plan.

7. *Request of reduction in POS (to 12.09%) is not supported by MEAG. MEAG suggest more POS be provided so that a north/south movement of wildlife corridor can be provided.*

*Officer Comment:*

Noted, whilst the reduction in POS area is disappointing, the proposal maintains compliance with relevant WAPC policy (minimum 10%) and the proponent has highlighted that the conditions of the EPBC Act approval have influenced their design.

8. *Bushfire Management Plan is lacking.*

*Officer Comment:*

Noted, the recommendation highlights that the BMP is required to be revised in order to satisfy the comments made by the Department of Fire and Emergency Services.

9. *Relocation of the pumping station into POS is not supported by MEAG.*

*Officer Comment:*

The sewer pump station is considered to be essential infrastructure required to service future lots, and has been relocated from the north of the site where it was previously proposed to be directly adjacent to POS and Regional Open Space. Whilst the site is located adjacent to POS, it is not included with the POS area calculation.

10. *That the buffer on the northern section near Paganoni Reserve be increased.*

*Officer Comment:*

See officer comment above (point 7). The proponent has demonstrated the application of the required 50m CCW buffer.

11. *MEAG does not support the increased residential density.*

*Officer Comment:*

The increased density is intended to be applied in 'pockets' and is subject to locational criteria including laneway product and other walkable catchment development areas (i.e. POS frontage, bus routes, proximity to school site). The increased density is projected to result in an additional 27 lots/dwellings, whilst the projected yield remains below the density target set by the State Government for this locality.

12. *MEAG request to view the Management Plans when completed at development stage.*

*Officer Comment:*

Noted, any relevant management plans that undergo public advertising can be considered by MEAG.

## Consultation

The Structure Plan was advertised via the City's consultation website Mandurah Matters for a minimum of 28 days. One submission was received as well as responses from three external agencies, all of which have been summarised and responded to in the Schedule of Submissions (refer *Attachment 7.2*).

## Statutory Environment

The procedures for preparing a structure plan are prescribed by the *Planning and Development (Local Planning Schemes) Regulations 2015*. The local government is required to forward a report to the decision maker (being the WAPC).

## Policy Implications

Nil

## Economic Implications

The proposal seeks to provide for residential development.

## Risk Analysis

N/A

## Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

### Social:

- Facilitate safe neighbourhoods and lifestyles by influencing the built form through urban design.

### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.

## Conclusion

Based on the proponents lot/dwelling mix proposed, the revised Structure Plan is anticipated to result in an additional 27 lots/dwellings despite an increase in density range being proposed. The introduction of R60 density provides an alternative/smaller lot product for builders to accommodate alternative housing product, however its application is subject to locational criteria (i.e. laneway product, walkable catchment, etc.).

The introduction of a two-storey boundary wall height provision is intended to facilitate 'terrace' style dwellings in concentrated 'pockets'. It is recommended that these 'pockets' be identified through a Local Development Plan which mandates a minimum dwelling height of two-storeys in order to achieve the dwelling typology proposed, and avoid impacts when situated adjacent to single storey dwellings. This modification to the Structure Plan is supported by the applicant.

Whilst the reduction in POS area is disappointing, the proposal maintains compliance with relevant WAPC policy (proposed 12.9% in lieu of 10%) and the proponent has highlighted that the conditions of the EPBC Act approval have influenced their design. The CCW buffer and future primary school site do not form part of the POS area but contribute to the overall 'greening' of the Structure Plan area. The applicant has demonstrated the intended amenities to be provided within the POS area via the preparation of a landscape master plan.

It is recommended that Council provide this report to the WAPC outlining that the Structure Plan be approved subject to modifications.

NOTE:

- Refer ***Attachment 7.1 Lakelands North-East Structure Plan Amendment 1***  
***Attachment 7.2 Schedule of Submissions***

**RECOMMENDATION**

That Council under Clause 20(2) of *Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015*, provides this report to the Western Australian Planning Commission for the Lakelands North-East Structure Plan (Dated June 2020) recommending that the proposed Structure Plan should be approved subject to the following modifications and advice:

1. The wording of Clause 5.2 (b) which relates to the provision of two-storey boundary walls shall be further expanded to ensure that its application only occurs where two-storey dwelling height is mandated by a Local Development Plan.
2. Prior to the final approval of the Structure Plan by the WAPC, the developer shall revise the Bushfire Management Plan in line with Department of Fire and Emergency Services referral comments dated 30 September 2020.
3. The Local Water Management Strategy, Wetland Management Plan and Fauna Management Plan shall be amended as a condition of subdivision approval, given that the proposal seeks an increase to lot densities as well as reconfigured lots, roads and public open space.

## PART ONE

# Implementation.

## Lakelands North-East Structure Plan

- 1 Structure Plan Area
- 2 Operation
- 3 Staging
- 4 Subdivision & Development Requirements
- 5 Local Development Plans
- 6 Other Requirements
- 7 Additional Requirements
- 8 Lakelands North-East Structure Plan (Plan 1)

# Part One – Implementation.

## 1 Structure Plan Area

This Structure Plan applies to Lot 105 Stock Road, Lakelands, being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan (Plan 1).

The Structure Plan is identified as the Lakelands North-East Structure Plan (Structure Plan).

## 2 Operation

This Structure Plan comes into effect on the date it is approved by the Western Australian Planning Commission.

The Structure Plan is to be given due regard when considering development of subdivision applications.

## 3 Staging

The development of the subject land will be implemented in multiple stages. The staging plan is indicative as timing, location and composition of the future stages will be dependent on market demand.

The staging will commence in the southern portion of the subject land, with secure and sufficient vehicular access to be provided. The staging will generally move northwards.

The provision of engineering infrastructure and primary internal road network will also need to be staged to suit development demand. A detailed programme for this will be prepared as part of ongoing detailed planning and design of service infrastructure.

## 4 Subdivision & Development Requirements

### 4.1 Land Use Permissibility

- a) Land use permissibility within the subject land is to be in accordance with the corresponding zone or reserve under the City of Mandurah Town Planning Scheme No.3 (the 'Scheme').

### 4.2 Hazards and Separation Areas

- a) Residential lots identified within the Bushfire Prone Area of the Bushfire Management Plan (**Appendix 4.1**) will require a Bushfire Attack Level assessment to be undertaken at subdivision stage.
- b) A Detailed Noise Management Plan is to be prepared and implemented in accordance with State Planning Policy 5.4 *Road and Rail Transport Noise and Freight Considerations in Land Use Planning* for lots identified as affected by noise under Figure B1 of Appendix B in the Acoustic Assessment prepared by Lloyd George Acoustics (**Appendix 4.2**).
- c) A modified Bushfire Management Plan demonstrating compliance with Element 3: Vehicular Access requirements of State Planning Policy 3.7 *Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas*.

### 4.3 Major Infrastructure

- a) Primary access to the subject land is proposed via three road connections to the south, approved as *Neighbourhood Connectors* in the *Lakelands East Structure Plan* (January 2015, as amended).
- b) Prior to lodging a request to the WAPC for clearance of the 101st lot, additional traffic modelling and assessment is required to be provided to the specification and satisfaction of Main Roads Western Australia to determine the requirement for the signalisation of the Mandjoogoordap Drive/Lilydale Drive intersection.

### 4.4 Public Open Space

- a) The Structure Plan (**Plan 1**) nominates an area of 4.25ha as creditable Public Open Space. The proposed Public Open Space meets the minimum 10% requirement as outlined in Part Two of this report.
- b) An updated Public Open Space schedule is to be provided at the time of subdivision for determination by the WAPC upon advice of the City of Mandurah.

## 4.5 Residential Density Targets

- a) Density Targets within the 'Urban' portion of the Structure Plan area include:
  - i. The density target for the '*gross urban zone*' is 15 dwellings per hectare across the subject land; and
  - ii. The density target in terms of '*site hectare*' is 25 dwellings per hectare across the subject land.
- b) Residential density codes shall be in accordance with those shown on the plan. The allocation of residential densities will generally be in accordance with the following locational criteria:

| Density Code | General Location Principles                                                                                      | Criteria                                                                                                                                                                                                                                                                                                                                                                   |
|--------------|------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R25</b>   | Applies to majority of the subject land, supporting delivery of traditional front loaded product.                | Applies as the base code to single dwelling units on lots that do not have a laneway abutting the rear boundary.                                                                                                                                                                                                                                                           |
| <b>R40</b>   | Located in general proximity to public open space, key distributor roads, key public transport nodes and routes. | Applies to: <ol style="list-style-type: none"> <li>a) lots generally within, but not exclusive to, 100m walking distance of public open space, key distributor roads, and public transport routes;</li> <li>b) lots with a laneway abutting the rear boundary; and/or</li> <li>c) lots with a site area less than 300m<sup>2</sup> to a maximum density of R40.</li> </ol> |
| <b>R60</b>   | Similar locational principles to R40 but of a more intensive development than R40.                               | In addition to R40 criteria a) - b), the R60 density applies to: <ol style="list-style-type: none"> <li>a) lots with a minimum site area less than 180m<sup>2</sup> to a maximum density of R60; or</li> <li>b) development sites designated 'Grouped Dwelling' via a WAPC approved subdivision.</li> </ol>                                                                |

## 4.6 Density Plans

The Structure Plan defines the residential ranges that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined residential density ranges, are to be subsequently assigned in accordance with a Residential Density Code Plan approved by the WAPC at the subdivision stage.

- a) A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the Residential Density Ranges identified on the Structure Plan and location criteria contained in Clause 4.5.

The Density Plan is to include a summary of the proposed dwelling yield of the subdivision and demonstrate how the density target within the Structure Plan, as specified in Clause 4.5, is progressively being achieved.

Approval of the Density Plan is to be undertaken at the time of determination of the subdivision application by the WAPC. The approved Density Plan is to then form part of the Structure Plan and is to be used for the determination of future development applications.

- b) Density Plans are not required if the WAPC considers that the subdivision is for one or more of the following:
  - i. the amalgamation of lots;
  - ii. the purposes of facilitating the provision of access, services or infrastructure;
  - iii. land which, by virtue of its zoning or reservation under the Structure Plan, cannot be developed for residential purposes; or
  - iv. land which, by virtue of its zoning under the Structure Plan, is not subject to a density range.

## 5 Local Development Plans

Local Development Plans will be prepared for the subject land pursuant to the WAPC's *Local Development Plan Framework* and Schedule 2, 'Deemed Provisions for Local Planning Schemes' of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

### 5.1 Prescribed Requirements

- a) Local Development Plans are to be prepared to inform applications for subdivision and development regarding the following:
  - i. Lots affected by noise which exceeds the noise target as defined by *State Planning Policy 5.4* in relation to the Kwinana Freeway.

### 5.2 WAPC Planning Bulletin 112/2016 and LPP1 – Residential Design Codes Policy

- a) A Local Development Plan is not required to vary 'Deemed to Comply' provisions of the Residential Design Codes where such variations are adopted under the City of Mandurah *Policy LPP1 – Residential Design Codes Policy*, this in accordance with WAPC Planning Bulletin 112/2016 *Medium-density single house development standards – Structure Plan areas*.

Such variations may include (but are not exclusive to) design provisions relating to:

- Street setback and front fences;
  - Boundary setbacks;
  - Boundary walls;
  - Open space;
  - Garage setbacks and width and vehicular access;
  - Overshadowing; and
  - Privacy
- b) In the case of RMD-40 (R40) and RMD-60 (R60) coded lots, adopted LPP1 Provision 5.3 Walls to Boundary (R-Codes Ref. 5.1.3) is to allow for additional wording to the provision as follows:

'No maximum length to both side boundaries for wall height 7m or less.'

## 6 Other Requirements

### 6.1 Notification on Title

- a) Notifications are to be placed on titles of all affected lots to advise of:
  - i. Construction standards to achieve higher noise standards in accordance with State Planning Policy 5.4 Road and Rail, Transportation Noise and Freight Considerations in Land Use Planning;
  - ii. Building setbacks and construction standards to achieve a Bushfire Attack Level (BAL) rating of BAL-29 or lower in accordance with Australian Standards (AS3959-2019): Construction of buildings in bushfire prone areas.

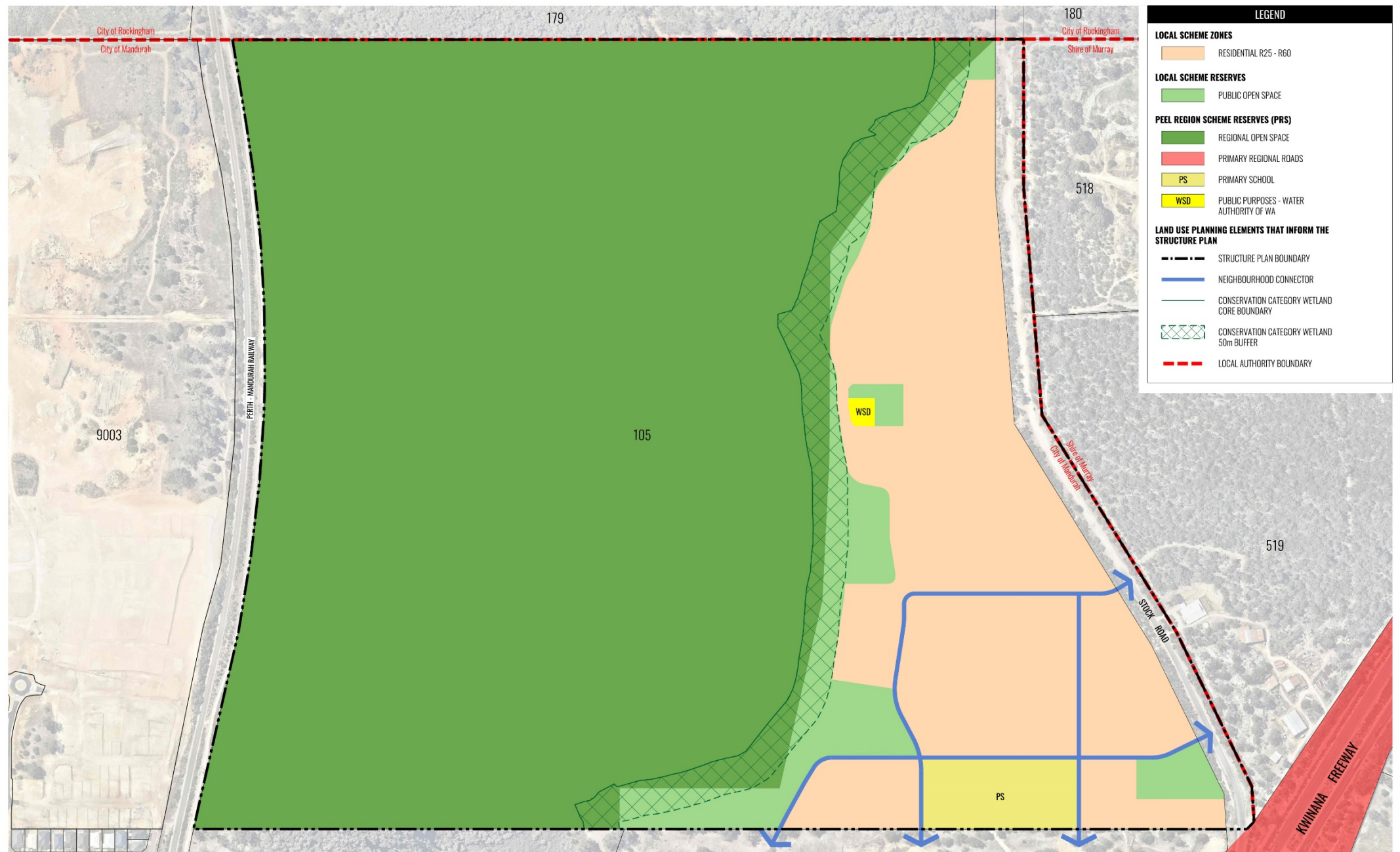
### 6.2 Developer Contributions

- a) The proposed development is not encompassed by a Development Contributions Plan area.

## 7 Additional Information

| Additional Information           | Approval Stage                                                                                                          | Approval / Consultation Required                       |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| Density Plans                    | Subdivision Application                                                                                                 | WAPC;<br>City of Mandurah                              |
| Public Open Space                | Subdivision Application                                                                                                 | WAPC;<br>City of Mandurah                              |
| Bushfire Attack Level Assessment | Subdivision application/condition of subdivision for identified lots; or<br>Development application for identified lots | City of Mandurah;<br>Dept. Fire and Emergency Services |
| Bushfire Management Plan         | Subdivision Application                                                                                                 | Department of Fire and Emergency Services              |
| Wetland Management Plan          | Condition of subdivision approval                                                                                       | City of Mandurah                                       |
| Fauna Management Plan            | Condition of subdivision approval                                                                                       | City of Mandurah                                       |
| Detailed Noise Management Plan   | Subdivision application/condition of                                                                                    | City of Mandurah;                                      |

| Additional Information                                                      | Approval Stage                                                                     | Approval / Consultation Required                                             |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
|                                                                             | subdivision for identified lots; or<br>Development application for identified lots | Main Roads Western Australia;<br>Dept. Water and Environmental<br>Regulation |
| Traffic Impact Assessment –<br>Mandjoogoordap – Lilydale<br>Intersection    | Subdivision Application                                                            | Main Roads Western Australia                                                 |
| Stock Road verge landscaping<br>plan                                        | Subdivision Application (as required)                                              | City of Mandurah, in<br>consultation with Western<br>Power                   |
| Plan demonstrating passive<br>surveillance opportunities over<br>Stock Road | Subdivision Application (where proposed<br>stage of subdivision abuts Stock Road)  | City of Mandurah                                                             |



# LAKELANDS NORTH-EAST STRUCTURE PLAN

Plan 1

NORTH  
Scale: 1:5000 @ A3  
0 50 100 150m  
PLAN: URBAN2-S-004C  
DATE: 24/01/2020  
PROJECTION: PCG 94  
DATUM: AHD

REVISION: C  
DRAWN: JP  
PLANNER: BH  
CHECK: JH

**cdp**  
Town Planning & Urban Design

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## ATTACHMENT 7.2

### Lakelands North-East Structure Plan – Amendment 1 Submissions Table

| Owner / Address                                             | Submission<br>(Summarised comments)                                                                                                                                                                                                                                                                                                                                                                                                     | Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Friends of Paganoni Swamp<br>(received via email)        | <p>a. management of interface between conservation reserve and dwellings;</p> <p>b. impact of domestic pets on fauna;</p> <p>c. increase buffer to 150m between dwellings east of Paganoni Swamp;</p> <p>d. groundwater use and impact on swamp, a monitoring program should be implemented;</p> <p>e. entry to conservation reserve, a small car park should be included;</p> <p>f. ensure developers commitment to best practice.</p> | <p>a. Environmental management plans are required to be implemented to mitigate such issues. On expiration of initial developer maintenance area, it does become the responsibility of local and state government to maintain the POS and ROS areas.</p> <p>b. The City's <i>Cat Local Law 2019</i> does currently specify four cat prohibited areas. The inclusion of Paganoni Swamp can be considered.</p> <p>c. The applicant has demonstrated the required 50m CCW buffer.</p> <p>d. Environmental management plans are required to be implemented to mitigate such issues.</p> <p>e. Subject to detailed POS design, the inclusion of car bays can be considered on-street.</p> <p>f. Noted.</p> |
| 2. Department of Fire and Emergency Services                | <p>Not supported, modifications to BMP required:</p> <p>a. BMP does not adequately address the policy requirements of SPP3.7 and the Guidelines.</p> <p>b. Several issues need to be addressed before DFES can support the proposal.</p>                                                                                                                                                                                                | <p>a. Noted, applicant made aware of DFES comments – recommend modifications to be made prior to WAPC determination.</p> <p>b. As above (a).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 3. Department of Biodiversity, Conservation and Attractions | a. No comment to make on proposal.                                                                                                                                                                                                                                                                                                                                                                                                      | a. Noted                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4. Department of Water and Environmental Regulation         | a. Given increase to lot densities as well as reconfigured lots, roads and POS – recommend that the Local Water Management Strategy be amended to account for likely change in stormwater management features and infrastructure.                                                                                                                                                                                                       | a. Noted, applicant made aware of DWER comments – recommend modification to Structure Plan to ensure this occurs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

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|   |                      |                                                   |
|---|----------------------|---------------------------------------------------|
| 8 | <b>SUBJECT:</b>      | Ordinary Council and Committee Meeting Dates 2021 |
|   | <b>DIRECTOR:</b>     | Business Services                                 |
|   | <b>MEETING:</b>      | Council Meeting                                   |
|   | <b>MEETING DATE:</b> | 24 November 2020                                  |

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## Summary

Council is requested to set the Ordinary Council and Committee meeting dates for 2021. In accordance with Section 5.25(1)(g) of the *Local Government Act 1995* (the Act) and Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, Council is required to resolve to advertise each year, the days and times when Ordinary Council and Committee meetings will be held.

Council is requested to endorse the Ordinary Council and Committee meeting dates for 2021 and where applicable advertise via local public notice.

## Disclosure of Interest

Nil.

## Previous Relevant Documentation

- G.33/12/19 17 December 2019 Membership, Powers and Duties of Council's Strategy and Planning Committee and Council Meeting Schedule 2020
- •SP.2/10/19 29 October 2019 Membership, Powers and Duties of Council's Committees Council Meeting Schedule 2019
- • G.24/7/19 23 July 2019 Membership of Council's Committee of Council and Strategy Committee
- • G.34/12/17 19 December 2017 Membership, Powers and Duties of Council's Strategy Committee and Audit and Risk Committee 2017-2019
- • SP.3/10/17 31 October 2017 Membership, Powers and Duties of Council's Committees 2017-2019

## Background

At the Special Council Meeting on 29 October 2019, Council resolved to establish the Audit and Risk Committee and the Executive Committee for a period of two-years, expiring on 15 October 2021. These Committees were established to enable the Council to progress key operational items.

Following the Special Council Meeting, a Council workshop was held to discuss the Council's committee meeting structure preference. This enabled existing and newly Elected Members the opportunity to discuss options and review the committee structure, membership and powers and duties to ensure that the proposed meeting structure met the needs of the Council. Council did not resolve to establish any additional committee meetings other than Audit and Risk and Executive Committee for the 2020 year.

At the Ordinary Council Meeting on 28 July 2020, Elected Members requested that the Ordinary Council Meeting agenda be circulated eight business days prior to the Ordinary Council meetings. This will enable Elected Members and the community with additional time to consider the report items. Whilst section 5.5 of the Act requires the meeting agendas to be circulated 72 hours prior to the meeting, circulating the agenda earlier may enable greater community participation.

## Comment

Ordinary Council meetings are generally held on the fourth Tuesday of each month with agendas distributed eight business days prior to the Council Meeting.

Council adopted the powers and duties of the Audit and Risk Committee and Executive Committee at the meeting of 29 October 2019 and appointed members to these committees for two-years, expiring on 15 October 2021. Both Committees generally meet four times per year, however additional meetings can be scheduled as required to enable the Committees to discharge their functions.

To improve transparency, the Audit and Risk Committee Terms of References were modified in 2019 to be open to the public. Where a matter that is being dealt with is required to be closed to the members of the public in accordance with section 5.23 of the Act, the Audit and Risk Committee will go behind closed doors to discuss the matter and then return from behind closed doors once the matter has been dealt with. Given the confidential nature of the matters considered by the Executive Committee, these meetings are held behind closed doors.

The meeting dates also consider the 2021 Local Government Elections, which are usually held on the third Saturday in October (16 October 2021). Post the 2021 Local Government Election, the newly appointed Elected Members will be sworn in at a Special Council Meeting on 19 October. Following this meeting, at the proposed Ordinary Council meeting scheduled for the 26 October 2021, Council will consider the appointment of Elected Members to advisory groups, external agencies, working groups and panels and consider the establishment of committees and Terms of Reference.

## Consultation

Nil.

## Statutory Environment

Section 5.25(1)(g) of the *Local Government Act 1995*

*Local Government (Administration) Regulations 1996* states:

### 12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

(c) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).

(3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.

(4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

## Policy Implications

POL GVN-06 Council Caretaker Policy

In accordance with the Council Caretaker Policy GVN-06, so far as reasonably practicable, the CEO should avoid scheduling major policy decisions for Council's consideration during a Caretaker Period. The Caretaker Period for Local Government Elections takes effect at the period of time from close of nominations being 37 days prior to the Election Day in accordance with section 4.49(a) of the Act until 6pm on Election Day. A major policy decision includes any new major policy decisions or significant changes

to policy, approvals of unbudgeted expenditure or significant decisions which would bind the incoming Council. In accordance with the Policy, the CEO should reasonably ensure that decisions are either, considered by Council prior to the Caretaker Period commencing, or are scheduled for determination by the incoming Council.

### **Economic Implications**

Nil

### **Risk Analysis**

N/A

### **Strategic Implications**

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

#### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

### **Conclusion**

Council is requested to endorse the Ordinary Council and Committee meeting dates for 2021 and advertise via local public notice.

### **RECOMMENDATION**

#### **That Council:**

1. **Approve the following Ordinary Council Meeting dates commencing at 5:30pm, to be held in the Council Chambers, and advertise via local public notice:**

| Meeting         | Date              |
|-----------------|-------------------|
| Council Meeting | 19 January 2021   |
| Council Meeting | 23 February 2021  |
| Council Meeting | 23 March 2021     |
| Council Meeting | 27 April 2021     |
| Council Meeting | 25 May 2021       |
| Council Meeting | 22 June 2021      |
| Council Meeting | 27 July 2021      |
| Council Meeting | 24 August 2021    |
| Council Meeting | 28 September 2021 |

|                        |                         |
|------------------------|-------------------------|
| <b>Council Meeting</b> | <b>26 October 2021</b>  |
| <b>Council Meeting</b> | <b>23 November 2021</b> |
| <b>Council Meeting</b> | <b>14 December 2021</b> |

2. Approve the following Audit and Risk Committee Meeting dates commencing at 5:30pm, to be held in the Council Chambers, and advertise via local public notice:

| <b>Meeting</b>                  | <b>Date</b>              |
|---------------------------------|--------------------------|
| <b>Audit and Risk Committee</b> | <b>9 March 2021</b>      |
| <b>Audit and Risk Committee</b> | <b>11 May 2021</b>       |
| <b>Audit and Risk Committee</b> | <b>14 September 2021</b> |
| <b>Audit and Risk Committee</b> | <b>9 November 2021</b>   |
| <b>Audit and Risk Committee</b> | <b>7 December 2021</b>   |

3. Approve the following Executive Committee Meeting dates commencing at 4:00pm, to be held in the Council Chambers:

| <b>Meeting</b>             | <b>Date</b>            |
|----------------------------|------------------------|
| <b>Executive Committee</b> | <b>8 March 2021</b>    |
| <b>Executive Committee</b> | <b>10 May 2021</b>     |
| <b>Executive Committee</b> | <b>9 August 2021</b>   |
| <b>Executive Committee</b> | <b>8 November 2021</b> |

4. Approve the Special Council Meeting commencing at 5:30pm, to be held in the Council Chambers, and advertise via local public notice:

| <b>Meeting</b>                                        | <b>Date</b>            |
|-------------------------------------------------------|------------------------|
| <b>Special Council Meeting – Swearing in ceremony</b> | <b>19 October 2021</b> |

**\*ABSOLUTE MAJORITY REQUIRED\***

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|          |                      |                                                    |
|----------|----------------------|----------------------------------------------------|
| <b>9</b> | <b>SUBJECT:</b>      | Mandurah Scout Group: Upgrades and Licence Renewal |
|          | <b>DIRECTOR:</b>     | Director, Place & Community                        |
|          | <b>MEETING:</b>      | Ordinary Council Meeting                           |
|          | <b>MEETING DATE:</b> | 24 November 2020                                   |

---

## Summary

In April 2020, the City received written communication from 1<sup>st</sup> Mandurah Scout Group (Scouts) detailing a variety of capital and operational requests that would enhance their capacity to deliver programs for young people at the Coodanup Community Centre.

The Scouts indicated the need for improvements to fencing, lighting, pathways, furnishings, native plantings, term of licence, hire fees and bookings management. It is anticipated that addressing these issues would improve security and access to the community centre, foster a sense of pride and promote long-term stability for the Scouts.

The Scouts advised the City of their ability and willingness to contribute financially to capital works through use of building funds in trust, secured over many years through a levy on Scout member fees. It is considered, however, that two of the requested capital items, being the carpark lighting and accessible pathway, are a core responsibility for the City to fund given they are of general community benefit in the public realm. It is proposed the City undertake these capital works utilising funds from the Restart Mandurah allocation in the 2020/2021 financial year, with a local supplier to be contracted to undertake the work. The Scouts are considered to benefit solely from the fulfilment of other requests such as the proposed perimeter fencing and as such, it is suitable for Scouts to pay for full costs.

Furthermore, Council approval is sought to acknowledge the proposed facility improvement arrangements and approve a new licence agreement with The Scouts Association of Australia, Western Australian Branch, over a portion of Reserve 25297 Lot 1873 (No. 26) Broun Road, Coodanup, for 130 sq. metres which includes office space and two storage sheds, for a maximum term of ten years.

The purpose of this report is to detail the requests from Mandurah Scouts, outline progress to date and recommend a course of action to address the requests.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

- G.19/11/14     15 November 2014     Subject to the sale of Lot 10 (No. 2) Aldgate Street Mandurah, approves a licence agreement to Scouts Association of Australia over a portion of Reserve 25297 (No. 26 Broun Road Coodanup).
- G.25/4/12     17 April 2012     Approves a licence to Scouts Association of Australia for a term of three years with a further two-year option of renewal licence commencing 1 May 2012, over portion of Lot 10 (No.2) Aldgate Street Mandurah

## Background

In 2015, Mandurah Scouts were relocated from the Baden Powell Hall, to both the Coodanup Community Centre and Madora Bay Hall. This relocation was required due to Lot 10 (No.2) Aldgate Street being sold by the City to ALDI Foods PTY LTD. As part of the relocation, the City constructed a new storage shed on a portion of Reserve 25297 (Coodanup Community Centre), with the Scouts holding a licence to occupy.

In 2019, when additional space at the Coodanup Community Centre became available, the Mandurah Scouts relocated all programs from the Madora Bay Hall to the one venue. They currently hire the Coodanup Community Hall and playgroup area and have exclusive use of the storage shed and two offices to successfully run their programs. Mandurah Scouts currently have 100 members including 74 youth members aged between 6 to 25 who participate in a variety of development activities and experiences.

The Scouts have recently carried out a minor refurbishment to the storage shed by installing steel cages, shelving and security lighting. In addition, they have also installed new signage, completed improvements to the acoustics in the playgroup area along with replacing blinds and carpet in the office area.

The Scouts currently hold a licence agreement with the City over a portion of Reserve 25297 (No. 26 Broun Road Coodanup) comprising approximately 120sq. metres of office accommodation and storage shed, with the current licence term ended on 5 October 2020. The group has formally requested support from Council to enter into a new long-term licence. Mandurah Scouts are currently in a holding over period in accordance with the current licence terms until a new agreement is approved and implemented.

### Details

The table below outlines the requests by Mandurah Scouts requiring a Council decision:

| Requests by Mandurah Scouts                                                                                                | Progress                                                                                                                                                                                                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Installation of a new garrison fence at the rear of the building to improve security.                                      | Community Led project.<br><br>Scouts have liaised with contractor and sought quote (\$24,609.09).                                                                                                                             | The fencing will primarily benefit Mandurah Scouts and is additional to the general community provision requirements. It is recommended that the Scouts pay in full for the installation and maintenance of the fencing, subject to submission of the detailed design and approval by the City prior to commencement.                                                                                                             |
| Improve lighting in car park for safety and security                                                                       | City of Mandurah to manage through current works.<br><br>The City has sought a quote (\$11,665.87)                                                                                                                            | The lighting in the public car park is considered of benefit to all users of Coodanup Hall and a responsibility of the City. It is recommended that the City install the lighting, financed through the Restart Mandurah fund using local suppliers.                                                                                                                                                                              |
| Improved pathway around the building to improve safety by reducing trip hazards, as well as improve general accessibility. | City of Mandurah to manage through current works.<br><br>City has sought a quote (\$21,836.56)                                                                                                                                | Providing safe and continuous paths of travel at the community centre will benefit all users and is a responsibility of the City. It is recommended that the City remove the entry brick paving and replace with installation of a new concrete pathway, financed through the Restart Mandurah fund using local suppliers.                                                                                                        |
| Provide a 50% hall hire reduction of the hourly fees for 20 years.                                                         | Apply charges consistent with the annual community rent aligning with the City's fees and charges schedule for Sporting and Community groups.<br>The Licence is also conditional upon the approval of the Minister for Lands. | It is recommended that a 10-year licence agreement to The Scouts Association of Australia over a portion of Reserve 25297 Lot 1873 (No.26) Broun Road be approved with the application of certain conditions. The request for a 50% hall hire reduction is not supported due to: the City paying for the paving and lighting; and the preference to charge consistent with endorsed fees and charges schedule adopted by Council. |

The table below outlines the requests by Mandurah Scouts that are being managed administratively by the City in communication with Mandurah Scouts:

| Request by Mandurah Scouts                                                                            | Progress                                                                                                               |
|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Inclusion of current playgroup shed in the new Licence Agreement.                                     | This request can be accommodated and the additional shed in the Playgroup area will be added to licence.               |
| Provide native plants to the Scouts to enable them to plant out the garden beds in the car park area. | As part of the Scouts activities the group has requested native plants to plant and can manage the upkeep of these.    |
| Install carpet in playgroup room to improve acoustics and usability.                                  | Complete. Scouts paid for and installed new carpet in April 2020.                                                      |
| Replace blinds and carpet in the two office rooms                                                     | Complete. Scouts paid for and installed new blinds and carpet in April 2020.                                           |
| Install external signage at Coodanup Hall to create a sense of pride in place.                        | Complete. Scouts paid for and installed new signage in January 2020.                                                   |
| Install shelving and security lighting on shed facilities.                                            | Complete. Scouts paid for the shelving and security lighting which was installed by the City of Mandurah in July 2020. |

### Comment

The Mandurah Scouts have been pro-active in identifying improvements at the Coodanup Community Centre that can help their group operate smoothly, sustainably and meeting the needs of members. Furthermore, the Scouts have demonstrated an ability and willingness to pay for these improvements which is commendable. As detailed, the City and Scouts have worked together to resolve a number of issues identified and seek Council support to address the outstanding matters.

### Consultation

City officers have liaised closely with Mandurah Scouts since May 2020 in relation to addressing the requests in the letter. The Scouts had originally investigated constructing a new facility on the site at Boundary Road however the cost to clear the site rendered the project not viable.

As the Scouts are not able to construct their own building, the proposed facility improvements at Coodanup Community Centre are considered by Mandurah Scouts as their next best option to secure the group's future and allow growth into a more purposeful space.

On further discussion with City officers, it became apparent that the upgrade to the pathway connections and carpark lighting have a safety and security benefit to the Scouts but also to community members attending the facility for various different user groups and should be delivered by the City.

The Scouts have indicated their aspiration to progress with the installation of the garrison fencing at a cost of \$24,609.09. Officer recommendation regarding this project is that the fencing directly benefits the Mandurah Scouts and provides increased security to the group's shed and outdoor activities. Fencing around the shed and replacing the current bushland fence is not an improvement to the functionality of the venue for other user groups. In return for their investment regarding upgrades to the facility, officers propose a licence term of ten years as appropriate, this will ensure security of tenure for the group into the future.

Due to the relocation of the Scouts programs from the Madora Bay Hall to the Coodanup Community Centre, additional storage requirements are now required due to a lack of space in the current storage facility. The Mandurah Scouts has requested exclusive use of an existing shed at the venue to be added to the new licence upon the expiry of their current agreement.

### Statutory Environment

*Section 3.58 of the Local Government Act 1995 – Disposal of Property*

'Dispose' includes to sell, lease, or otherwise dispose of, whether absolutely or not.

*Section 30 Local Government (Functions and General) Regulations 1996* – Exemption of Disposition of Property.

A disposition of land is exempt if the land is disposed of to a body whose objects are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature.

*Land Administration Act 1997 Section 18 (2)* Minister for Lands Approval. Various transactions relating to Crown land to be approved by the Minister. As persons must not without authorisation, assign, sell transfer or otherwise deal with the interest in Crown Land.

## Policy Implications

POL-CNP 07 – Community and Recreation Facilities

## Financial Implications

The City has not budgeted for this project in 2020/2021. It is recommended that the Restart Mandurah Fund is utilised to finance this project with local suppliers being sourced to undertake the works.

Quotes for the works have been obtained by City Officers and the estimated cost of improvement works proposed to be carried out by the City are as follows:

| Project/Works                                                 | Delivery of Works                                                                                             | Cost (ex GST)   |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|-----------------|
| <b>Installation of new Carpark lighting</b>                   | City of Mandurah to manage through current works contract.                                                    | \$11,665        |
| <b>Removal of entry pavers and replace with concrete path</b> | City of Mandurah to manage through current works contract.                                                    | \$21,836        |
| <b>Project Logistics</b>                                      | Site survey to provide vital information to identify the underground services and costs for site preparation. | \$16,499        |
| <b>Total</b>                                                  |                                                                                                               | <b>\$50,000</b> |

The Mandurah Scouts will be charged consistent with the City's fees and charges schedule, currently being an annual licence fee of \$1,020.00 (including GST) with CPI applied annually and a document preparation fee of \$610.00 (including GST) in accordance with the Council approved fees and charges schedule for Sporting and Community Groups.

## Risk Analysis

- Installation of Fencing – The fence has been designed to incorporate emergency access and has been signed off by a Building Surveyor. All emergency exit gates are required to be readily openable by a person from within the fenced area, without the use of a key or other device.
- Pathway – Potholing will be required to enable all services are easily located and accessible and that no drainage is covered by concrete.
- Carpark Lighting – The installation of the carpark lighting and its subsequent usage will not cause lighting pollution or impact any residents around the building.

## Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

Social:

- Facilitate opportunities that promote community led initiatives and build local capacity and capability.

Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

## Conclusion

Correspondence has been received from the Mandurah Scouts regarding facility improvements at the Coodanup Community Centre. The proposed improvements are in relation to access and security in and around the venue such as an upgrade of the carpark lighting, improvements to the pathway connections and the installation of garrison fencing.

The upgrade to the pathway connections and carpark lighting have a safety and security benefit to the Scouts but also to community members attending the facility for various different user groups and should be delivered by the City.

The Scouts will proceed with the installation of the garrison fence at their cost and have also requested to add an additional shed to their licenced area to use for storage purposes. The Scouts currently hold a licence agreement with the City over a portion of Reserve 25297 (No. 26 Broun Road Coodanup) being approximately 120sq. metres of office accommodation and storage shed, with the licence term having expired on 5 October 2020. They will remain on a holding over period until Council consider the proposed licence and approval from Minister for Lands.

NOTE:

- Refer ***Attachment 9.1 Location of Garrison fence and leased area***

## RECOMMENDATION

**That Council:**

- 1. Supports the request by Mandurah Scout Group to pay in full the installation and maintenance of a garrison fence at the Coodanup Community Facility, subject to the submission of a detailed design for approval by the City prior to installation.**
- 2. Approves unbudgeted capital expenditure of \$50,000\* from the Restart Mandurah Fund to undertake upgrades to pathway and carpark lighting at Coodanup Community Centre with the work to be undertaken by local suppliers.**
- 3. Approves a licence agreement to The Scouts Association of Australia over a portion of Reserve 25297 Lot 1873 (No.26) Broun Road, Coodanup with the following terms and conditions;**
  - 3.1. Maximum tenure term of ten years;**
  - 3.2. Use of 130sq. metres of office accommodation and two onsite storage sheds;**
  - 3.3. Community rental rate to be applied in accordance with the City's Council approved Fees and Charges Schedule;**
  - 3.4. Subject to the Minister for Lands approval and commencement date thereafter;**
  - 3.5. All fees associated with the preparation of the Licence Agreement to be borne by the Licensee.**

**\*ABSOLUTE MAJORITY REQUIRED\***

**ATTACHMENT 9.1**



**Mandurah Scout Group  
Proposed New Lease Area  
Coodanup Community Centre**



Drawn : Graham Doherty

Project Name : Mh\_Scout\_Lease\_Area.qgz

Last Updated : 3/11/2020

Scale 1:500

The City of Mandurah accepts no responsibility whatsoever for the accuracy or otherwise of any information on this map. The information has been compiled from a variety of different sources and should not be used for legal purposes. But reference made to original documents.



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[mandurah.wa.gov.au](http://mandurah.wa.gov.au)

Drawing produced by City of Mandurah IT/GIS Department.

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|           |                      |                                         |
|-----------|----------------------|-----------------------------------------|
| <b>10</b> | <b>SUBJECT:</b>      | Youth Advisory Group Terms of Reference |
|           | <b>DIRECTOR:</b>     | Director Place & Community              |
|           | <b>MEETING:</b>      | Ordinary Council Meeting                |
|           | <b>MEETING DATE:</b> | 24 November 2020                        |

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## Summary

The purpose of the Youth Advisory Group (YAG) is to have a formal means for the City to consult youth aged 15-24 years and provide opportunities to empower them to be involved in their community and be passionate about the place they live.

Following endorsement by Council to appoint 13 young people to the group in July 2020, the YAG have been meeting monthly since August. One of their initial tasks was to co-design the YAG Terms of Reference. It is recommended that Council endorse the Youth Advisory Group Terms of Reference as designed by the YAG.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

|            |                  |                                                                                                                                                                                                                                                                                                          |
|------------|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| G.27/12/19 | 17 December 2019 | Council endorsed the establishment of a Youth Advisory Group, approving an expression of interest process.                                                                                                                                                                                               |
| G.14/7/20  | 28 July 2020     | Council endorsed 1) the proposed applicants to the Youth Advisory Group, 2) Supports the Chair to be nominated and elected by members and rotated on a four monthly basis 3) Notes that the Terms of Reference will be co-developed with the Youth Advisory Group and presented to Council for approval. |

## Background

In December 2019, Council endorsed the establishment of a YAG to create a formal process for youth consultation.

The purpose of the YAG is to;

- Obtain young people's unique perspective on Council-related matters.
- Create a formal process for City of Mandurah staff and Council to consult young people.
- Assist Council to identify local challenges young people are facing.
- Encourage young people to address challenges relevant to them.
- Deliver projects, campaigns and events as identified by the YAG.
- Empower young people to develop their organisational leadership skills, confidence and capacity, so they can use these skills in other community settings.

A call for nominations for young people aged 15-24 to join the newly named Mandurah Youth Advisory Group was held during the months of March to May. A total of 25 applications to join the YAG were received and 13 were subsequently selected who were deemed to reflect the highest passion and unique experience reflecting a diversity across age, locality, gender, sexuality, education and employment. Following endorsement by Council of the 13 candidates in July, the group then came together in August. They have spent two meetings designing the Terms of Reference.

## Comment

### Successes to Date

The group have met on the first Wednesday of every month since August. Meeting content has been designed to build group cohesion and connection as well as achieve specific outcomes such as; designing the Terms of Reference and electing the Chair and Vice Chair. The group have also had their first consultation which enabled them to contribute to the draft Youth Strategy and make suggestions for improvement. They have also formed a Sub-Group which will be focusing on Youth Events.

Group members have had the opportunity to attend a number of events including the Mandurah Liquor Accord Meeting, Power to the People conference, meeting the Governor of Western Australia, the Youth Affairs Council of WA youth consultation, Youth Connectors Training by Act Belong Commit and a team building day.

YAG members have continued to impress with their level of critical thinking, inspiring discussions and commitment.

### Election of Chair and Vice Chair

Seven of the 13 members nominated for the role of Chair and Vice Chair. Prior to voting, each nominee briefly shared with the group their reasons for nominating. After listening to these inspiring words, members voted for their preference for each role using the 'first-past-the-post' voting system. Mark Agero was elected as Chair, and Indiana Devlin as Vice Chair. They chaired their first meeting in October and set the standard for what the role will look like into the future.

### Formation of the Events Sub-Group

Nine group members have formed the first sub-group based on one topic they are passionate about, the desire for more youth events in Mandurah. The sub-committee is planning the Beats Under the Bridge Summer Youth Festival, an event for 13-17 year olds on 29 January 2-5pm on the Western Foreshore. They are also looking to collaborate with the MARC to deliver a series of similar events over the January holidays.

### Feedback from Members

The YAG members have given feedback about their experience so far;

"I feel so incredibly grateful for this opportunity to share my voice. Being able to have input on important matters is a great chance to benefit our community".

"This opportunity showcases how Mandurah values young people and I am grateful for this. I'm lucky to have the opportunity to collaborate with inspiring and passionate people about our community".

"Already, our group has grown close and works well as a team. It is a very welcoming environment, and everyone feels free to share their opinions, allowing for diverse ideas and inspiring discussions".

"Meeting so many influential people is truly one of the most extraordinary experiences I've ever had. I realise the importance each and every role play for Mandurah's development".

### Terms of Reference

The Terms of Reference were developed through a co-design process between City staff and the Youth Advisory Group over two meetings (Refer Attachment 2). The Terms of Reference of other government Youth Advisory Groups were considered in the development of this document.

The Terms of Reference addresses elements including;

- Purpose of the YAG;
- Membership composition, duration and subsequent recruitment should young people leave the group within the two-year period;
- Meeting frequency and duration;
- YAG consultation process;
- Decision making process and recording of recommendations; and
- Role of Chair, including duration, selection process and responsibilities.

- Engagement with Elected Members – while Elected Members are invited to observe meetings, the YAG felt it appropriate to actively engage with Elected Members, and the ToR include a focused engagement by invitation every two months.

Many of these topics created great debate among the Youth Advisory Group, with shared consensus ultimately reached and respected by the group. The Youth Advisory group felt that the frequency provided a significant opportunity for two-way discussion with Elected Members

The group agreed that the Terms of Reference be reviewed in six months to evaluate how they are functioning. Following review, any proposed amendments to the Terms of Reference would form the subject of a further report to Council for approval. Following this period, the Youth Advisory Group recommend they be reviewed every two years.

## **Consultation**

The Youth Advisory Group spent two meetings designing the Terms of Reference.

## **Statutory Environment**

Nil

## **Policy Implications**

Nil

## **Economic Implications**

Nil

## **Risk Analysis**

The Youth Advisory Group are aware that whilst they have had input, adoption of the Terms of Reference rests with Council as the deciding body as per previous Report to Council.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

### Economic:

- Advocate for and facilitate opportunities for improved pathways to education and learning outcomes in Mandurah.

### Social:

- Promote a positive identity and image of Mandurah and the contributions of its youth.
- Facilitate opportunities that promote community led initiatives and build local capacity and capability.
- Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

### Environment:

- Partner and engage with our community to deliver environmental sustainability outcomes.

### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.

## **Conclusion**

It is evident the formation of the Youth Advisory Group has already been considerably advantageous to those selected. Endorsement of the Terms of Reference will ensure the group can continue to establish itself and become an asset both within the City of Mandurah as an organisation as well as benefit the wider community.

### **NOTE:**

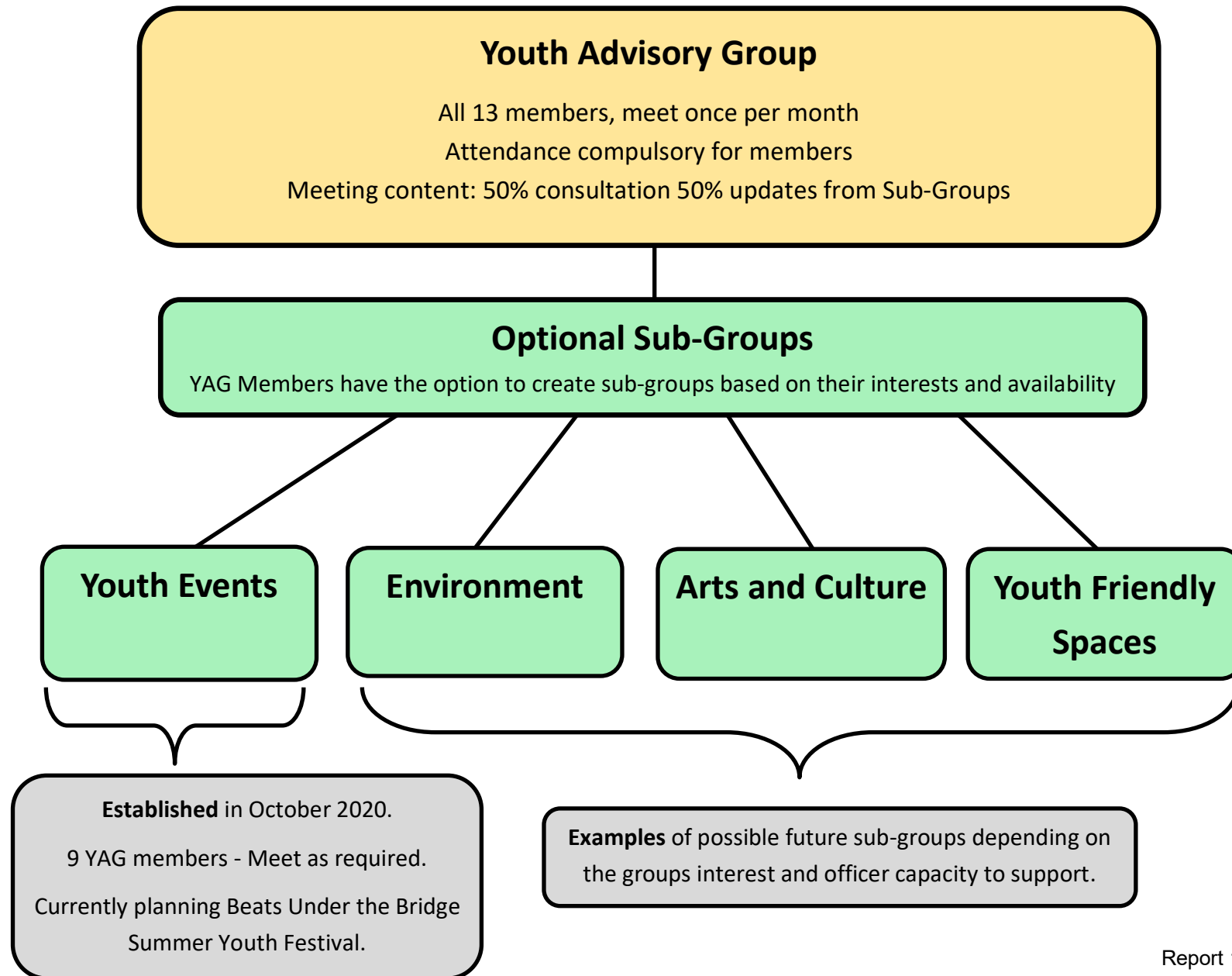
- Refer **Attachment 10.1 Sub-Group Structure**  
**Attachment 10.2 Terms of Reference**

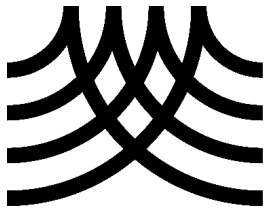
## **RECOMMENDATION**

**That Council approve the Youth Advisory Group Terms of Reference as per Attachment 10.2.**

# Youth Advisory Group—Sub-Group Structure

ATTACHMENT 10.1





City of Mandurah  
Youth Advisory Group  
**TERMS OF REFERENCE**

## **1. Name – Mandurah Youth Advisory Group (YAG)**

## **2. Purpose & Objective**

- 2.1** Provide a voice for young people within the community through participation in relevant City consultation processes.
- 2.2** Plan and deliver activities, projects and events for local young people, in line with the needs of the community.
- 2.3** Empower young people to develop their leadership skills, confidence and capacity, so they can use these skills in other community settings.

## **3. Membership**

### **3.1 Eligibility**

- Open to young people aged 15 to 24 who live, work or study within the City of Mandurah.
- Members must remain eligible for the duration of their membership and advise City officers of any changes to their eligibility.

### **3.2 Number of Members**

- Membership will include up to thirteen young people, and up to three City of Mandurah officers.
- City officers will coordinate and support the operations of the YAG. They will have no voting rights.

### **3.3 Resignation**

- Members may resign at any time by notifying City officers in writing.

### **3.4 Responsibilities of YAG Members**

- Participate in all Youth Advisory Group meetings, events and training opportunities where possible.
- Consult young people through own networks about their views on specific issues.
- Represent the voice of young people within the community when consulted on City projects.
- Promote and represent the Youth Advisory Group in a positive manner at all times.
- Assist with the design, planning and implementation of youth projects and events.
- Distribute information about opportunities for young people amongst peer networks, community connections and social media.
- Maintain confidentiality with regard to specific City of Mandurah information.

### **3.5 Responsibilities of City officers**

- Liaise and coordinate guests to consult with YAG
- Prepare meeting agendas and minutes in collaboration with Chair and Vice Chair
- Support the Chairperson to facilitate meetings
- Seek training opportunities for YAG members
- Seek new members when needed.

## **4. Tenure of Membership**

- 4.1** Tenure is for a period of 2 years, aligned with the Local Government elections
- 4.2** The opportunity will be advertised to the general public at least every two years. Current members having the option of re-nominating for the position.
- 4.3** Should membership of young people fall below 13, recruitment may occur if deemed necessary, however if membership falls below 8, recruitment shall take place.
- 4.4** Applications will be reviewed by a panel consisting of Elected Members and City officers and referred to Council for final approval.

## **5. Meeting Details**

### **5.1 Frequency**

- Formal meetings are intended to occur monthly for at least ten months of each year.
  - Additional meetings may be held for sub-group planning as required.
- 5.2 Chairperson**
- Meetings will be facilitated by a Chairperson elected by group members.
  - The Chair and the Vice Chair are elected separately using the “first-past-the-post” voting system in alignment with standard local government election processes.
  - The Chair will hold the position for a period of 4 months.
  - In the event that the Chair is unavailable, the Vice Chair will facilitate the meeting.
  - Members will have the opportunity to nominate for the role of Chair and Vice Chair every 4 months.
  - The Chair and or Vice Chair can only hold a consecutive term of their nominated position in the event that there are no other nominations for that position.
- 5.3** A meeting agenda will be prepared in collaboration with City officers, the Chair and Vice Chair.
- 5.4** The meeting agenda will be forwarded to group members before each meeting.
- 5.5** Minutes will be taken by City officers, unless a YAG member would like to volunteer for this role as a learning opportunity, in which case City officers will offer support.
- 5.6** The quorum shall be one more than half the total number of current members.
- 5.7** Decision making:
- It is preferable that decisions of the group are made by consensus.
  - When consensus cannot be reached, a decision will be made by majority of members present.
  - Each member is entitled to one vote.
  - In the event of a tie, the chair may cast an additional deciding vote.
- 5.8** Guests may attend meetings by invitation or through request and acceptance of City officers, to consult with YAG members.
- 5.9** Elected Members are invited to observe a meeting every 2 months. Selection of Elected Members to be invited is to be determined by YAG.

## **6. Members Code of Conduct**

- 6.1** Communication:
- Chair to facilitate all formal discussions, and ensure equal opportunity for members to speak and/or express their opinions.
  - All members should remain respectful by: participating in active listening, communicating respectfully and giving each other equal opportunities to convey ideas and perspectives.
  - All-important correspondence will occur via email. Social media platforms may be used for informal correspondence as deemed necessary.
  - Members must not behave in a way that reflects adversely upon the reputation of the Council, City or Youth Advisory Group.
  - Members must not use social media in a way that might negatively impact on the reputation of the Council, City or Youth Advisory Group.
- 6.2** Differences in opinion and dealing with conflict:
- Differing opinions and individual expression are encouraged, and the group will respect this.
  - In the event that conflict occurs between members and/or City officers we encourage the use of the DEAR script:
    - Describe - address the situation
    - Express – how the situation impacts you and makes you feel
    - Ask – what you would like
    - Reinforce – why action is beneficial for all involved
  - In the event conflict occurs with the group and a consensus can't be reached, decision will be made by majority vote.

- A Council or City decision is to be upheld and respected, even if it is different to the individual or collective views of the Youth Advisory Group.

**6.3 Inclusivity:**

- Everyone should respect people's individuality regardless of personal opinion.
- Everyone should be open to building connections with all members of the group and community.
- Social team building days should be offered at least once a year. Members are highly encouraged to attend to foster group unity.

**6.4 Confidentiality:**

- Assume everything is confidential unless specifically stated otherwise.

**6.5 Attendance:**

- Members are expected to attend a minimum of 80% of meetings per year.
- In the event that a member cannot attend or will be late to a meeting, they will provide immediate notice to the Chair and/or City officers.
- In the event a member cannot attend they may request another group member to share thoughts on an agenda item on their behalf.
- If attendance of a member falls below 80%, a conversation between City officers and the Group Member about their capacity to contribute to the group shall take place.

**7. Consultation**

- 7.1** City officers may seek a comment from the YAG on relevant Council reports, projects or community consultations as considered applicable.
- 7.2** City officers may present information at YAG meetings for consultation in a youth-friendly way.
- 7.3** The Youth Development officer will capture outcomes of YAG discussions and forward to other relevant City officers to incorporate into Council reports.
- 7.4** Community organisations may also request to consult the YAG on youth related topics.

**8. Changes to the Terms of Reference**

- 8.1** Changes to the Terms of Reference will be made through a report to Council seeking approval for proposed amendments.
- 8.2** Terms of Reference will be reviewed initially in 6 months' time, and following this, they will be reviewed every 2 years in line with the appointment of a new Youth Advisory Group.

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|    |                      |                            |
|----|----------------------|----------------------------|
| 11 | <b>SUBJECT:</b>      | RYDE Program               |
|    | <b>DIRECTOR:</b>     | Director Place & Community |
|    | <b>MEETING:</b>      | Ordinary Council Meeting   |
|    | <b>MEETING DATE:</b> | 24 November 2020           |

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## Summary

The Mandurah RYDE (Regional Youth Driver Education) program supports disadvantaged young people complete their 50 hours of supervised driving so they can obtain their Provisional Driver's License. After endorsement from Council in December 2017, Mandurah launched the program in July 2018, which included adding a manual vehicle to City Fleet that was sponsored to the program.

While successful, Mandurah RYDE currently only offers a manual vehicle. A trial period using an automatic vehicle in the RYDE program has demonstrated a higher demand for young people to book sessions to complete their logbook hours.

There is considerable 'in principal' community and local business support to donate funds for an additional automatic vehicle, which will allow the program to offer both a manual and automatic option. It is recommended that Council endorse the seeking of external funding to purchase an automatic vehicle for the RYDE program, and incorporate the new vehicle into City fleet.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

|             |                 |                                                                                                                                                                                      |
|-------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CC.13/12/17 | 5 December 2017 | Council endorsed the implementation and delivery of the RYDE Program in Mandurah in collaboration with community stakeholders, and for an additional vehicle be added to City Fleet. |
|-------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Background

The Mandurah RYDE (Regional Youth Driver Education) program supports disadvantaged young people complete their 50 hours of supervised driving so they can obtain their Provisional Driver's License (P Plates). This program leverages the successful program developed and coordinated by the Town of Bassendean. It is designed to support young people who do not have access to a vehicle or a responsible adult with a driver's licence to assist them with their 50 hours driving.

In December 2017 Council endorsed the implementation and delivery of the RYDE program in Mandurah and supported the car being maintained by City fleet as per the current standards. The original RYDE car was donated by Bendigo Bank who stipulated it must be a manual vehicle. The car is maintained by the City Fleet team.

The Mandurah RYDE program commenced in July 2018. The City of Mandurah has developed a collaboration with key local services providers including; Streetnet Youth Services, Peel Youth Services, Matchworks Employment Service Group and Peel Volunteer Resource Centre (PVRC) to implement this locally.

Peel Volunteer Resource Centre recruit, train and support the volunteer mentors throughout the program and the City manages the software, facilitates program improvements and manages the vehicle. There are currently 26 local services who are signed up to the Mandurah RYDE Program as a "RYDE Provider", which allows them to refer their young people into the program.

The RYDE software supports sessions to be booked through an online platform with a volunteer mentor and a vehicle at a designated time for a 90-minute driving session. The cost is \$15 per 90-minute session that is paid through PayPal by the participant. The vehicle is housed at the Mandurah Library and sessions start and conclude at the Library. Sessions are equivalent to achieving young people completing their 50 logbook hours with a parent or family friend as a passenger and are not intended to be a learner driving lesson.

The Town of Bassendean hold the licence for the RYDE software and regularly provide support to City officers. They are committed to continuous improvement, inviting suggestions for program enhancements to create a high-quality experience for all users.

## Comment

### Successes to Date

27 young people have used the RYDE program to help them obtain their drivers licence. Feedback from young people includes:

- *Because of RYDE I now have my licence. It is a great program now people need to know about.*
- *Without the RYDE program I wouldn't have made a dent in my hours. I simply don't have anyone at home to help me.*
- *I found the website easy to use*
- *The driving mentors are always so nice. If I ever make a mistake they never get angry, they just correct and help me fix it.*
- *As someone with anxiety, having someone to help me learn who doesn't add extra pressure is really helpful. It is also nice to be able to have a nice chat with someone kind.*

The program has attracted a number of passionate mentors. Two mentors in particular have completed over 60 sessions each in the RYDE Program, equating to over 90 hours on the road each supporting these young people.

### Challenges of a Manual Vehicle

Multiple service providers and volunteer mentors have given regular feedback that the manual car is too stressful for some young people, and is currently a barrier to participation. For some young people facing significant disadvantage, just obtaining an automatic licence is a huge achievement, while a manual licence, at least initially, is seen as unrealistic and unattainable due to their circumstances.

Whilst the uptake of the manual vehicle has been fair, the feedback was clear from many of the local service providers that providing an automatic vehicle would greatly increase the number of disadvantaged young people to get their licence.

To gain a better understanding of this concern, the Peel Volunteer Resource Centre (PVRC) was used for RYDE on a trial basis to assess the difference in uptake between an automatic and a manual vehicle. The Peel Volunteer Resource Centre provided an automatic vehicle for a 5-month period from July-November 2019, for young people to book driving sessions.

The following table shows the uptake of each vehicle during the trial period:

| Vehicle type                   | Sessions available | Sessions booked by client | Percentage uptake |
|--------------------------------|--------------------|---------------------------|-------------------|
| Automatic (PVRC vehicle)       | 61                 | 56                        | 92%               |
| Manual (existing RYDE vehicle) | 85                 | 40                        | 47%               |

Of the sessions available during this period, 92% bookings were taken up for the automatic compared to 47% for the manual vehicle, despite more manual sessions being available to select.

This trial demonstrates that the demand for the automatic vehicle during this period was much higher compared to the manual vehicle. The trial supports anecdotal feedback that an automatic vehicle is the preferred option for young people.

#### Considerations for purchasing an Automatic Vehicle

A passionate RYDE mentor has been championing the cause to raise money to purchase an automatic vehicle. He has already gained pledges from local businesses of several thousand dollars. The City's Youth Development team has received a \$3,000 donation from Mandurah Murray Mayday which can be allocated to this project.

Mandurah Library supports the additional vehicle being housed at the Library compound alongside the existing RYDE vehicle.

The vehicle purchased would be of the highest level, a 5-star ANCAP safety rating, as per all fleet vehicle standards and advice will be sought from Fleet Manager prior to any vehicle purchase.

Once purchased, the automatic vehicle would become a City asset. The life of the vehicle is anticipated at 7 years, with an annual depreciation of \$2,428. After such time, the City would consider replacement of the vehicle if there is still a community need for the RYDE program.

Should the total funds required not be able to be raised, the purchase of an automatic vehicle will not go ahead and the existing manual car will continue to be the only option for young people to use.

#### Financial Considerations

The RYDE program this financial year will break even with the current take up of the manual vehicle. Adding an automatic vehicle to the RYDE program is estimated to create revenue due to the increased uptake of the vehicle.

With regard to any donations or grant funds received, finance advise the proposal be incorporated at budget review and if not finalised this financial year, unspent funds obtained through donations or grants can be transferred to reserve and allocated for expenditure in 2021/22.

Purchasing an additional RYDE vehicle to expand the program will require the following one-off costs:

| What                                                                                                         | Cost                     | Funding Source                                        |
|--------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------|
| Vehicle purchase and fitting of additional brake pedal ( <i>Mitsubishi Mirage, quote received Feb 2020</i> ) | \$17,000 (approximately) | funded by external grants, donations and sponsorships |
| RYDE branding Car Wrap                                                                                       | \$1,600                  | City of Mandurah                                      |

The following table presents the expected income and expenditure associated with operating an additional vehicle, based on actuals and extrapolated from current take up of the automatic vehicle that was trialled. Figures are based on estimated 10 bookings per week, 50 weeks per year.

| Expected Annual Expenditure – Fleet <sup>1</sup> |                | Expected Annual Income                                                                |                |
|--------------------------------------------------|----------------|---------------------------------------------------------------------------------------|----------------|
| Fuel<br><i>20,000km per year, 1100 L fuel</i>    | \$1,500        | Client fee @ \$15 per session<br><i>(less \$2.50 admin fee to Town of Bassendean)</i> | \$6,250        |
| Registration                                     | \$350          |                                                                                       |                |
| Car service                                      | \$200          |                                                                                       |                |
| Insurance ( <i>premium increase</i> )            | \$135          |                                                                                       |                |
| Tyres & maintenance                              | \$1,200        |                                                                                       |                |
| <b>Total Expenditure</b>                         | <b>\$3,385</b> | <b>Total Revenue</b>                                                                  | <b>\$6,250</b> |

As can be seen from the table above, the ongoing costs will be offset by income from RYDE bookings for the automatic vehicle and this vehicle is likely to generate a surplus of \$2,865 per year.

### **Consultation**

RYDE operates as a consortium model, relying on sector collaboration. The following services are in favour of an automatic vehicle being added to the RYDE program, as they have clients who could benefit:

- Peel Youth Services
- Streetnet Youth Services
- Passages Resource Centre
- Clontarf Academy, Coodanup College
- Stirling Skills Training
- Peel Volunteer Resource Centre
- Mandurah Districts Rotary Club – Interested in assisting to collect funds for a new vehicle.

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Economic Implications**

The RYDE program and its fee structure ensure that the program becomes cost neutral, or indeed makes a small surplus, over time.

### **Renewal Plan for Vehicles**

Should the City be successful in sourcing external funding for a second RYDE vehicle, the City would then have two vehicles, a manual and an automatic. The manual would be required to be replaced in 2024/25 and potentially the automatic in 2027/28. Funding bodies will generally not support grant funding for the replacement of an existing vehicle/program and should the RYDE program continue to be viable (programs ongoing success) and its replacement supported, the City would need to fund a replacement within its future capital budget. It is estimated that the RYDE program will generate a surplus of approximately \$3,000 annually. Any surplus funds are to be placed into the Plant Reserve to offset the costs of future replacement vehicles.

### **Risk Analysis**

Supporting initiatives that can lead to employment is a key strategy of the City's community plan. The additional automatic vehicle should increase the ability for young people to obtain their drivers licence, which will increase employment and training prospects. If a decision is made not to support the acceptance of an automatic RYDE vehicle, it is anticipated fewer young people will participate resulting in fewer young people obtaining their licence.

### **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

#### **Economic:**

- Facilitate and advocate for sustainable local job creation and industry diversification.

- Advocate for and facilitate opportunities for improved pathways to education and learning outcomes in Mandurah.

Social:

- Promote a positive identity and image of Mandurah and the contributions of its youth.
- Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

## **Conclusion**

Purchasing an automatic vehicle for the RYDE program, will provide a valuable addition to the manual vehicle. It will increase the capacity of the program and provide more options for disadvantaged young people.

By making available increased options through providing an automatic vehicle, the RYDE program will add even more value to local young people, reducing the likelihood of young people either not gaining their licence and potentially driving without a licence or falsifying log books.

Retaining the manual vehicle will continue to support young people to gain a manual licence which provides further pathways to employment.

## **RECOMMENDATION**

**That Council:**

- 1. Supports the expansion of the Mandurah 'RYDE Program' with addition of an automatic vehicle.**
- 2. Notes should funding be obtained, the new vehicle will become part of the City fleet which includes the City being responsible for ongoing maintenance as per current fleet standards.**
- 3. Supports officers to pursue external funding opportunities in collaboration with community to purchase a new automatic vehicle for the RYDE Program.**
- 4. Approves the income generated through the RYDE program to be held in the Plant Reserve and accumulated over time, to allow the purchase of future vehicles on completion of their serviceable life.**

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|           |                      |                               |
|-----------|----------------------|-------------------------------|
| <b>12</b> | <b>SUBJECT:</b>      | Greening Mandurah Framework   |
|           | <b>DIRECTOR:</b>     | Built and Natural Environment |
|           | <b>MEETING:</b>      | Ordinary Council              |
|           | <b>MEETING DATE:</b> | 24 November 2020              |

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## Summary

The physical greening of Mandurah is important because it:

1. Improves the appearance, economic value and liveability of our City.
2. Provides a connection to nature in our City.
3. Increases resilience to climate change, mitigates the urban heat island effect, provides air and water filtration and provides for fauna habitat.

In the urban environment however, vegetation is increasingly under threat, particularly in new and infill development areas. Mandurah's population has more than doubled in the last 20 years, and in order to accommodate this growth there has been a subsequent loss of trees and vegetation as land is cleared for housing.

The City, with the support of the community, has a long history of working to manage and improve the City's natural environment with many existing programs and policies aimed at increasing vegetation cover to combat these losses. Whilst these programs have been successful in increasing the average canopy cover across the City, the need for an overarching strategy was identified to clearly articulate the City's vision for a 'greener' Mandurah, and set the context in which all the efforts of the City to manage the urban ecosystem, are clearly identified and understood.

For this reason, the Greening Mandurah Framework has been developed and is presented for Council's consideration.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

- G.41/12/02 11 December 2002 Council endorsed the release of the draft Bushland Protection Strategy for public consultation.
- G.47/1/04 27 January 2004 Council established a Bushland Acquisition Fund for of bushland under threat of development.
- G.55/5/05 24 May 2005 Council resolved to support the development of a Greening Mandurah Landscape Master Plan to improve the landscape development of existing and future streetscapes.
- G.33/11/13 26 November 2013 Council adopted the City of Mandurah Biodiversity Strategy, which set targets for the protection of natural biodiversity in Mandurah.

## Background

Trees and other vegetation are an essential part of the urban environment. Often valued for aesthetic and recreation value, urban vegetation and in particular trees, also provide much broader benefits to the community including:

- Environmental benefits through natural vegetation: provides air and water filtration, removing pollutants from the environment; provides shade and releases water vapour into the atmosphere, cooling the surrounding areas; mitigates the urban heat island effect; provides for fauna habitat; sequesters carbon; reduce stormwater runoff and increase resilience to climate change.
- Economic benefits through trees and vegetation within the urban environment: improves amenity, increases property values; prolong the lifespan of key assets such as road surfaces; and reduces the energy costs of heating and cooling.
- Healthy benefits through quality streetscapes and well-designed public spaces, which incorporate natural vegetation and shade; are important in meeting the needs of a healthy community; encourage outdoor activity; improves mental wellbeing; provides a sense of place; and encourages community interaction.

In the early 2000's, following a period of significant growth in urban development, the City of Mandurah recognised the need to become proactive in ensuring that trees and other vegetation were retained, and that a concentrated effort would be required to renew trees and vegetation that had been lost.

This led to the development of the Bushland Protection Strategy in 2003 which set a goal of protecting 150 hectares of bushland under threat of development, the Greening Mandurah Landscape Masterplan in 2005 which focused on improving the landscape development of Mandurah's streetscapes and the Biodiversity Strategy in 2013, which set targets for the retention of local natural areas.

In addition to the development of these strategies/plans, the City of Mandurah, with the support of the community, have, and are continuing to deliver numerous programs designed to improve the natural environment, including:

- Bushland Acquisition – following the adoption of the City's Bushland Protection Strategy in 2003, Council approved the creation of a Bushland Acquisition Reserve with an annual transfer of \$500,000 for the purchase of bushland threatened by development. Since this time, 66.22 hectares of bushland have been purchased by the City for protection.
- Annual Planting Program – the City Parks team implement an annual planting program which in the 2019/20 resulted in the planting of over 1,000 trees and 15,000 shrubs and groundcovers.
- Community Engagement Program – the community engagement program seeks to create opportunities for the community to be involved in the greening of Mandurah and includes annual planting days, such as National Tree Day, the City's Waterwise Verge Program which assists landowners to develop their verge into waterwise gardens, and the Embrace the Space Program which offers groups an opportunity to care for and revitalise their community spaces.
- Environmental Volunteer Program – the City has over 570 registered volunteers and works with 31 community groups/organisations to care for the City's natural areas.
- Statutory Protection – through Town Planning Scheme No. 3, tree preservation provisions ensure the protection of trees from inappropriate clearing within designated tree preservation areas.

Whilst the City has been active in protecting and improving the vegetation and canopy cover across Mandurah, a need was identified for an overarching framework to clearly articulate the City's vision for a 'greener' Mandurah, and set the context in which all the efforts of the City to manage the urban ecosystem, are clearly identified and understood.

To assist in the development of this framework, the City undertook a vegetation cover assessment using remote sensing techniques and thermal imaging analysis for the years 2007 and 2016. The results of this assessment together with information collected as part of the City's street tree audit, and an analysis of the opportunities and threats to the City's existing vegetation, were used to inform the development of the

Greening Mandurah Framework. A copy of the draft Greening Mandurah Framework is provided in *Attachment 12.1*.

## Comment

The protection and management of the City's natural environment is a key objective of the Strategic Community Plan 2020-2040, with 'growth in tree canopy coverage' being a key measure of success.

The results of the vegetation cover assessments showed an increase in the average canopy cover, within the City of Mandurah, of 5.7% between 2007 and 2016, rising from 13.3% to 19%. In comparison, the overall canopy cover for the Perth and Peel Metropolitan Region in 2016 was 16%, whilst the national urban average was 24.6%. A peak development period occurred within the City of Mandurah between 2000 and 2008 with large tracts of land cleared for subdivision prior to the 2007 canopy cover assessment. Since this time, development rates have reduced significantly and efforts to improve vegetation levels within the City have resulted in an overall increase in canopy cover.

Levels of canopy cover vary greatly within the City of Mandurah. Suburbs within the Southern Rural and Parklands localities had the highest levels of canopy cover with upwards of 25%, reflective of the significant areas of national park and rural lifestyle lots within these areas. Older suburbs such as Greenfields and Dawesville also had relatively high levels of canopy cover (greater than 17%), whilst suburbs such as Madora Bay and Dudley Park had extremely low levels of canopy cover (<5% and 5.3% respectively). Factors affecting vegetation cover include the age of the suburb, average lot size, availability of public open space, development type and location.

In addition to undertaking a vegetation cover assessment, the threats and challenges faced by the City in maintaining its canopy cover were identified. The key challenges identified are summarised as follows:

- Ageing tree population - as trees age, they become more susceptible to disease, are less resilient to surrounding disturbance and can represent an increased risk of dropping limbs or causing root damage. The results of the street tree audit identified more than 70% of existing audited street trees have a lifespan of less than 40 years. This means that in order to maintain the current level of canopy cover, succession planting will be required to be planned in order to allow time for new trees to grow and develop canopy.
- Public perception - whilst trees and other vegetation provide significant benefits, they can often be seen as a nuisance, particularly where trees are located in close proximity to houses, are seen to interrupt views, shade solar panels, or impact on infrastructure including paths and paved areas. Where trees are not valued, they are more likely to come under threat of vandalism and damage from inappropriate pruning, or be removed all together. With close to 50% of Mandurah's canopy cover occurring on private property, it is important to understand and respond to community concerns regarding trees, increase tolerance of perceived nuisance, and increase awareness of the benefits of a 'green' Mandurah.
- Development - with half of Mandurah's canopy cover occurring on private property, infill development and continued urbanisation are significant threats to the City's levels of canopy cover. Within Central Mandurah, an additional 8,000 dwellings are proposed to be accommodated through urban infill. An immediate impact of increasing urban density, is the loss of trees on private property, with lot sizes reducing, and subsequent reductions in outdoor living spaces providing limited space for canopy cover. Outside of central Mandurah, there are a number of large landholdings yet to be developed which currently contribute to the City's canopy cover. These include developments in Madora Bay, Lakelands, Greenfields, Halls Head, Erskine and Dawesville. It is estimated that up to 105 hectares of canopy cover could be lost as a result of this development.
- Competing land interests - as density within Mandurah increases reducing the ability to retain vegetation on private land, the reliance on public spaces to contribute to City's overall canopy cover increases. At the same time, demands on public spaces are increasing. Public open space needs to cater for passive and active recreation, drainage, vegetation retention and infrastructure

provision. Similarly, road reserve widths have been decreasing yet still need to provide for additional infrastructure, footpaths, road pavement, lighting as well as street trees. The management of these increasing conflicts will impact the City's ability to increase canopy cover.

- Disease: Trees are vulnerable to disease, which if left unmanaged, can cause widespread decline in health and loss of vegetation. The cause of plant diseases are organisms such as fungi, bacteria and viruses, broadly known as pathogens. Pathogens can occur naturally within the soil or can be introduced through the movement of soil and plant materials such as mulch, pruning equipment and vehicles. Pathogens of concern include Dieback, Marri Canker, Honey fungus and Myrtle rust. To protect against disease, effective pathogen management, along with the creation of a diverse, resilient tree population is required.

Based on the above information, four key objectives aimed at creating a 'greener' Mandurah were identified, building on the objectives of the Strategic Community Plan 2020-2040, as outlined below.

#### Nurture

Manage the local natural environment to ensure the long term growth, health and viability of the City's urban canopy.

Actions identified to achieve this strategy are largely related to the care and management of existing and proposed vegetation on City managed land. This includes ensuring that the City engages appropriately qualified staff to oversee and carry out all tree planting and maintenance activities, ensuring best management practices are utilised, increasing the resilience of the City's tree population and preventing the spread of diseases and pests through pathogen management.

#### Value

Create opportunities for the community to celebrate, preserve and contribute to the urban canopy.

Whilst trees provide significant benefits to our health, the environment and our economy, trees can sometimes be seen as a nuisance. This is particularly the case when trees are located in close proximity to houses, are seen to interrupt views, shade solar panels, or impact on infrastructure, notably paths and paved areas. Community concerns can often outweigh an appreciation of their importance in ensuring ongoing liveability and climate resilience. Where trees are not valued, they are more likely to come under threat of vandalism and damage from inappropriate pruning, or be removed altogether.

For this reason, the Greening Mandurah Framework recognises the need to raise community awareness of the benefits and value of an urban canopy, foster community engagement and ownership in the urban canopy and encourage innovation and versatility in greening Mandurah.

#### Enhance

Continue to grow the City's urban canopy.

In order to continue to counteract losses in vegetation, a continued focus on the ongoing replacement and renewal of trees and vegetation is required, using the urban canopy data analysis to inform priority planning.

To support the physical planting of trees, the development and review of reserve masterplans, the preparation and implementation of a Street Tree Masterplan, and a review of the minimum guidelines and standards for the provision of open space, landscaping and urban canopy will be required.

#### Protect

Protect the existing and future urban canopy for generations to come.

Providing long term protection of significant vegetation within the City of Mandurah and encouraging the retention of existing canopy within private property is also needed to minimise future losses of canopy cover. The City's planning framework has well established protection mechanisms for significant vegetation and the City's bush buyback scheme has resulted in 66 hectares of bushland

being protected from development, however, there is further scope for improving retention rates of existing vegetation.

This can be achieved through the provision of incentives, recognition and development options to encourage tree retention on development sites, identifying mature trees within infill areas worthy of retention, ensuring appropriate conditions are placed on development approvals and ensuring ongoing management of the City's bushland reserve including bushland purchased through the bushland buyback scheme.

In order to continually refine the Greening Mandurah Framework, the ongoing monitoring and evaluation of the City's Urban Canopy is required. Tree Canopy monitoring is proposed to be undertaken every five years and will be used as a measure of the change in canopy over time, providing a basis to determine success and identify improvements required to achieve the growth and management of the City's urban canopy.

### **MEAG/MCCAG Comment**

This item was considered by the Mandurah Environmental Advisory Group (MEAG) at its meeting on Friday 13 November 2020. As the City officer report was prepared prior to this meeting, MEAG's recommendation will be included as additional information and provided prior to the Council Meeting.

### **Consultation**

Elected Member briefing on 3 November 2020.

### **Statutory Environment**

Nil

### **Policy Implications**

Council's Tree Management Policy, Bushland Conservation and Management Policy and Bush Fire Prevention Control Policy are relevant to the preparation and implementation of the Greening Mandurah Framework. Modifications to the Tree Management Policy, are proposed, to ensure alignment with the Greening Mandurah Framework.

### **Economic Implications**

Many of the programs identified within the Greening Mandurah Framework will have economic implications. The next stage of the Greening Mandurah Framework will be the development of an implementation plan which will look at detailed costings for consideration as part of the Long Term Financial Plan review process.

### **Risk Analysis**

Whilst the City has been successful in increasing the canopy cover within Mandurah, the programs and activities that have contributed to this success have been operating without an overarching guiding framework. The Greening Mandurah Framework seeks to set the context for decision making regarding the urban canopy to ensure all decisions made will contribute to the objective of a "beautiful, clean and sustainable' Mandurah.

### **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

Social:

- Facilitate safe neighbourhoods and lifestyles by influencing the built form through urban design.
- Facilitate opportunities that promote community led initiatives and build local capacity and capability.
- Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.
- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.

Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.
- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

Environment:

- Advocate for and partner with all levels of Government and other agencies to ensure environmental impacts are considered in all strategy development and decision making.
- Protect and manage our local natural environment and ensure that our actions to manage land-based assets don't adversely impact our waterways.
- Create opportunities for our community to celebrate and preserve our local natural environment.
- Educate our community on global environmental sustainability issues and demonstrate leadership in the field.
- Partner and engage with our community to deliver environmental sustainability outcomes.

Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.
- Listen to and engage with our community in the decision-making process.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

**Conclusion**

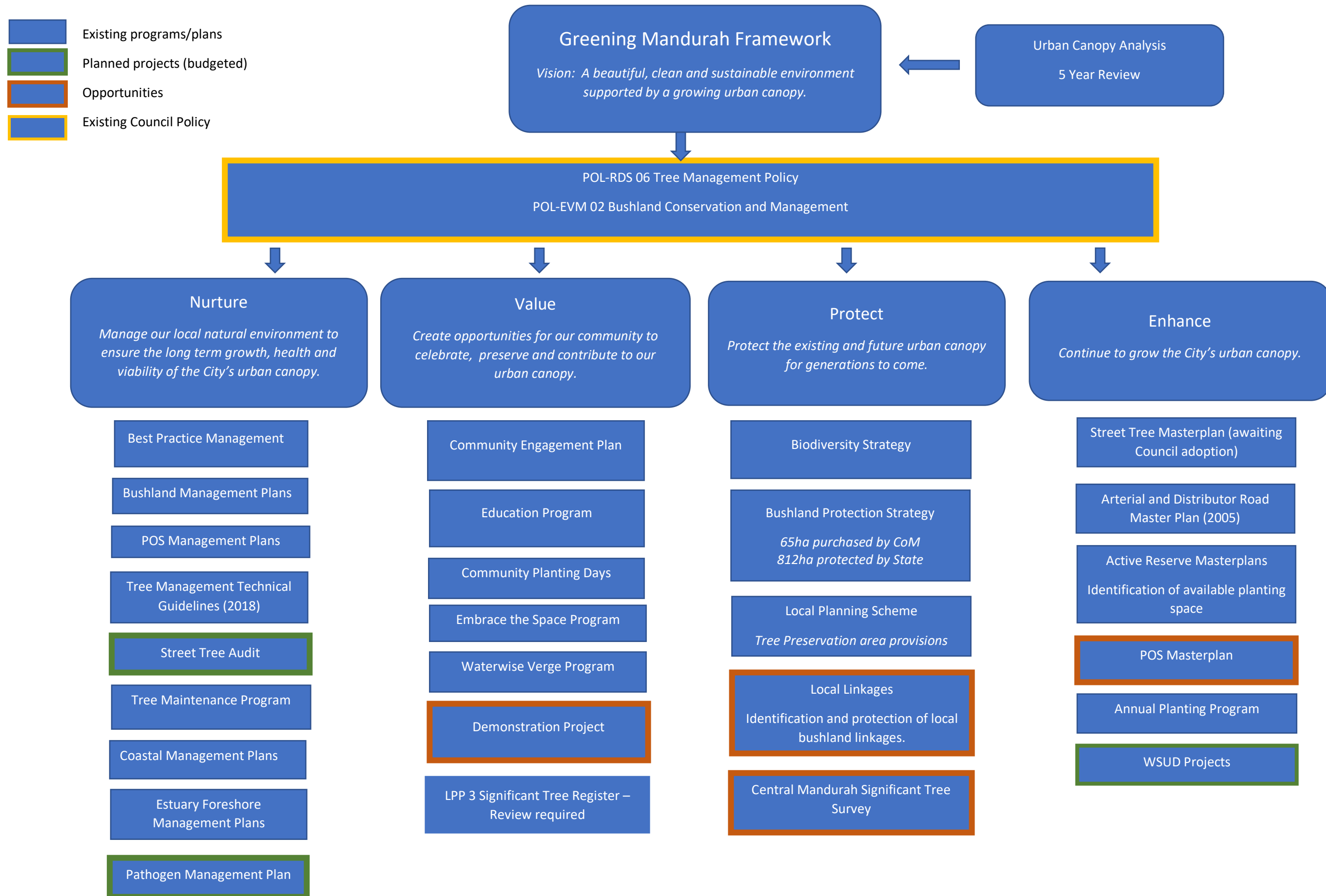
Whilst the City, with the support of the community, has had a long history of working to manage and improve the City's urban canopy, if adopted, the Greening Mandurah Framework will provide an overarching long-term strategy for the ongoing management, monitoring and improvement of the City's urban canopy. It is therefore recommended that Council endorse the draft Greening Mandurah Framework.

**NOTE:**

- Refer ***Attachment 12.1 Draft Greening Mandurah Framework***

**RECOMMENDATION**

**That Council endorses the Greening Mandurah Framework as detailed in Attachment 12.1.**



| Nurture                                  |                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Best Management Practice                 | Ensure the City continues to update its practices and trains all ‘tree’ staff in line with current best management practice. Actions would include training, review and update of standard procedures, and ensuring contractors are suitably qualified and skilled.                                                                   |
| Bushland Management Plans                | Plans prepared for natural areas outlining management objectives, rehabilitation/revegetation requirements, threatening processes, fire management, access, roles & responsibilities.                                                                                                                                                 |
| POS Management Plans                     | Plans prepared for public open space areas defining play areas/garden beds/natural areas.                                                                                                                                                                                                                                             |
| Tree Management Technical Guidelines     | Details appropriate and sustainable tree management objectives and strategies to ensure that Mandurah’s tree population is enhanced, protected, diversified, and maintained for long term benefits while minimising public risk, damage to infrastructure and maintenance costs.                                                      |
| Street Tree Audit                        | Audit of existing street trees detailing species, age, health, value.                                                                                                                                                                                                                                                                 |
| Tree Maintenance Program                 | Existing program ensuring health and safety of trees within streets and reserves.                                                                                                                                                                                                                                                     |
| Coastal Management Plans                 | As per Bushland Management Plans but for Coastal reserves.                                                                                                                                                                                                                                                                            |
| Estuary Foreshore Management Plans       | As per Bushland Management Plans but for Estuary reserves.                                                                                                                                                                                                                                                                            |
| Pathogen Management Plan                 | Management Plan outlining identification and management of disease and pests within the urban canopy. Will include hygiene procedures to prevent spread of disease, need for species diversity and age spread of trees to increase resilience and management of areas affect by pests and/or disease.                                 |
| Value                                    |                                                                                                                                                                                                                                                                                                                                       |
| Community Engagement Plan                | Plan aimed at raising awareness of the importance of Mandurah’s urban canopy, inspire action to preserve, promote and connect to the urban canopy and celebrate the City’s programs and activities aimed at increasing Mandurah’s Urban Canopy.                                                                                       |
| Education Program                        | Program aimed at improving the value placed on trees in both public and private property. Would include education on the benefits of trees, appropriate tree species for small spaces, tree management etc. With close to 50% of trees existing on private property it is important that the community recognises the value of trees. |
| Community Planting Days                  | Planting days designed to foster community engagement and ownership. Would include National Tree Day.                                                                                                                                                                                                                                 |
| Embrace the Space Program                | Program which encourages neighbourhood connection to community places through offering groups an opportunity to care for and revitalising their community spaces.                                                                                                                                                                     |
| Waterwise Verge Program                  | Program assisting landowners to develop their verge into waterwise gardens.                                                                                                                                                                                                                                                           |
| Demonstration Project                    | Develop and encourage demonstration projects which highlight opportunities to increase the urban canopy eg Green walls, small garden displays.                                                                                                                                                                                        |
| Significant Tree Register                | Register of significant trees that are valued by the community for environmental, cultural and historical reasons.                                                                                                                                                                                                                    |
| Protect                                  |                                                                                                                                                                                                                                                                                                                                       |
| Biodiversity Strategy                    | Identifies natural areas worthy of retention. Adopted by Council in 2013                                                                                                                                                                                                                                                              |
| Bushland Protection Strategy             | The Bushland Protection Strategy has the key objective of acquiring and protection 150 hectares of land. Following the adoption of the Strategy in 2003, Council established an environmental reserve fund for the purchase of bushland under threat of development. To date just over 65ha has been purchased by Council.            |
| Local Planning Scheme                    | Introduces tree preservation provisions which prevent clearing of trees without prior approval in designated tree preservation areas.                                                                                                                                                                                                 |
| Local Linkages                           | Project to identify and protect ecological linkages between bushland reserves.                                                                                                                                                                                                                                                        |
| Central Mandurah Significant Tree Survey | Infill development within Central Mandurah is a significant threat to existing canopy on private land. Survey will identify mature trees that are considered suitable for retention within infill areas, which can then be used to identify incentives and development options designed to encourage the retention of these trees.    |
| Enhance                                  |                                                                                                                                                                                                                                                                                                                                       |
| Street Tree Masterplan                   | Informs and directs the enhancement of the future tree canopy cover through the identification of suitable tree species for individual streets.                                                                                                                                                                                       |
| Arterial and Distributor Road Masterplan | Informs streetscape planting opportunities within arterial and distributor road reserves (including median, verge and landscape buffer planting).                                                                                                                                                                                     |
| Active Reserve Masterplans               | Active Reserve Masterplans determine playing surfaces, ancillary facilities and infrastructure and will identify areas available for planting.                                                                                                                                                                                        |
| POS Masterplan                           | The development of the POS Masterplan will set out standards for varying types of POS regarding minimum canopy cover, identification of planting areas, play spaces, accessibility and facilities.                                                                                                                                    |
| Annual Planting Program                  | Includes street tree plantings, City parks and bushland reserves.                                                                                                                                                                                                                                                                     |
| WSUD Projects                            | Retrofitting of existing drainage infrastructure to align with water sensitive urban design.                                                                                                                                                                                                                                          |

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|           |                      |                                        |
|-----------|----------------------|----------------------------------------|
| <b>13</b> | <b>SUBJECT:</b>      | Mandurah Tree Management Policy Review |
|           | <b>DIRECTOR:</b>     | Built and Natural Environment          |
|           | <b>MEETING:</b>      | Council Meeting                        |
|           | <b>MEETING DATE:</b> | 24 November 2020                       |

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## Summary

Council, at its meeting on 22 September 2020, considered a Notice of Motion with respect to the City of Mandurah Tree Management Policy (Policy), and resolved to:

1. Direct Officers to undertake a review of the City of Mandurah Tree Management Policy (POL-RDS06)
2. That the review consider the following:
  - a. Inclusion of the Norfolk Island Pine Tree within the 'inappropriate tree species' list
3. That the review be undertaken prior to the November 2020 Ordinary Council Meeting, with the Policy to be considered by Council at that meeting
4. That a workshop be held with Elected Members as part of the Tree Management Policy review.

In accordance with Council's resolution, City officers have reviewed the City of Mandurah Tree Management Policy (POL-RDS06) and in doing so, propose a new draft Council Policy for Management of Trees in Streets and Public Open Spaces for consideration.

On review, it was felt that the existing Policy could be improved by providing additional information to provide a clearer and unambiguous direction on how trees are managed within the City.

Given that the Policy will ultimately underpin the draft Greening Mandurah Framework and inform the draft Locality Street Tree Masterplan (both also being the subject of reports on this agenda), amongst other things, the proposed new draft Policy attempts to balance the objectives of the Framework with sound management practices for trees within the City's street and public open spaces.

Officers have also considered the request to have the "inclusion of Norfolk Island Pine Trees within the 'inappropriate tree species' list". The use and suitability of Norfolk Island Pines was considered following officer consultation, a desktop audit of available scientific literature, review of previous arborist reports, a consultant arborist technical review along with an Elected Member workshop and previous Council recommendations. Following this review, City officers have formed the view that Norfolk Island Pine trees remain a suitable tree selection in specific locations that take into consideration the ultimate size and growth characteristics of the tree. They should not be considered for planting in locations where adjacent infrastructure is at significant risk of damage due to the ultimate size and growth characteristics of the tree, does not align with the Street Tree Masterplan or other guiding documents. If adopted, the technical guidelines that inform tree selection and locality will be updated to accurately reflect these considerations.

Council are asked to endorse the new draft Council Policy for Management of Trees in Streets and Public Open Spaces.

## Disclosure of Interest

Nil

## Previous Relevant Documentation

- |              |              |                                     |
|--------------|--------------|-------------------------------------|
| • G. 12/7/19 | 23 July 2019 | Policy – Tree Management POL-RDS 06 |
| • G. 30/6/04 | 15 June 2004 | Norfolk Island Pines                |

## Background

From time to time, the community raise issues regarding the negative impact that trees can have on infrastructure, particularly in cases where the growth characteristics of the tree are not suitable for the location. There are also instances where there are safety issues because the health of the tree is such that its structural integrity may be compromised and also, instances where people feel that the type of tree does not enhance the amenity of the area in which they are located.

When people raise such issues, it is incumbent on the City to have a clear and unambiguous policy that supports the rationale for all decision making with regard to tree management. Not only does the Policy need to be clear and easily understood but any supporting documentation that relate directly to the Policy should be equally unambiguous.

On occasion, Norfolk Island Pine trees have been identified as a tree that some in the community have concerns with. Council have recently requested City officers to undertake a review of the existing City of Mandurah Tree Management Policy (POL-RDS06), in part, to address these issues and resolved that the review consider "Inclusion of the Norfolk Island Pine Tree within the 'inappropriate tree species' list.

As background information, in 2004, Council resolved:

1. That Norfolk Island Pines continue to be used in landscaping with due consideration to the landscape character of the surrounding area.
2. That Norfolk Island Pine trees are not used to the exclusion of alternative Australian native trees.

During the preparation of the 2004 Council Report on Norfolk Island Pine trees, an Arboricultural Consultant, Mr John Banks, was commissioned to prepare a report that contained the following information regarding the Norfolk Island Pine.

*This tree is eminently well suited to warm coastal locations such as many places within the City of Mandurah. It grows well in alkaline soil. It is tolerant of strong, salt laden winds and by comparison with many other trees that are grown in such circumstances, rarely sheds branches.*

*It has a very predictable growth habit and the space that its structure will eventually fill is able to be determined with reasonable accuracy. It has perfectly symmetrical, pyramidal form which appears balanced from all viewing angles.*

*It can grow to a height of up to 35m in Perth with a canopy diameter of up to 18m. It is anticipated that it will live for anywhere between 100 and 140 years in our climate.*

*The root system will extend for a distance of at least 30m from the trunk. The trunk will usually cause ground swelling at distances within one metre. Beyond this the roots are not notoriously destructive of hard services. Like many trees, however, the roots will tend to grow close to the surface and become a nuisance when a specimen is grown in soil that is reticulated.*

*It constitutes a significant presence in a street and, when grown as a boulevard or avenue, will become the main dominating feature.*

*It is therefore highly recommended for planting as a boulevard or avenue but an area of soil must be kept free around the trunk to allow for the swelling that will occur. Given the ultimate trunk diameter that can be attained for this species, such an area would need to measure about three metres square.*

*Having stated the above, it should not be used to the exclusion of other trees which would also have the ability to provide a significant, albeit completely different type of beauty.*

In the past, Norfolk Island Pines have been selected and used by developers in formal avenue, median and boulevard plantings in Mandurah, generally planted at approximately 15 metre spacings. It has also been used as a shade tree in grassed parks and as a feature in entry statements, roundabouts and boulevards in various residential developments. Given the extent that they are able to dominate a landscape, and the prominent locations that they are located in it is conceivable that people are given the impression that the tree is being used at the exclusion of other species. This is not the case as the majority of street and public open space landscaping projects use native trees such as Sheoak, Native Peppermints and Eucalyptus species.

## **Comment**

Given that protecting, valuing and planting trees that add to our urban canopy has been recognised as desirable and important to Mandurah's identity, having a tree management policy that clearly outlines how this can be achieved is vital. After being asked to review the Policy for tree management, it was evident that the existing policy did not provide enough detail to make it clear on exactly what the objectives were and especially on how the Policy would underpin the proposed Greening Mandurah Framework. Subsequently, City officers have prepared a draft Council Policy on Tree Management in Street and Public Open Spaces. This draft Policy now includes more specific information on tree management with regard to tree selection, maintenance, removal and/or replacement and enforcement.

As part of this review, City officers also considered that it would be timely to undertake a brief review of the arborist advice that had been received previously on Norfolk Island Pine trees given that this information is now over 15 years old. Arbor Logic (arboricultural consultancy) were asked to provide comment on the use of Norfolk Island Pine Trees in Mandurah and the following advice was received:

*Norfolk Island Pine remain a widely used species throughout many parts of Western Australia and have proven to be a useful species for various landscape situations including parks and open spaces, roundabouts, and streetscape scenarios, and their potential size and form at maturity can be used to great effect to create landscape features and unique characteristics.*

*They are generally considered to be low risk species in terms of their propensity for branch failures, and low maintenance species in terms of their pruning requirements and as such are in many respects are a suitable species for urbanised situations as a result. They have also proven to be tolerable of poor urban soil conditions and perform well in coastal situations and sandy soils. Until recently they have been generally pest/disease free, although there has been a recent spate of incidences of what looks to be a fungal pathogen that can impact their health. Whilst being of note, this factor should not discourage their use as a landscape planting.*

*Given their potential size at maturity, consideration should be given to where they are planted in relation to surrounding infrastructure so to avoid potential issues of displacement and disturbance to their surrounds as they mature.*

*Overall though the Norfolk Island Pine are one of a number of species that would be considered highly suitable for use within parks and streetscapes within the Mandurah region, and their use, where considered suitable for the given situation, would be encouraged to be maintained and continued.*

In general, these comments are in keeping with the advice previously received on the suitability of Norfolk Island Pine trees for use in suitable locations in Mandurah. However, it is an imperative that lessons from the past are recognised and that all historical evidence that provides information on locations and situations that could lead to undesirable outcomes should be carefully considered in all future decisions. To this end, the draft Street Tree Masterplan has flexible provisions that would allow for alternative species selection even in cases where the Masterplan has identified that Norfolk Island Pine trees as a suitable tree selection.

Policies may often have a number of guiding documents that should be read in conjunction with the Policy and as such, are usually designed to provide greater detail on how the objectives of the Policy are to be achieved. It is very important to ensure that these guiding documents relate directly to the Policy and together, provide a clear and defensible basis for decision making. The new draft Policy and changes to associated guiding documentation now achieve this aim.

With regard to Norfolk Island Pine trees, it is acknowledged that they may be deemed unsuitable for certain locations, particularly where the dimensions of the streetscape are not likely to yield a large enough footprint to accommodate the tree's well-defined growth characteristics. However, the City already has a significant number of Norfolk Island Pine trees within our streetscapes and many of these trees are fitting successfully into their locations and continue to provide amenity, resilience and a sense of place which are all fundamental values of the draft Greening Mandurah Framework.

It is important to note that any large tree, not only the Norfolk Island Pine tree, has the potential to create issues when planted in and around hard infrastructure and that the same criteria should apply to all trees when considering whether they should be removed or not. Briefly, these criteria relate to health of the tree, whether or not the tree is causing unmanageable damage to adjacent infrastructure or lastly, where the tree is not in keeping with the desired values and amenity for the area in which they are located. Given that many large trees can be 40 to 50 years of age by the time that they start causing issues, any decision to remove them should only be contemplated when all other options for addressing the issues have been thoroughly considered.

In moving forward, by ensuring that all trees are planted in appropriate locations that allow for the growth characteristics of the specific tree it should be possible to minimise any risks and undesirable outcomes in the future. Appropriate locations will have been carefully considered and identified in the Street Tree Masterplan and as a consequence it should be possible to minimise the negative impacts that can occur from time to time. Finally, it is important to note that there may be occasions in which a tree, for whatever reason, creates unforeseen issues and in such circumstances, the City should make a decision on managing the tree based on those individual circumstances.

### **MEAG Comment**

This item was considered by the Mandurah Environmental Advisory Group (MEAG) at its meeting of Friday 13 November 2020. As the agenda was prepared prior to this meeting, MEAG's recommendation will be presented at Council.

### **Consultation**

Elected Members have been consulted on the draft Trees in Streets and Public Open Spaces policy and an Elected Members workshop was held on 3 November 2020.

### **Statutory Environment**

N/A

### **Policy Implications**

This draft Policy Management of Trees in Streets and Public Open Spaces (POL-RDS 06) will replace the previous policy City of Mandurah Tree Management Policy (POL-RDS 06) if adopted by Council.

### **Economic Implications**

The planting, removal and ongoing maintenance of City owned trees has financial implications. Overall tree management by the City incurs significant annual budget allocations. Whilst there is an ongoing cost to the City for maintaining its tree population, there are also recurring costs for undertaking remedial works to infrastructure where trees have impacted that infrastructure and there will also be costs associated with

removing and replacing trees where this is deemed appropriate. Notwithstanding this, trees provide significant benefit to the community and in particular, those related to a prevalent and sustainable urban canopy as outlined in the proposed Greening Mandurah Framework.

## **Risk Analysis**

The Policy provides for clear and consistent decision making and addresses ambiguities under the old policy document.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

### Social:

- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.
- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.

### Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.
- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

### Environment:

- Protect and manage our local natural environment and ensure that our actions to manage land-based assets don't adversely impact our waterways.
- Create opportunities for our community to celebrate and preserve our local natural environment.
- Educate our community on global environmental sustainability issues and demonstrate leadership in the field.
- Partner and engage with our community to deliver environmental sustainability outcomes.

### Organisational Excellence:

- Listen to and engage with our community in the decision-making process.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

## **Conclusion**

Officers have reviewed the City of Mandurah Tree Management Policy (POL-RDS06) and in doing so present a new draft Council Policy for Management of Trees in Street and Public Open Spaces for consideration. This draft Policy now underpins the proposed Greening Mandurah Framework and includes more specific information on tree management with specific regard to tree selection, maintenance, removal and/or replacement.

As part of this review, City officers also considered the request to have the "inclusion of Norfolk Island Pine Trees within the 'inappropriate tree species' list". After carefully review, it is considered that there are still locations in which Norfolk Island Pine trees would be a suitable species selection based on the available evidence and advice received which has been presented in this report.

Council are asked to endorse the new draft Council Policy for Management of Trees in Street and Public Open Spaces and not include Norfolk Island Pine trees on the 'inappropriate tree species' list.

NOTE:

- Refer ***Attachment 13.1 Management of Trees in Streets and Public Open Spaces Policy (POL-RDS 06)***.

**RECOMMENDATION**

**That Council:**

1. **Endorse the new draft Council Policy Management of Trees in Streets and Public Open Spaces (POL-RDS 06) as detailed in Attachment 13.1; and**
2. **Does not include Norfolk Island Pine trees on the inappropriate tree species list.**

# Management of Trees in Streets and Public Open Spaces

POL-RDS 06

## COUNCIL POLICY

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### Policy Objective

To provide direction to City officers in relation to the management of trees in streets and public open spaces managed by the City of Mandurah in order to provide an attractive, healthy, resilient and diverse urban environment, and action the objectives of the Greening Mandurah Framework.

### Policy Statement

#### Statement:

The City of Mandurah (the City) will manage and maintain trees in streets and public open space that are under the care and control or ownership of the City in accordance with best practice industry standards and this Policy.

The City's operational tree management processes and procedures will ensure consistency with this Policy and alignment with the Greening Mandurah Framework and its objectives including to nurture, value, protect and enhance the urban tree canopy and ecosystem.

Tree management processes and procedures will fall under the following categories:

#### 1) Tree species selection and planting

City officers will prepare masterplans to guide the selection and planting of trees in streets and public open spaces. The preparation of masterplans will include an appropriate level of community consultation, as defined in the City's Community Engagement Strategy and reflect the outcomes of this consultation where appropriate. Specific consideration will be given to:

- 1.1) Appropriate species selection for each individual street or public open space;
- 1.2) Promoting and enhancing cultural characteristics of locations; and
- 1.3) Protecting and enhancing environmental value and characteristics of locations.

#### 2) Tree maintenance

City officers will prepare a Tree Management Technical Guideline detailing best practice industry standards and providing a thorough operational methodology for the management of trees in streets and public open spaces. The City will conduct tree maintenance **at the City's expense**. The Tree Management Technical Guidelines will cover all aspects relating to:

- Tree planting site requirements;
- Tree stock specifications and quality;
- New tree planting and establishment methodology;
- Tree maintenance requirements and methodology;
- Asset management;
- Methodology relating to the removal of trees; and
- Tree protection.

# Management of Trees in Streets and Public Open Spaces

## POL-RDS 06

- 2.1) Private street tree maintenance may be undertaken by a requesting person(s), in addition to any tree maintenance performed by the City, if approved by the City under a Permit issued pursuant to the City of Mandurah *Local Government Property and Public Places Local Law 2016*, at the expense of the requesting person(s). Approval will, among other things, be conditional on the private maintenance works having no detrimental impact on the health of the street tree and the requesting person(s) being the adjacent property owner.

### 3) Consideration of Tree Removal

City officers may consider the removal and replacement of established trees in streets and public open spaces, **at the City's expense**, where:

- 3.1) the species of the tree is listed as a pest plant under the City's *Animals, Environment and Nuisance Local Law 2010*;
- 3.2) the tree is dead, in decline, diseased or damaged past the point of recovery and no remedial treatment will be effective; and
- 3.3) the tree has been deemed, by a suitably qualified arborist, as a hazard to persons or property and no practical remedial techniques can alleviate the hazard.

City officers may also consider the removal and replacement of established trees in streets and public open spaces, at the expense of the requesting person(s), where:

- 3.4) a development or works approved by the City deems removal necessary, in which case the developer or owner of the works shall be responsible for expenses related to the tree removal and establishment of a replacement tree, as directed by the City; or
- 3.5) the tree was not approved by the City before it was planted and it is in significant contrast to the objectives of the relevant masterplan guiding the selection of trees in streets or public open space, in which case the requesting person(s) shall be responsible for expenses related to the removal and establishment of a replacement tree, as directed by the City.

City officers will ensure a resident can make application for:

- The City to undertake works in relation to tree removal in a street or public open space (where the City or the resident will incur costs associated with the works approved); and
- A Permit for private street tree maintenance in accordance with the City of Mandurah *Local Government Property and Public Places Local Law 2016* (where the resident will incur the costs associated with the works approved).

This application will include details of how to lodge a request, the assessment method that will be used by City officers to determine whether or not a tree will be removed, and details of how a removed tree will be replaced.

### 4) Review of City officers decision to refuse removal of a tree in a street or public open space

Where a request for removal of a tree is not granted by the City officer, the requesting person(s) may request a review of the decision through the presentation of a suitably qualified arborist report, to the City, engaged at the requesting person(s) expense, recommending removal of the tree for one of the reasons outlined in 3.1 to 3.3 of this Policy.

# Management of Trees in Streets and Public Open Spaces

## POL-RDS 06

If there is conflict between advice given by the City's arborist (who is employed by the City) and the requesting person(s) arborist, the City will engage a separate and independent consultant arborist to make a determination on the matter. Where there is conflict between advice given by the City's arborist (who is engaged and is not an employee of the City) and the requesting person(s) arborist, the City's arborist report will prevail.

A suitably qualified arborist under this Policy is a person who holds an AQF5 (Australian Qualified Framework Level 5) Diploma in Arboriculture qualification.

## Legislative Context

Animals, Environment and Nuisance Local Law 2010 – Schedule 5 Pest plants *Local Government Property and Public Places Local Law 2016*

## Review

At a minimum this Council Policy will be reviewed every two years.

## Related Documents

These documents are mandatory and required to give effect to this policy:

- Greening Mandurah Framework
- City of Mandurah operational processes and procedures
- Locality Street Tree Masterplan
- 

**Responsible Directorate:** Built and Natural Environment

**Responsible Department:** Landscape Services

**Reviewer:** Manager Environmental Services

**Creation date and reference:** 20 March 2007 Minute G.26/3/07

**Last Review:** 23 July 2019 Minute G.12/7/19

| Version # | Type<br>(Minor, Major) | Amendment<br>(Reasoning) | Reviewer | Council Approval<br>Date and Reference | Date Document<br>In force | Date Document<br>Ceased |
|-----------|------------------------|--------------------------|----------|----------------------------------------|---------------------------|-------------------------|
| 1         |                        |                          |          |                                        |                           |                         |
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| <b>15</b> | <b>SUBJECT:</b>      | Yalgorup National Park Recreational Master Plan |
|           | <b>DIRECTOR:</b>     | A/Director Strategy & Economic Development      |
|           | <b>MEETING:</b>      | Council Meeting                                 |
|           | <b>MEETING DATE:</b> | 24 November 2020                                |

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## Summary

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 and the Peel-Yalgorup Wetlands System. One of these measures is nature-based tourism.

The City's economic development strategy, *'Mandurah and Murray: a Shared Economic Future'*, adopted by Council in October 2018, contains a number of programs and projects across Mandurah and Murray, including several trails and eco-tourism projects. One of these is Peel-Yalgorup Wetlands Trails, which in turn is comprised of two inter-related sub-projects; Yalgorup National Park, and 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 May 2019, Council endorsed the City's intention to partner with the Department of Biodiversity, Conservation and Attractions (DBCA) to undertake the *Yalgorup National Park Recreational Master Plan*. The City funded the master planning process, which commenced in August 2019 with DBCA's engagement of a consultant to develop the master plan. Targeted stakeholder engagement commenced in late 2019, with 16 community, environmental, recreational, professional and local government groups engaged as part of the process.

In January, the first draft of the recreational master plan was provided to the City for stakeholder feedback. After seeking feedback from internal and external stakeholders, officers subsequently met with DBCA in February to provide feedback on the draft master plan. A revised draft master plan was provided to the City by DBCA in April, with a further revised draft provided in May, containing six recommended actions and recreation opportunities. The latest version of the working document was provided to the City by DBCA in September (Confidential Attachment 1). The master plan is a confidential attachment as it is a DBCA document that will be released at a future date by DBCA rather than the City.

Of the six recommended actions in the recreational master plan, only the first directly impacts the City of Mandurah. The other five recommended actions are primarily concerned with activities that would take place within Yalgorup National Park, and that are therefore under the control of DBCA. The first recommended action involves aligning local government land management actions with DBCA's management objectives to address concerns of 4WD and trailbike access into Yalgorup National Park from adjoining Local Government lands.

Council is requested to support all six recommended actions of the Yalgorup National Park Recreational Master Plan, and to endorse the plan as a DBCA working document that will outline future investment opportunities within Yalgorup National Park.

Council is also requested to approve and resource the development of a Beach Access Management Plan for Mandurah's southern beaches adjacent to Yalgorup National Park, in partnership with DBCA, the Shire of Waroona and other stakeholders. This is in response to an identified need to align DBCA and Local Government land management actions on beach access adjacent to Yalgorup National Park.

Council is also requested to commence advocacy for Government funding that would enable DBCA to undertake detailed planning and implementation of the Yalgorup National Park Recreational Master Plan.

## Disclosure of Interest

N/A

## Previous Relevant Documentation

- G.9/05/19 28/05/2019 Council endorsed the City's intention to partner with the Department of Biodiversity, Conservation and Attractions to undertake the Yalgorup National Park Recreational Master Plan. Council also acknowledged and endorsed the Mandurah Environmental Advisory Group's request for indigenous involvement in the Yalgorup National Park Recreational Master Plan, and acknowledged and endorsed MEAG's request to be kept informed on the process/progress of the Yalgorup National Park Recreational Master Plan, and that the item is referred back to the Mandurah Environmental Advisory Group at management plan stage.
- G.16/03/19 26/03/2019 Council acknowledged the update on the proposed National Heritage listing of Yalgorup National Park, including the results of the community engagement campaign, and supported the park's nomination for National Heritage listing without an intensive and ongoing community engagement campaign.
- G.20/10/18 23/10/2018 Council adopted '*Mandurah and Murray: a Shared Economic Future*' as the City's new economic development strategy. Council also endorsed programs and projects contained within the strategy for further development and implementation, and committed to a program of advocacy that ensures State and Federal Government support and investment in projects resulting from the strategy.

## Background

In 2012, Council resolved to nominate Yalgorup National Park for National Heritage listing, and to subsequently seek World Heritage listing. In April 2017, Council agreed to undertake community consultation to assess the level of support for Yalgorup's nomination for National Heritage listing. The resultant community engagement process was overwhelmingly positive, with 96% of respondents supportive of National Heritage listing. As a result, Council resolved in March 2019 to support the nomination of Yalgorup National Park for National Heritage listing without an intensive and ongoing community engagement campaign.

In October 2018, Council adopted '*Mandurah and Murray: a Shared Economic Future*', the City of Mandurah and Shire of Murray's new collaborative economic development strategy. The strategy is a 'living' document, designed to change and evolve according to Mandurah and Murray's changing environment, priorities and opportunities. The strategy contains six broad programs; Water Economy, Daytrip Capital, Arts, Culture and Sport, City Centre, Food and Agribusiness, Resources and Energy. Within these programs are eight inter-related projects across Mandurah and Murray, including several with a tourism focus. One of these is Peel-Yalgorup Wetlands Trails, comprised of two inter-related sub-projects; Yalgorup National Park, and Peel-Harvey Estuary Trails.

As part of the Yalgorup National Park project, in early 2018 officers commenced discussions with DBCA and other agencies to determine the project's potential scope and parameters. In March 2019, the Department's Director General formally advised the City of DBCA's willingness to jointly develop a recreational master plan for Yalgorup National Park. In May 2019, Council endorsed the City's intention to partner with DBCA to undertake the Yalgorup National Park Recreational Master Plan, and approved the allocation of \$30,000 from the City's Economic Development budget to be provided to DBCA for the project. The master planning process commenced in August 2019 with DBCA's engagement of a consultant to undertake community engagement and planning.

## Comment

The Yalgorup National Park Recreational Master Plan is a DBCA working document that will outline future investment opportunities within Yalgorup National Park. The consultant commenced targeted stakeholder engagement in October 2019, with 16 community, environmental, recreational, professional and local government groups engaged as part of the process. MEAG was also consulted prior to the master plan's commencement, and Visit Mandurah was regularly updated and consulted on the plan's progress.

In January, the first draft of the recreational master plan was provided to the City for stakeholder feedback. After seeking feedback internally and with Visit Mandurah, as well as the Shires of Murray, Waroona and Harvey, officers subsequently met with DBCA in February to provide feedback on the draft master plan. A revised master plan was provided to the City in April, with a further revised version provided in May, and another in September. The master plan will remain a working document that sits beneath DBCA's *Swan Coastal Plain South Management Plan*.

Published in March 2016, the *Swan Coastal Plain South Management Plan* provides broad direction for parks and reserves on the southern part of the Swan Coastal Plain vested in the Conservation Commission and managed on behalf of the Conservation Commission by DBCA. It also identifies the key values, management issues and opportunities to ensure that management priorities to minimise impacts are determined at a strategic level.

The Yalgorup National Park Recreational Master Plan contains six recommended actions and recreation opportunities:

1. *Align DBCA and Local Government Association land management actions;*
2. *Create new long-distance cycling and walking routes;*
3. *Scope potential for new day-use areas and short walk opportunities;*
4. *Explore new visitor education and interpretive opportunities;*
5. *Investigate new and diverse accommodation opportunities;*
6. *Expand tourism and commercial operator opportunities.*

### 1. Align DBCA and LGA land management actions

The first recommended action involves aligning local government land management actions with DBCA's management objectives to address concerns of 4WD and trailbike access into Yalgorup National Park from adjoining LGA lands. The recreational master plan recommends reviewing 4WD vehicle beach access from Tims Thicket and White Hills Beach, and reviewing future beach access between White Hills Beach and Preston Beach, in an endeavour to strike an appropriate balance between promoting recreational activity and ensuring environmental protection.

### 2. Create new long-distance cycling and walking routes

The creation of long-distance cycling and walking routes through Yalgorup National Park is designed to encourage greater participation by novice hikers, cyclists, families and active older adults. The proposal involves the creation of a new 33km cycle and walking trail from Tims Thicket to Preston Beach. The trail could potentially incorporate a range of complementary nature-based day-use facilities, and public or

private new camping areas and/or small, low impact huts along with structured camping 'pads' at regular distances.

### 3. Scope potential for new day-use areas and short walk opportunities

The creation of new day-use areas and short walk opportunities is designed to enhance visitors' access to Yalgorup National Park, enabling a greater appreciation of the park's uniqueness. These would be located in the Park's Northern and Lakes precincts, and could offer short walks (30 minutes to 2 hours), low-impact board walks, lookouts and bird hides.

#### 4. Explore new visitor education and interpretive opportunities

The creation of new visitor education and interpretive opportunities involves expansion of existing interpretive information within the park, and creation of a visitor centre building that would play an important role in telling the story of the park's environment, culture and history. Feedback from both Visit Mandurah and DBCA indicates that a permanent visitor centre facility within Yalgorup National Park would be unlikely to be supported, however the establishment of a pop-up visitor centre to be operated by Visit Mandurah would be supported.

#### 5. Investigate new and diverse accommodation opportunities

The investigation of new and diverse accommodation opportunities to cater for an increasingly diverse visitor market and to increase the spectrum of available accommodation types for visitors both within and adjacent to the park. New accommodation opportunities could include low impact environmental cabins, public campgrounds regulated and maintained by a commercial operator, and special interest-specific lodges.

#### 6. Expand tourism and commercial operator opportunities

Expanded tourism and commercial operator opportunities could potentially include commercially managed accommodation, cycle hire, dedicated bus transfers for hikers and cyclists, food trucks, indigenous tourism and alternative adventure tourism. The master plan also recommended that separate investigations be undertaken into potential alternative locations within the Peel Region for 4WD and trail bike recreation in conjunction with private commercial operators to ease environmental pressure on the park caused by illegal 4WD and trail bike access.

#### Related land management issues

During the early planning stage of the recreational master plan, officers canvassed potential to establish a dedicated off-road 4WD and trailbike park in Myalup State Forest, to the east of Yalgorup National Park. This proposal sought to provide an alternative location for 4WD and trailbike users to utilise, which in turn would aim to ease environmental pressure on the national park and surrounding beaches. However, DBCA advised that this proposal was unlikely to be supported by the Forest Products Commission (the landowner), and it was therefore subsequently removed from the master plan.

Concurrently, the Department of Local Government, Sport and Cultural Industries (DLGSC) is collaborating with the Department of Planning, Lands and Heritage (DPLH) to undertake an assessment of potential off-road vehicle sites within the Perth Metropolitan and Peel Regions. The DLGSC has held initial discussions with the Peel Alliance (formerly Peel Regional Leaders Forum) on the site assessment process, and Peel Alliance is in turn liaising with individual Peel local governments to identify potential suitable off-road vehicle sites within the Peel Region that could be included in the site assessment.

The City has also been made aware of a private development proposal, *Peel Moto Park*, which seeks to create a commercial off-road trail bike park within the Peel Region. The proponent is seeking to identify a suitable property within the Peel Region, and has been engaging with Peel local governments to seek help identifying a suitable site. Officers have advised the proponent that whilst the City of Mandurah LGA is

heavily constrained in its geography, environmental values and residential interface, opportunities for a commercial off-road site may exist within other Peel LGAs. To this end, City officers have engaged with officers from other Peel Local Governments, as well as the DLGSC on behalf of the proponent in an endeavour to identify a potentially suitable location for a commercial off-road trail bike park.

#### Related Programs and Strategies

In June, the WA Government released the *WA Hiking Strategy 2020-2030*. The strategy contains four strategic objectives to develop safe and sustainable hiking experiences, guide government investment and create stronger community development and economic outcomes:

1. *Maximise participation outcomes;*
2. *Grow the visitor economy;*
3. *Sustainable trail development and maintenance;*
4. *Effective governance and advocacy.*

Specific projects within the Yalgorup National Park Recreational Master Plan contain hiking elements that align with the objectives of the WA Hiking Strategy. As such, the strategy may lead to future funding opportunities for the project.

In August, the WA Government announced a market-led proposals process, seeking opportunities for nature-based tourism in Western Australian national, marine and conservation parks. The market-led proposals process called for innovative submissions from industry, which may include, including new adventure activities, tourism experiences, infrastructure, tour products, eco-accommodation and Aboriginal cultural tourism opportunities.

In October, the WA Government announced round 3 recipients under the *Aboriginal Rangers Program*. Round 3 will provide \$4.7 million for 10 projects across WA, creating 73 ranger jobs and more than 100 training opportunities. Winjan Aboriginal Corporation will receive \$308,000 under Round 3 over a two-year program, creating three part-time ranger positions and up to 12 traineeships in a partnership with DBCA, Peel-Harvey Catchment Council and the City of Mandurah. Winjan's Aboriginal Ranger Program will have an on-ground works focus on Yalgorup National Park, Serpentine River and Lake Goegrup, and will include cultural burning training, monitoring and research activities, revegetation and weed control, trails and recreation sites maintenance, and guided cultural tours.

#### Aligning DBCA and LGA land management actions

Of the six recommended actions in the Yalgorup National Park Recreational Master Plan, only the first (*Align DBCA and LGA land management actions*) directly impacts the City of Mandurah. The other five recommended actions are primarily concerned with activities that would take place within Yalgorup National Park, and therefore under the control of DBCA.

These five recommended actions have already been approved by the WA Government via the existing *Swan Coastal Plain South Management Plan*, and therefore do not require further government approval. However, DBCA does require State Government approval to undertake an expression of interest process for commercial accommodation leases within the park, and intends to seek the necessary approvals once the recreational master plan has been finalised and further detailed design and concept planning has been undertaken.

In an endeavour to better align the City's and DBCA's land management actions within and adjacent to Yalgorup National Park, it is recommended that the City develops a dedicated *Beach Access Management Plan* for Mandurah's southern beaches adjacent to Yalgorup National Park. The beach access management plan would be developed in partnership with DBCA, the Shire of Waroona and other relevant stakeholders, and would ideally be a rolling 10-year plan with regular reviews programmed.

To assist this process, DBCA has prepared a draft site analysis for Tims Thicket and White Hills beach access. The site analysis was provided to the City by DBCA in September to assist with collaborative long-term beach access management planning for beaches adjacent to Yalgorup National Park, and will be utilised as an early-stage document to inform targeted stakeholder engagement and ongoing development and implementation of the Beach Access Management Plan.

A study released by the WA Government in March 2019 revealed that WA recreational fishers spend \$2.4 billion annually on fishing-related activities. The *Economic Dimensions of Recreational Fishing in Western Australia* report, undertaken by Economic Research Associates, found that the Peel Region was the state's third-largest recreational fishing spend region, at more than \$217 million per year.

Mandurah's southern beaches, including Tims Thicket and White Hills, are highly popular recreational beach fishing locations, as well as being the first locations south of Perth where beach four-wheel-driving

is permitted. As such, this activity forms an important part of Mandurah's economy, and will need to be actively considered during the development of a beach access management plan.

### Additional Opportunities

On 12 September, Elected Members conducted a site visit of Yalgorup National Park. The site visit provided an opportunity for Elected Members to discuss beach access management issues and recreational master plan development opportunities with DBCA and City officers. During this visit, the potential to establish northern road access into Yalgorup National Park was also discussed.

Subsequent discussions with DBCA indicate that a northern access road into Yalgorup National Park is potentially feasible. It is therefore recommended that this option be further investigated as part of the detailed planning process for the Yalgorup National Park and surrounding areas. It is also recommended that an assessment of potential sustainable tourism opportunities on privately-owned land adjacent to Yalgorup National Park be undertaken.

Upon Council's endorsement of the Yalgorup National Park Recreational Master Plan, it is envisaged that the City and DBCA will jointly commence advocacy for government funding to undertake detailed design and implementation of the Yalgorup National Park Recreational Master Plan. Funding will be required for detailed design, concept and construction plans as well as subsequent infrastructure investment. Implementation of the master plan is anticipated to be a staged process over several years, pending funding provision. It is therefore recommended that advocacy commence promptly, in line with the City's advocacy framework priorities.

### **MEAG/MCCAG Comment**

MEAG made the following recommendations at its 18 September meeting:

- The Beach Access Management Plan is a high priority and needs to be suitably resourced.
- A survey to be done of beach users (from Whitehills to Preston) – and that data to be included.
- When the Plan is presented, that there is a formal mechanism to ensure that the Plan will be followed through and actively reviewed, monitored and ongoing.
- That the Beach Access Management Plan be embedded into the City's Operational Plan, and form part of the City's KPI's.
- That 4WD access needs to be part of the Plan, and not a separate issue.
- That the Plan forms part of relevant City policies.

### **Consultation**

Targeted stakeholder engagement was undertaken by the consultant as part of the master planning process for the Yalgorup National Park project. 45 stakeholders from 16 different community, environmental, recreational, professional and local government groups were engaged through a series of targeted interviews and an online survey. This sought to provide background into the values, threats and challenges to Yalgorup National Park, and provided guidance for the planning and management of existing and future recreation opportunities for the park. Stakeholders invited to engage with the consultant during the development of the master plan included:

- Bouvard Coast Care;
- City of Mandurah;
- Coastal Waste Warriors;
- Common Ground;
- Fragyle;
- Lake Clifton Herron Landcare Group;
- Mandurah Environment and Heritage Group;
- Nyungar representatives;
- Peel Development Commission;
- Peel 4x4WD club;
- Peel Harvey Catchment Council;
- Shire of Harvey;

- Shire of Waroona;
- The Four-Wheel Drive Club of WA (Inc);
- Track Care;
- Visit Mandurah.

## Statutory Environment

DBCA will be responsible for meeting its statutory responsibilities within Yalgorup National Park. Similarly, the City's statutory requirements for its coastal areas adjoining Yalgorup will be assessed during the development of the Beach Access Management Plan.

Under the City of Mandurah's *Local Government Property and Public Place Local Law 2016*, the City is able to make a determination to prevent people taking, riding or driving a vehicle or a particular class of vehicle in a specified place that is marked by signage.

Under the *Civil Liability Act 2002* 5H, a person is not liable for harm caused by that person if the person harmed was 'engaged in a dangerous recreational activity if the harm is the result of the occurrence of something that is an obvious risk of that activity'.

## Policy Implications

N/A

## Economic Implications

Council and the broader community have identified growing Mandurah's economy as a priority. The City's joint economic development strategy, *Mandurah and Murray: a Shared Economic Future*, aims to facilitate economic growth, with a strong emphasis on delivering tourism growth, including in environmental and trails tourism.

In November 2019, the Peel Development Commission prepared and submitted a business case on behalf of the Peel Alliance to the Department of Primary Industries and Regional Development (DPIRD), seeking State Government funding of \$12.7 million for the *Peel Regional Trails Project*. The Peel Regional Trails Project is comprised of five individual trails across the Peel Region:

- Dwellingup Gap – Shire of Murray (\$2.7 million sought);
- Boddington-Dwellingup Hotham Rail Trail – Shire of Boddington (\$4.4 million sought);
- Byford Trail Centre – Shire of Serpentine-Jarrahdale (\$676,595 sought);
- Sea to Scarp Trails – Shire of Waroona (\$4.1 million sought);
- Peel-Yalgorup Wetlands Trails – City of Mandurah (\$500,000 sought).

The \$500,000 sought for the Peel-Yalgorup Wetlands Trails project was earmarked to undertake detailed designs/concept plans, feasibility studies and business cases for trails development and tourism infrastructure for the Yalgorup National Park and Peel-Harvey Estuary Trails projects. This work would also enable final project costs to be established for the two sub-projects.

The PDC/Peel Alliance submission also noted that the Peel-Yalgorup Wetlands Trails project aligns directly with the WA Government's new *Diversify WA* economic development strategy, whereby the State Government outlined its Tourism priority target of increasing WA's conservation estate by five million hectares by 2023/24, as well as its objective to grow Aboriginal and regional tourism.

At this stage, the outcome of the Peel Regional Trails Project funding application is unknown. It is therefore recommended that the City of Mandurah – in conjunction with DBCA and the Peel Alliance – continues to advocate for State funding for the Peel Regional Trails Project as a key part of its Ecotourism Destination Development initiative for Yalgorup National Park.

Upon finalisation of detailed planning, design and business cases for Yalgorup National Park, the City, DBCA, Peel Development Commission and Peel Alliance will be able to seek WA and Australian Government funding to enable the project's subsequent implementation. The business case will determine the project's final costs, and also economic impacts on the local, regional and state economy.

The Beach Access Management Plan will involve two phases, development and implementation. The development of the Beach Access Management Plan will be completed City Officers in-house with the costs primarily involving officers' time/salaries, plus community engagement on completion of the draft plan. The costs of the subsequent implementation of the plan will be determined during its development.

## **Risk Analysis**

If the Yalgorup National Park Recreational Master Plan is not effectively implemented as a collaborative partnership, the following risks apply:

- **Environmental Risk**  
There is a significant risk to the Yalgorup National Park's future sustainability without the development of sufficient management and conservation planning and resourcing including those threats currently posed by unauthorised vehicle access.
- **Economic Risk**  
The Yalgorup National Park Recreation Master Plan facilitates opportunities for the park to be opened up and made accessible for visitors allowing the untapped potential of this unique environmental resource to be realised. Similarly, without an iconic nature-based tourism attraction, Mandurah's sustainable tourism potential may not reach its potential and its tourism-related economic growth may be limited.
- **Reputational Risk**  
The delivery of the key recommendations of the Master Plan relies on the City's ability to effectively partner with State Government agencies to realise the ecotourism opportunities available and also to manage and protect the fragile environment.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

### Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.
- Actively partner and engage with business and industry to build Mandurah's entrepreneurial capacity and capability.
- Leverage partnerships with key stakeholders to achieve improved economic outcomes with due consideration to environmental impacts.

### Social:

- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.
- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.

### Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.

- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

Environment:

- Advocate for and partner with all levels of Government and other agencies to ensure environmental impacts are considered in all strategy development and decision making.
- Protect and manage our local natural environment and ensure that our actions to manage land-based assets don't adversely impact our waterways.
- Create opportunities for our community to celebrate and preserve our local natural environment.
- Educate our community on global environmental sustainability issues and demonstrate leadership in the field.
- Partner and engage with our community to deliver environmental sustainability outcomes.

Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.
- Listen to and engage with our community in the decision-making process.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

## Conclusion

The Yalgorup National Park Recreational Master Plan process was endorsed by Council in May 2019, and commenced planning in August 2019. The Master Plan identifies existing challenges with respect to environmental protection, population growth, climate change and changing visitor patterns and identifies new visitor recreation opportunities and associated recreation infrastructure. Importantly, the inclusion of surrounding LGA lands alongside DBCA lands is considered critical to the plan's success. The development of consistent planning across both land tenures to coordinate and align visitor use, patterns and management is the plan's highest priority.

Council is requested to endorse the Yalgorup National Park Recreational Master Plan as a DBCA working document that will outline future investment opportunities within Yalgorup National Park. Council is also requested to approve and resource the development of a Beach Access Management Plan for Mandurah's southern beaches adjacent to Yalgorup National Park.

Council is requested to commit to a program of advocacy for Government funding to undertake detailed planning and subsequent implementation of the Yalgorup National Park Recreational Master Plan, and also to collaborate and advocate with other government agencies to help identify potential off-road vehicle sites within the Peel Region, including potential commercial opportunities.

NOTE:

- Refer ***Confidential Attachment - Recreational Master Plan for Yalgorup National Park and Coastal Areas (Draft)***

## RECOMMENDATION

**That Council:**

1. **Endorses the *Yalgorup National Park Recreational Master Plan* as a DBCA working document that will outline future investment opportunities within Yalgorup National Park;**
2. **Formally advises the Department of Biodiversity, Conservation and Attractions that the City of Mandurah broadly supports all six recommended actions of the recreational master plan;**

3. Approves and resources the development of a *Beach Access Management Plan* for Mandurah's southern beaches adjacent to Yalgorup National Park, in partnership with the Department of Biodiversity, Conservation and Attractions and other stakeholders;
4. Invites the Department of Biodiversity, Conservation and Attractions to partner with the City and other stakeholders to develop a *Beach Access Management Plan* for Mandurah's southern beaches adjacent to Yalgorup National Park;
5. Recognises the importance of a dedicated northern access road into Yalgorup National Park;
6. Commences advocacy for Government funding for Ecotourism Destination Development of the Yalgorup National Park;
7. Continues to collaborate and advocate with the Department of Local Government, Sport and Cultural Industries and the Peel Alliance to help identify potential off-road vehicle sites within the Peel Region, including potential commercial opportunities.

**DRAFT**

## Recreational Master Plan for Yalgorup National Park and Coastal Areas

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Department of Biodiversity, Conservation and Attractions

9th September 2020



Department of Biodiversity,  
Conservation and Attractions



**PARKS AND  
WILDLIFE  
SERVICE**



*Bobtail in Yalgorup National Park*

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Prepared for the Department of Biodiversity, Conservation and Attractions (Swan District) by Rhizome Rev. 5 - Sept 09, 2020

## Executive summary

The objective of the *Recreation Master Plan for Yalgorup National Park and Coastal Areas* is to undertake a review of current visitor planning for the Park and to consider its future within the surrounding coastal and broader region. The Master Plan identifies existing challenges with respect to environmental protection, population growth, climate change and changing visitor patterns and identifies new visitor recreation opportunities and associated recreation infrastructure. Importantly, the inclusion of surrounding Local Government Area (LGA) lands alongside Department of Biodiversity and Conservation and Attractions (DBCA) lands is considered critical to the Plan's success. The development of consistent planning across both land tenures to co-ordinate and align visitor use, patterns and management is the Plan's highest priority.

*According to its Reconciliation Action Plan 2018-2020 - 'DBCA's mission is to manage Western Australia's parks, forests and reserves to conserve wildlife, provide sustainable recreation and tourism opportunities, protect communities and assets from bushfire and achieve other land, forest and wildlife management objectives' 'The Department's Reconciliation Action Plan (RAP) is an overarching strategy that underpins the department's approach and commitment to improving the livelihood and maintaining the cultural integrity of Aboriginal and Torres Strait Islander people on the land and waters it manages'*

The overriding objective for the Recreational Master Plan is in line with DBCA's mission and mandate to protect natural and cultural assets for the long-term and as such the majority of the park will remain with a similar visitor management approach as it currently holds. In addition, this Plan proposes six specific actions and recreational opportunities that build upon the existing network of visitor opportunities primarily focusing on the Park's Northern and Lakes precincts.

The six actions and recreation opportunities are:

- 1. Align DBCA and LGA land management actions**
- 2. Create new long distance cycling and walking routes**
- 3. Scope potential for new day-use areas and short walk opportunities**
- 4. Explore new visitor education and interpretive opportunities**
- 5. Investigate new and diverse accommodation opportunities**
- 6. Expand tourism and commercial operator opportunities**

Through having a clear vision for the Park and its adjacent coastal areas and surrounding lands, the full appreciation of the region's natural and cultural values can be holistically considered and protected and managed effectively for current visitors and future generations.

This Plan was developed through a process of *desktop policy review, site analysis, mapping and ground-truthing* and was underpinned by a *targeted stakeholder engagement* process with representatives familiar with the complexity of the park, including its ecological, cultural and recreational values, issues and challenges. The Plan consists of a series of maps and brief written explanatory notes and overview that collate targeted stakeholder engagement outcomes.

This Plan is conceptual in nature and should be considered as a working document that will be reviewed regularly to ensure accuracy and currency.

This Plan acknowledges The City of Mandurah who funded this study in collaboration with the DBCA Swan Coastal Region as well as all stakeholders consulted during the planning process.



*Echidna, Yalgorup National Park*

*Figure 1 illustrates the Yalgorup National Park and existing DBCA managed visitor facilities.*

# NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
- 8 Historic Lime Kilns (ca. 1919-1922)
- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
- 11 Lake Preston information and day-use area
- 12 Old Ranger's Station
- 13 Lake Hayward day-use area
- 14 Heathlands Walktrail and day-use area
- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1897)
- 17 Old Whittaker's Mill day-use area (ca. 1953)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

# NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- Existing walking trails
- Existing cycle/walking trails
- Existing bridle trails
- Existing 4WD beach use
- Existing 4WD beach access



Figure 1 :  
Yalgorup National Park and  
existing DBCA managed  
visitor facilities

## BASEMAP LEGEND ITEMS

- Lakes, inlets and waterways
- Yalgorup National Park (existing)
- Yalgorup National Park (new estate)
- Other protected area estate
- Railways
- Roads and tracks

# Development of the Masterplan

*The masterplan was developed through the following three stages.*

## **1. Desktop policy review and preliminary mapping**

This first stage involved a desktop review of all required policy and planning background documents and the collation of geographical information datasets. Documents reviewed included the current *Yalgorup National Park Management Plan 1995-2005* (1995), the *Swan Coastal Plain South management plan number 85* (2016) and the *Yalgorup National Park Draft Recreation Masterplan* (2012) in addition to other policy documents by both the DBCA and other departments, stakeholders and local government. Such documents also included *Wetlands and People Plan Peel-Yalgorup System* (Peel Harvey Catchment Council, 2017) and the *Peel Regional Trails Strategy* (City of Mandurah, 2019). Available geographical information underpinned the creation of a series of basemaps that documented soils, wetlands, pre-European vegetation, hydrology and Indigenous heritage (see Appendix 1).

*The following stakeholders were engaged with when developing the plan. Their input was carefully considered, however one or more of the recommendations may not represent the view of an individual stakeholder.*

- Bouvard Coast Care
- City of Mandurah
- Coastal Waste Warriors
- Common Grounds
- Fragyle
- Lake Clifton Herron Landcare Group
- Mandurah Environment and Heritage Group
- Nyungar representatives
- Peel Development Commission
- Peel 4x4WD club
- Peel Harvey Catchment Council
- Shire of Harvey
- Shire of Waroona
- The Four Wheel Drive Club of WA (Inc)
- Track Care
- Visit Mandurah

## **2. Targeted Stakeholder consultation**

Basemaps were then used for discussion with a targeted group of identified stakeholders including Indigenous and LG representatives especially angled toward the review and consideration of both existing and future visitor recreation opportunities. Resultant discussion identified and illustrated a wide spectrum of current and potential recreation and tourism opportunities within and beyond the Park, including potential commercial and tourism operator opportunities.

## **3. Ground truthing and collation**

In this final stage, information was collated from all of the findings and insights gathered from desktop and stakeholder means and investigated these on site through a further degree of site analysis and ground-truthing site investigations.

*Note: In 2012, planning for visitor recreation considered four precinct planning areas. This masterplan adopts these same areas, see Figure 2.*



*Workshops utilised a range of prepared basemaps to encourage exploration of ideas*

# NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
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- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1997)
- 17 Old Whittaker's Mill day-use area (ca. 1953)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

## Northern Precinct

## The Lakes Precinct

## PRESTON BEACH

## Myalup Precinct

# NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- Existing walking trails
- Existing cycle/walking trails
- Existing bridle trails
- Existing 4WD beach use
- Existing 4WD beach access



Figure 2:  
Visitor recreation planning  
precincts

## BASEMAP LEGEND ITEMS

- Lakes, inlets and waterways
- Yalgorup National Park (existing)
- Yalgorup National Park (new estate)
- Other protected area estate
- Railways
- Roads and tracks

# Challenges and issues framing visitor planning in Yalgorup National Park

*Yalgorup is the largest national park on the Swan Coastal Plain and is most notable for its extensive system of internationally recognised Ramsar-listed wetlands. This wetlands system supports migratory waterbirds that travel from as far as Siberia, for example the Red-necked Stint (Calidris ruficollis). Several species of flora and fauna and specific ecological communities that inhabit the Park are listed as threatened, including the microscopic bacterial communities that reside in Lake Clifton and form its well-known Thrombolites. Numerous registered Indigenous heritage and cultural sites exist within and around the Park, while other nearby historical sites include the 10th Light Horse Bridle Trail and the Lake Clifton Lime Kiln site.*

A series of recent additions to the National Park estate offer a timely moment to reconsider the planning of the Park and its surrounds in an area with increasing population growth and visitor pressures. The challenge is to co-ordinate and align visitor planning and management across both LGA and DBCA-managed lands and waters, to ensure that visitation and surrounding land tenure activities do not impact negatively upon the values that have led to the Park's protection.

Specific issues either raised by community or identified during the Plan's development included:

- 1. Managing visitors across both LGA and DBCA lands**
- 2. 4WD and trailbike impacts**
- 3. Limited potential for visitors to experience the Park**
- 4. Park visibility and connecting to the broader region**

## **1. Managing visitors across both LGA and DBCA lands**

Yalgorup National Park crosses three different LGAs who directly influence access to and (adjacent to) the Park. As a result, the development of consistent planning across both DBCA and LGA managed lands to co-ordinate and align visitor use, patterns and management is the Plan's highest priority. This presents a range of challenges to consider when planning for the Park.

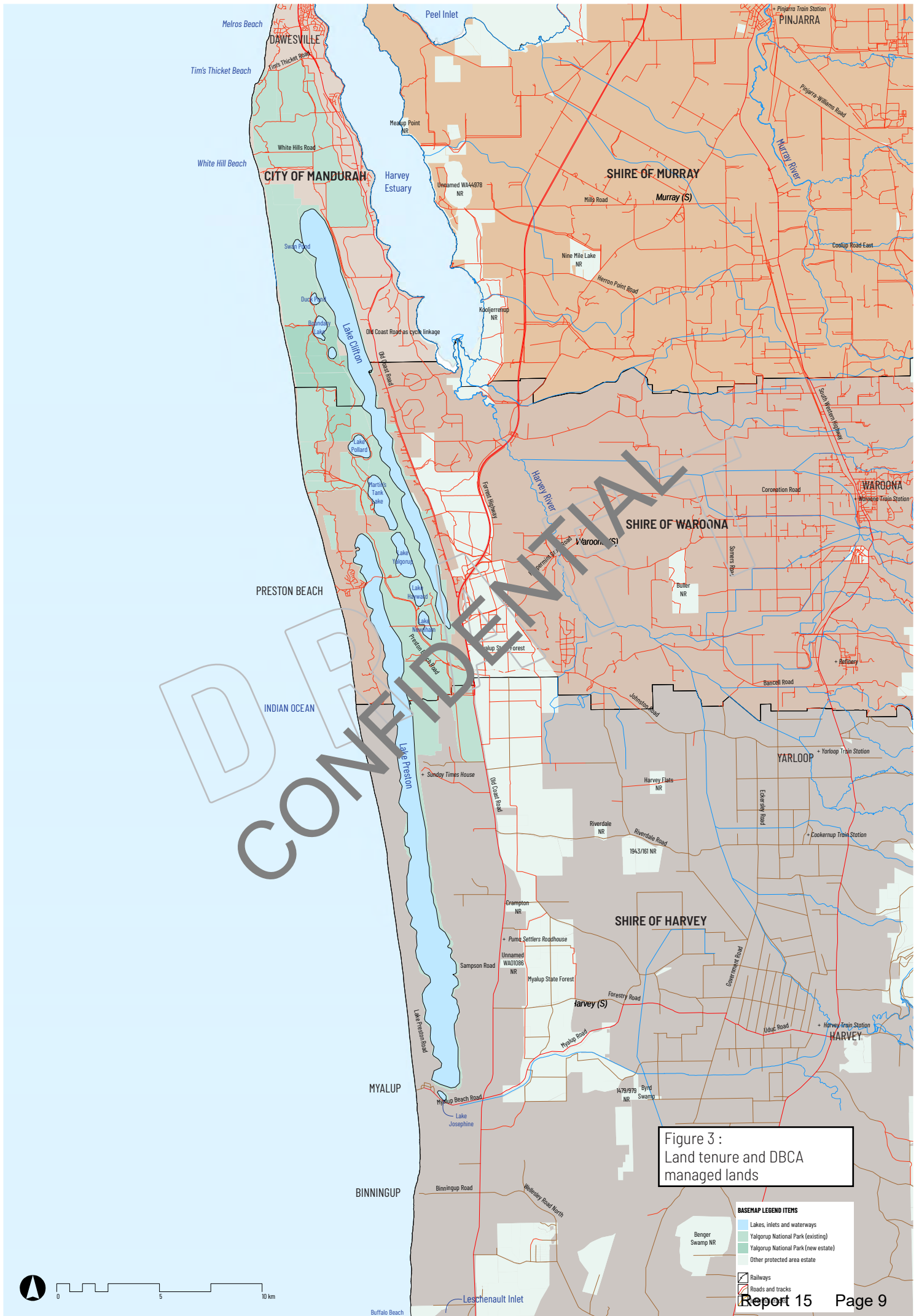
It is highly recommended that both LGA and DBCA collaborate and align to future proof and protect these natural assets. For example:

- implementing best management practices to reduce pressures and impacts on the Park and surrounding natural areas (including coastal dunes and bushland) cognisant of the region's anticipated future growth and associated pressures and demands
- ensure consistent rules regarding access points and boundaries to the Park and coastal areas
- ensure steps are taken to minimise the environmental impact to DBCA, LGA and private property due to uncontrolled 4WD and trailbike access



Aerial view of Tim's Thicket, November 2019

Figure 3 illustrates the current land tenure situation



## 2. 4WD and trailbike impacts

Currently the Park has limited vehicle access due to the historic pattern of fenced private lands and public lands and their associated, minimal road network. The western boundary of the Park however is defined by an almost uninterrupted continuous sandy beach that offers a 4WD-accessible beach driving experience along the Park's length from Tim's Thicket in the north and southwards as far as Leschenault National Park, adjacent to Bunbury. While the majority of users are diligent in their driving a smaller number use the beach to access fore-dunes and the Park's interior. Anecdotally these are predominantly on trail bikes.

Specific management issues associated with this current beach use include:

- surrounding land tenure is managed by LGAs who often control access to the Park and management may be incompatible with DBCA management objectives
- disparity between road reserves and current road alignments needs to be reconsidered/realigned
- litter, fire risk, weed invasion, spread of dieback, vehicle accidents and strandings
- a noted lack of shorebirds along the length of the Park where their presence would otherwise be assumed and general incompatibility of beach driving with conservation objectives
- the opportunity cost of unrestricted beach 4WDing is in conflict with and restricts the diversity of other potential recreation users and commercial tourist operators and investment to the coastal lands over other potential user groups (e.g. walkers, horse-riding). With the region's population growth in mind a greater demand for more beach driving and resultant pressure on the Park will likely cause considerable and continued conflict
- discussion with targeted stakeholders revealed few perceived benefits of 4WD access to the entirety of the beach 24/7: this was questioned from environmental, sustainability, legal and economic viewpoints
- 4WD beach vehicle management was raised frequently in stakeholder discussions and the potential impacts of unfettered 4WD beach access as means to enter new national park estate was of major concern; stakeholders also emphasised the need for effective policing and management



Aerial A: Observable sand dune blow outs and intrusions into the Park from beach access and illegal 4WDing



Aerial B: Intrusions from beach access extend right across all types of vegetation and into the Park



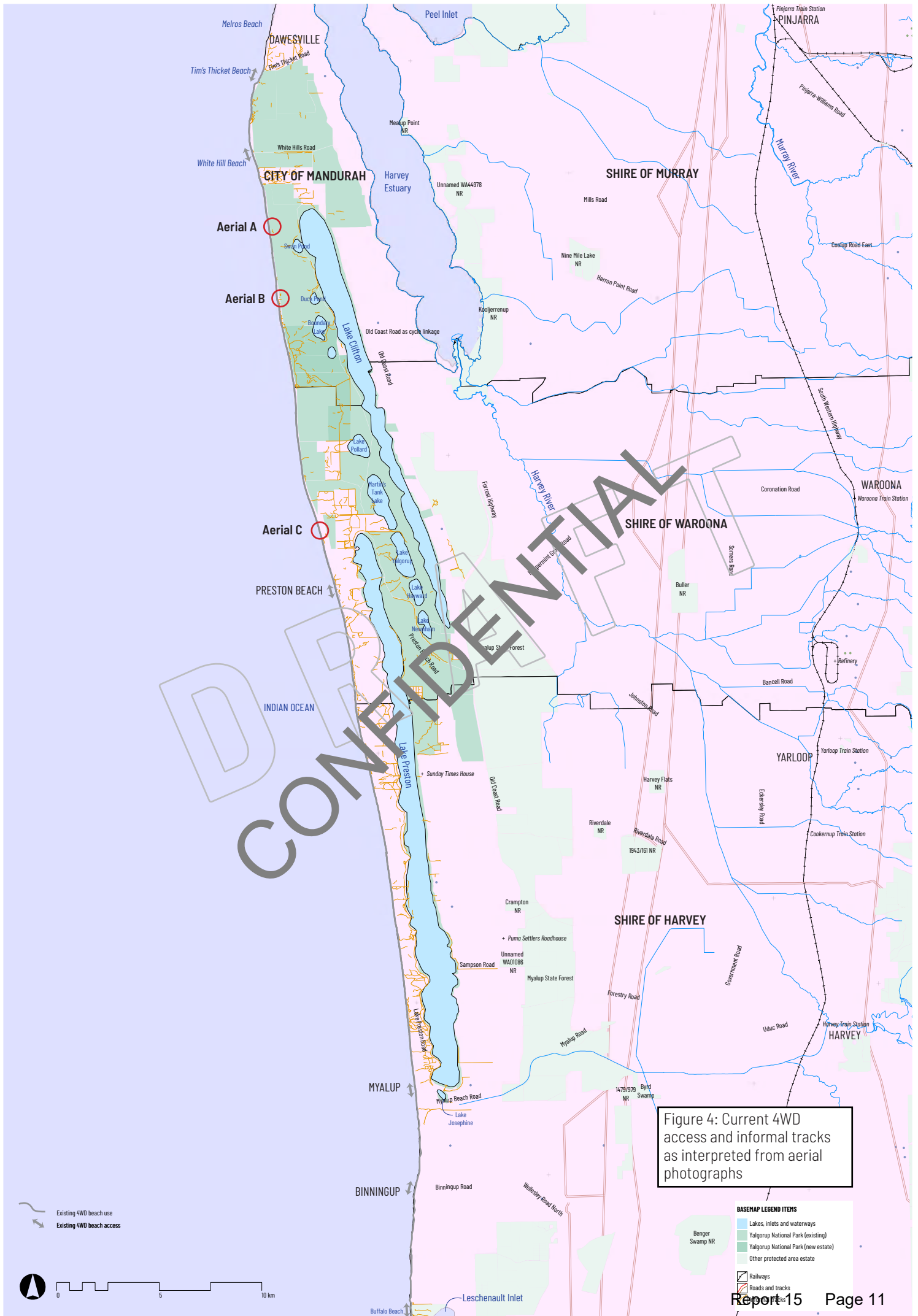
Aerial C: Illegal camping is easily recognised through aerial photography

There was a broad perception among the stakeholders consulted that 4WD beach users created significant erosion and litter issues and contributed little to the community or local economy



Example of 'Boat Harbour' a private beach on Sydney's southern edge, demonstrating impacts of adjacent urban population growth and increasing demand for 4WD access and the possible pressure this would have on the Park

Figure 4 illustrates extent of current 4WD beach access and informal tracks.



### 3. Limited potential for visitors to experience the Park

Currently the potential for visitors to access the Park's many natural, scenic and cultural assets and features is limited by a very small menu of visitor sites and locations and minimal visitor infrastructure. While this has arguably helped protect the Park from excessive visitor pressures to date, its location adjacent to the growing population of Mandurah and its proximity to Perth means that the Park will be a desirable location for future visitor growth.

Considerations raised during the course of the Recreation Master Plan's development included:

- surrounding lands are managed by LGAs who often control access to the Park
- an historic patchwork of minimally accessible private and public lands (including Ramsar-listed and culturally significant sites) has limited the potential for visitors to experience the Park
- the way that visitors currently experience the Park is limited to vehicle-based recreation opportunities, indeed some LGA marketing campaigns for the region specifically promote 4WD beach driving as the region's highlight
- 4WD beach driving restricts the potential diversity of other recreation users and commercial tourist operators within the coastal zone and Park
- limited walk trails and nature-based activities are available for visitors to the Park and many of the Park's 'treasures' are found at some distance from the existing road and track network. This includes opportunities to experience the (mostly) ecologically intact Swan Coastal Plain ecosystems and landscape
- the majority of the current visitor facilities are located within the 'Lakes Precinct'. This includes the well-designed and established camp-site at Martin's Tank. However, walking access to the beach, as suggested in previous planning documentation, has never been completed
- several areas of the Park have ageing infrastructure (for instance, the Thompsons beach walk)
- while there are well developed new interpretive signage and shelters, currently there is no visitor centre/hub to 'introduce' visitors to the Park
- there are few tours/commercial operations running within Yalgorup National Park

All current DBCA visitor locations and attractions are noted in Figure 5

*'The Ramsar Convention, signed in 1971 in Ramsar, Iran, is the only global treaty that focuses specifically on wetlands. Today 170 nations are signatories to the Ramsar Convention. A contracting party agrees to nominate at least one wetland in its territory to the List of Wetlands of International Importance based on enumerated criteria'. (Sunman, 2019)*



Interpretive signage, Yalgorup National Park



Historic Lime Kilns, Yalgorup National Park



Walk trail, Martin's Tank, Yalgorup National Park



Interpretive shelter, Yalgorup National Park



Campground facilities, Martin's Tank, Yalgorup National Park

# NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
- 8 Historic Lime Kilns (ca. 1919-1922)
- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
- 11 Lake Preston information and day-use area
- 12 Old Ranger's Station
- 13 Lake Hayward day-use area
- 14 Heathlands Walktrail and day-use area
- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1897)
- 17 Old Whittaker's Mill day-use area (ca. 1953)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

# NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- Existing walking trails
- Existing cycle/walking trails
- Existing bridle trails
- Existing 4WD beach use
- Existing 4WD beach access



Figure 5: DBCA-managed sites within Yalgorup National Park

- BASEMAP LEGEND ITEMS**
- Lakes, inlets and waterways
  - Yalgorup National Park (existing)
  - Yalgorup National Park (new estate)
  - Other protected area estate
  - Railways
  - Roads and tracks

#### 4. Park visibility and connecting to the broader region

Yalgorup National Park has a lack of visibility to both locals and to potential tourists (local, domestic and international) as well as a lack of coherent legibility. The Park is flat in topography and subtle in nature, with no clearly identifiable tourist draw-card despite having high numbers of vehicles travelling on roads adjacent to the park (15,227 per day).

Comparative daily traffic volumes from similar parks adjacent to urban areas include:

1. Yanchep National Park - 5,065 Yanchep vehicles per day Beach Road West of Wanneroo Rd (2017/2018)

2. John Forest National Park - 33,289 vehicles per day Great Eastern Highway west of Bilgoman Rd (2017/2018)

(MRDWA, 2019)

Further background to the Parks visibility and legibility:

- over its 60km length the Park extends over three different local government areas and lacks a collective, holistic vision for visitor use and promotion
- significant planning - particularly for trails - has been undertaken in the region and the key challenge is how to connect currently disparate visitation patterns and recreational demands with future possibilities
- there are no connections from the Park to the region except those by vehicle, this is significant due to the region's interest in trails expansion
- the perceived 'invisibility' of the Park could be considered one of its greatest assets
- many other existing and potential attractions occupy the broader region, although most are not on DBCA managed lands/waters
- surrounding land tenure is managed by LGAs who often control access to park access and therefore is critical to consider

While external to the Park boundaries a diverse range of other activities and visitor attractions have also been mapped and included in this planning process for their benefit in distributing visitor pressure off the Park, as well as the synergies that co-ordinated visitation could bring when considered at a regional scale.



Long-distance hiking on Hinchinbrook Island, QLD

Figure 6 illustrates the diversity of visitor sites and attractions in the broader region



Ramsar-listed wetlands, Yalgorup National Park

#### NATURAL AND CULTURAL SITES- DBCA managed

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- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

#### NATURAL AND CULTURAL SITES - non DBCA managed

- 22 Melros Beach day-use area
- 23 Warrangup Spring Reserve
- 24 Pinjarra Massacre Site (28th October 1834)
- 25 Allandale Homestead (ca. 1913)
- 26 Morfitt's Cave (historic)
- 27 Parkridge Foreshore and water access
- 28 Hardy's Cottage (ca. 1860s)
- 29 Herron Homestead (ca. 1866)
- 30 Island Point Reserve and water access
- 31 Herron Point campground and water access
- 32 Lake Clifton Townsite (historic)
- 33 Old Bunbury Road/Harvey River Bridge trailhead
- 34 Preston Beach carpark, beach access and carpark-based camping
- 35 Peppermint Grove Farm/Fouracre's Cottage ruins (ca. 1854)
- 36 Lake Preston (Myalup) information and day-use trailhead
- 37 Myalup Beach day-use and beach access
- 38 Peadar's Cottage (ca.1841)
- 39 Binningup Beach day-use and beach access
- 40 Runnymede & Flories Cottage Group (ca.1970)
- 41 Springhill Homestead (historic ca. 1862)
- 42 Parkfield Homestead (historic ca. 1865)

#### OTHER VISITOR ATTRACTIONS AND ACCOMMODATION

- 43 Twin Waters Caravan Park
- 44 Pinjarra Holiday Park
- 45 Water's Edge Caravan Park
- 46 Cape Bouvard Winery
- 47 Lake Clifton Bakery, Service Station, Tavern, Motel and Caravan Park
- 48 Lake Clifton Winery
- 49 Waroona Caravan Village
- 50 Footprints Resort
- 51 Vineyard 28
- 52 Mojelup Farm Winery
- 53 Myalup Pines Cottages
- 54 Fifth Estate Wines
- 55 Harvey River Estate Winery and the Big Orange Tower
- 56 Old Coast Road Brewery
- 57 Crooked Carrot
- 58 Miami Bakehouse Myalup
- 59 Binningup Beach Caravan Park

#### NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- Existing walking trails
- Existing cycle/walking trails
- Existing bridle trails
- Existing 4WD beach use
- Existing 4WD beach access



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Figure 6: Visitor sites and attractions in the broader region

- #### BASEMAP LEGEND ITEMS
- Lakes, inlets and waterways
  - Yalgorup National Park (existing)
  - Yalgorup National Park (new estate)
  - Other protected area estate
  - Railways
  - Roads and tracks

## Key actions and recreational opportunities

*In response to the challenges and issues outlined, six key actions and associated new or improved recreational opportunities are recommended. These relate to the management of visitors and commercial tourism operators and include related recommendations for infrastructure to facilitate these opportunities.*

- 1. Align DBCA and LGA management actions**
- 2. Create new long distance cycling and walking routes**
- 3. Scope potential for new day-use areas and short walk opportunities**
- 4. Explore new visitor education and interpretive opportunities**
- 5. Investigate new and diverse accommodation opportunities**
- 6. Expand tourism and commercial operator opportunities.**

*Figure 7 illustrates the range of all existing and proposed recreational facilities both within the Park and the broader region (key actions and opportunities).*



4WD beach access is currently permitted for the Park's length



Lake Clifton Thrombolites draw visitors from across WA and the world

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#### OTHER VISITOR ATTRACTIONS AND ACCOMMODATION

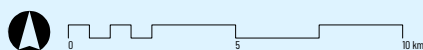
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- 9 Vineyard 28
- 10 Mojelup Farm Winery
- 11 Myalup Pines Cottages
- 12 Fifth Estate Wines
- 13 Harvey River Estate Winery and the Big Orange Tower
- 14 Old Coast Road Brewery
- 15 Crooked Carrot
- 16 Miami Bakehouse Myalup
- 17 Binningup Beach Caravan Park

#### PROPOSED VISITOR SITES, FACILITIES AND ATTRACTIONS

- 1 Round the Inlet Trail (Peel Trails Strategy)
- 2 Tim's Thicket new day-use area and beach access
- 3 New cycle/walktrail from Tim's Thicket to White Hills Beach - approx. 4km
- 4 New cycle/walktrail from White Hills Beach to Lake Clifton - approx. 3.5km
- 5 New cycle/walktrail Thrombolites connector path - approx. 4km
- 6 Future cycle/walktrail only camp ground
- 7 New cycle/walktrail from Lake Clifton (North tip) - to Preston Beach via Martin's Tank Lake - approx. 25.5km
- 8 Future Balga Forest day-use area (walktrail/cycle access only)
- 9 Repurposed Old Coast Road to accommodate broad range of cycling abilities
- 10 Lime Kilns and Lakeside interpretive walk (advanced planning already in place)
- 11 New walktrail network link Martin's Tank campground, Lake Pollard and access to beach - approx. 5km
- 12 New walk-only access day-use area and beach facilities - approx. 5km
- 13 Lake Clifton to Codford Railtrail - approx. 5km
- 14 Codford to Waroona Railtrail - approx. 25km
- 15 Lake Yalgorup day-use area (as proposed in 2012 draft rec masterplan)
- 16 New cycle/walktrail Preston Beach connector path - approx. 3.5km
- 17 Lake Preston information and day-use area East (as proposed in 2005 Management Plan) - also possible Visitor Centre location
- 18 Preston Beach Causeway to Old Coast Road connector path - approx. 4km
- 19 Broader Peel region to be investigated for potential locations for off-road vehicles
- 20 Waroona to Yarloop on-road cycle route - approx. 15km
- 21 Potential cycle/walktrail from Preston Beach to Myalup via private land (pending further investigation/consultation) - approx. 30km
- 22 Yarloop to Harvey on-road cycle route - approx. 15km
- 23 Lake Josephine new day-use area, Lake Preston wetland walk and linking walk/cycle trail to Myalup township - approx. 2.5km
- 24 Potential cycle/walktrail from Myalup to Harvey via lands adjacent to Harvey Diversion Drain - approx. 22.5km

#### NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- Existing walking trails
- Existing cycle/walking trails
- Existing bridle trails
- Existing 4WD beach use
- Proposed walking trails
- Proposed cycle/walking trails (DBCA)
- Proposed cycle/walking trails (other)
- Proposed bridle trail
- Proposed 4WD beach use
- Proposed 4WD beach access
- Proposed paddle trail



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Figure 7 :  
Overview of key actions and recreational opportunities

- BASEMAP LEGEND ITEMS**
- Lakes, inlets and waterways
  - Yalgorup National Park (existing)
  - Yalgorup National Park (new estate)
  - Other protected area estate
  - Railways
  - Roads and tracks

## 1. Align DBCA and LGA management actions

The management LGA lands surrounding the Park need to be aligned with DBCA's management objectives. This is particularly important when considering the pressures placed upon the Park through its access via the current practice of beach driving, which allows unrestricted and often illegal access to the Park for 4WD and trailbikes via LGA-managed lands.

This Plan proposes greater co-ordination and alignment of management actions across both LGA and DBCA managed lands. To address the main concern of 4WD and trailbike access into the Park from LGA lands.

This Plan proposes specific actions to achieve this management alignment through restricting 4WD vehicle beach access in two stages. First, review 4WD vehicle beach access from Tims Thicket to White Hill Beach and the track on DBCA managed land south of Tims Thicket main beach access (stage one). Second, future review of 4WD driving between White Hill Beach and Preston Beach (stage two). 4WD beach access southwards from Preston Beach will be maintained at this stage, subject to review.

This will assist in enabling a broader set of users to experience the beach and the Park and create a more amenable environment for both wildlife and other users. For instance:

- as identified in all visitor planning documents to date, campers could then safely access the beach from Martins Tank Campground and use this section as a part of a long distance walk/cycle trail
- commercial tour operators could provide guided beach tours
- private enterprise could investigate options for glamping and high end accommodation that is incompatible with 4WD beach driving/use

See Figure 8 for proposed 4WD beach access and staging.

Stakeholders raised serious concerns and issues relating to existing 4WD beach access and its impacts upon the beach environment, its aesthetic, cultural and environmental values due to the impacts of vehicles - including fires, weeds, litter, illegal camping, vehicle incidents and dieback - as well as specifically addressing the issue of off-road trail biking that will increasingly utilise the beach to illegally access the Park. Stakeholders were also clear that this singular use compromised other alternative uses of the beach.

Other solutions to this specific issue identified during the targeted stakeholder consultation included:

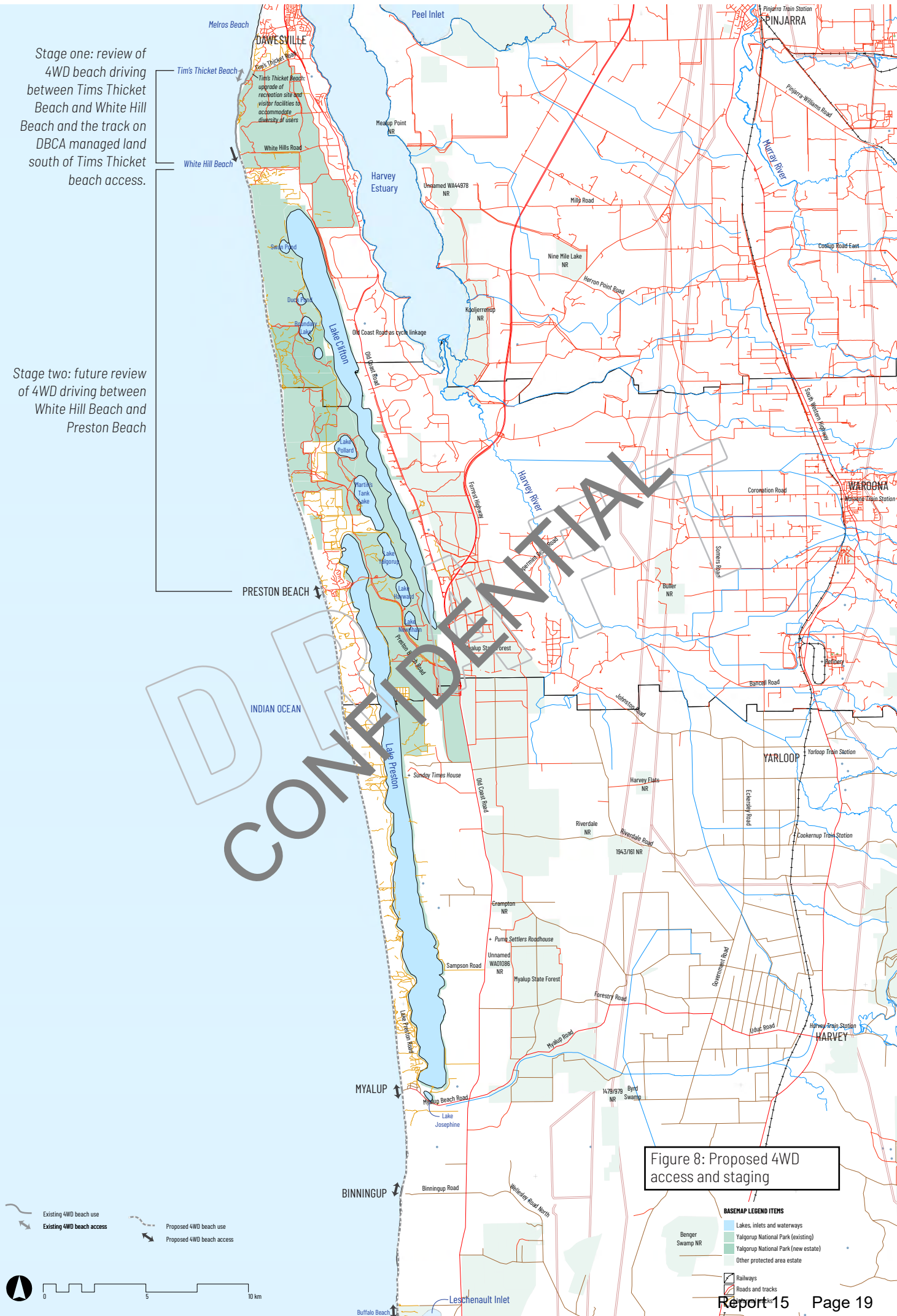
- 4WD access removed entirely with gates and physical barriers installed and frequent policing undertaken
- 4WD access for portions of national park estate and coastal areas managed through new gates, physical barriers and policing
- seasonal restrictions to 4WD beach access to protect nesting sea-birds and/or allow access to hikers, cyclists and horse and tour operators only
- time limits of access reduced to 2 hours either side of low tide and travel close to the water to reduce vehicle strandings and to protect nesting seabirds
- introduction of daily quotas for 4WD beach access
- introduction of park and beach entry fees
- permit/licensing system for local resident access only (especially Preston Beach residents)
- expansion of the volunteer ranger program (as practiced at Preston Beach)
- investigation of opportunities for trail bike riding and 4WD in alternative locations outside the Park and off beaches through a commercial venture to take pressures off the beach as an off-road destination
- installation and maintenance of increased behavioural signage at beach access points



Aerial view of Tim's Thicket Beach, November 2019

Stage one: review of 4WD beach driving between Tims Thicket Beach and White Hill Beach and the track on DBCA managed land south of Tims Thicket beach access.

Stage two: future review of 4WD driving between White Hill Beach and Preston Beach



The Department of Conservation NZ has a variety of fees for visitors to experience its 'Great Walks'. These range from \$5 to \$40 low season and \$65 to \$130 in peak season\*. There is also a price difference for NZ residents versus internationals. These fees are for public huts only; with high-end private lodges and tours duplicating experiences via private tour operators.

\*Dollar values \$NZD



Dual use cycle and walking path, Narrabeen Lagoon Trail, NSW

According to Saunders (2003) '...long-distance walking can help people cope with change and make enduring positive changes in their lives... by fostering engagement with people, settings and challenging tasks, long-distance walking is found to facilitate relationships, meaning and a sense of achievement. The creation of challenging yet accessible trails in the Park will help to grow people's appreciation of the Park as well as offering the opportunity for personal healing and growth'.



Walktrail, Hinchinbrook Island, QLD

## 2. Create new long distance cycling and walking routes

In recent years the popularity of long-distance walk and cycle trails that incorporate hut-based facilities, seating, boardwalks and viewing decks has grown exponentially both in Australia and overseas. These types of facilities encourage greater participation by novice hikers, cyclists, families and active older adults partly due to their increased accessibility, attractive visitor appeal and marketing.

A proposed new 33km cycle and walking trail from Tim's Thicket to Preston Beach offers the opportunity to connect the Park to growing population of Mandurah and surrounding lands and offers a new type of visitor experience to the Park.

This trail would:

- require the alignment and support of adjacent LGAs to complement DBCA management objectives
  - be established where possible using existing tracks and fire-breaks so as to minimise environmental impacts
  - this proposed trail will specifically be designed to target novices and families as cycle 'touring': this is a different user group to popular mountain bike user destinations (e.g. Dwellingup)
  - investigate a range of complementary nature-based day-use facilities, and public or private new camping areas and/or small, low impact huts along with structured camping loads at regular distances (TBD)
  - would be subject to subsequent design and planning phases and approvals prior to any construction and the first stage will likely be earth or crushed limestone sympathetic to its surroundings
  - allow for visitors to experience the park in a 'low impact' manner
  - would consider a fee structure to cover accommodation, similar to the model set by Department of Conservation, NZ
  - there is a potential for this trail to continue southwards as far as Leschenault National Park (and beyond) using existing private right-of-ways (subject to multiple approvals and consultation)
  - connect to proposed trails (by others, see Figure 9) outside of the park to form a new series of 'touring loops' and create a new trails network for the region
  - provide value for money as an inexpensive infrastructure to aid visitor experience of the Park (when compared with costs for roads and parking)
- Potential trails are noted on the adjacent page. These are examples nominated by stakeholders, from literature review, as well as opportunistic concepts developed.

Figure 9 illustrates existing and proposed long distance cycling and walking routes. Refer also to the Prioritising Actions and Costings at the end of this document.

### Legend (distances approximate)

- Ⓒ New cycle/walktrail from Tim's Thicket to White Hills Beach (4km)
- Ⓓ New cycle/walktrail from White Hills Beach to Lake Clifton (3.5km)
- Ⓔ New cycle/walktrail Thrombolites connector path (4km)
- Ⓕ New cycle/walktrail from Lake Clifton (North tip) to Preston Beach via Martin's Tank Lake (25.5km)
- Ⓖ Lake Clifton to Codford Railtrail (4km)
- Ⓜ Codford to Waroona Railtrail (25km)
- Ⓟ New cycle/walktrail Preston Beach connector path (3.5km)
- Ⓡ Preston Beach Causeway to Old Coast Road connector path (4km)
- Ⓣ Waroona to Yarloop on-road cycle route (15km)
- Ⓤ Potential cycle/walktrail from Preston Beach to Myalup via private land (pending further investigation/consultation)(30km)
- Ⓨ Yarloop to Harvey on-road cycle route (15km)
- Ⓦ Lake Josephine new day-use area, Lake Preston wetland walk and linking walk/cycle trail to Myalup township (2.5km)
- ⓧ Potential cycle/walktrail from Myalup to Harvey via lands adjacent to Harvey Diversion Drain (22.5km)

Dark purple = DBCA lands; Light purple = others



Figure 9: Existing and proposed long distance cycling and walking routes

**BASEMAP LEGEND ITEMS**

- Lakes, inlets and waterways
- Yalgup National Park (existing)
- Yalgup National Park (new estate)
- Other protected area estate
- Railways
- Roads and tracks



**Precedent: Heaphy Track (Kahurangi National Park), New Zealand South Island**

This 83km track is open to both mountain bike riders and hikers all year round. The varied and mountainous terrain of this track limits the seasonality of the trail open dates for bikes. However, it is a sound example of how both cyclists and hikers can co-exist on a trail with carefully designed trail infrastructure and facilities to meet the needs of recreational users.

These include the careful alignment of the track, steps and rocks, providing resting locations with tables and water tanks, emergency huts and spacious, simple but comfortable bunk accommodation for users with lockable areas for bikes.

A similar approach could work for Yalgorup National Park.



**Precedent: Three Capes Walk (Tasman National Park) Tasmania**

This world-class 48 km long distance walk trail was designed both for the 'experience' of its infrastructure as well as the walk.

Environmentally-sensitive and architecturally designed cabins for overnight stops provide walkers with the opportunity to relax. These are well-equipped with heating, gas cook-tops, tables and seating.

The track itself is a combination of timber board-walks, stone steps and gravel and incorporates 'creative story seats' to educate and provide resting points on the journey.

Walkers are limited to 48 walkers per day and bookings are essential.



**Precedent: Old Ghost Road (Kahurangi National Park), New Zealand South Island**

The Old Ghost Road is an 85km trail located on the South Island NZ and is managed by a Trust. It provides the opportunity for a multitude of recreational users including day-use and overnight opportunities for hikers, long-distance hiking trails for individuals with backcountry skills and a Grade 4 (advanced) mountain biking trail typically ridden over 2-4 days.

The trail is a mixture of compacted crushed rock and other natural materials and crosses twenty-one bridges.

Accommodation facilities available on this track include tent sites, communal hut bunks and private sleep-out huts.



**Precedent: Canal du Midi cycle path, France**

The Canal du Midi in the South of France is a 260km cycle trail network that travels beside the Garonne River and passes many small villages and nine locks (the locks form a water staircase for barges).

The mostly flat cycle trail is composed of dedicated cycle route on asphalt and/or crushed rock paths and is a suitable for all ages for overnight or multi-day rides. Limited facilities are provided on the route, with occasional day-use areas with picnic tables and bike hire.

Cyclists can choose to stay overnight at a range of commercial accommodation available in the towns or carry their own tent and camp at private and municipally-owned campgrounds.

### **3. Scope potential for new day use areas and short walk opportunities**

*A range of new day-use areas are proposed to enhance visitors' access to and better access and appreciation of the Park's uniqueness.*

The location of these would be in the Park's Northern and Lakes precincts and could offer:

- short walks (30 minutes - 2 hours)
- low-impact board walks
- lookouts
- bird hides



*'Duckboarding' to protect vegetation and landscape is common practice on long and short distance walk trails*



*Boardwalk, Narrabeen Lagoon Trail, NSW*



*Existing bird hide at Lake Pollard, Yalgorup National Park*



*Existing walktrail to Lake Pollard from Martin's Tank campground, Yalgorup National Park*



**Precedent: Narrabeen Lagoon Trail (Sydney Northern Beaches) NSW**

*This 8.6km circuit forms a loop around the Narrabeen Lagoon on the northern fringes of Sydney connecting the urban centre of Narrabeen with its National Park hinterland.*

*The trail winds through a diversity of ecological types including Banksia forest, wetlands, heath-lands and offers a well formed trail for cyclists and pedestrians alike.*

*Users of the trail also enjoy numerous architecturally designed lookouts, board walks and bridges and toilets. It's friendliness towards cyclists is evidenced by bike maintenance stations.*

*This trail offers an example of what a mixed walking and cycling routes could be like for Yalgorup.*



#### 4. Explore new visitor education and interpretive opportunities

Further development of visitor infrastructure and education opportunities in the Park is highly recommended. This could improve the 'identity' and misconception that all that Yalgorup National Park has to offer is a stop at the Lake Clifton Thrombolites.

Considerations regarding visitor education and interpretive opportunities included:

- expansion of the existing high standard interpretive information as the Park evolves
- the potential for an environmentally sensitive, centrally located architecturally designed visitor centre building that could play an important role in telling the story of the Park's environment, culture and history. This could enable visitors to better orientate themselves around the Park and to identify recreational opportunities while visiting as well as offer a potential base for further research and learning opportunities. The centre could be managed and funded commercially for tours ideally in collaboration with external partners/organisations such as the Mossman Gorge precedent; or alternatively manned by volunteers only as per Lamington National Park precedent, or alternatively run as privately funded learning centre as per North Cascades Environmental Learning Centre precedent (see adjacent page).
- alternatively, a 'pop up' information/visitor facility could be considered
- the development of new and innovative opportunities to educate visitors to the Park could be undertaken through programs such as WilderQuest (National Parks and Wildlife Service, NSW)

The WilderQuest program includes a website and apps with game/video content and ranger-led tours and activities in national parks across NSW. It provides opportunities for families to experience nature, science and Aboriginal culture in classrooms, online, at events and in national parks. The Teacher portal and free primary school resources have been produced with support from our Environmental Trust partner'.



Wilderquest, National Parks and Wildlife Service, NSW



Visitor education activities, Brisbane Water National Park, NSW

The potential for a bespoke Visitor Centre to augment visitors' experience of the Yalgorup National Park was an idea that resonated well with stakeholders consulted. This would likely require a carefully managed collaboration with a commercial or external partner/organisation to underpin costs. Careful location of such a centre is paramount, however a likely location could be at a short distance from the entry to the Lakes precinct.



Pinnacles Desert Discovery Centre, Nambung National Park, WA



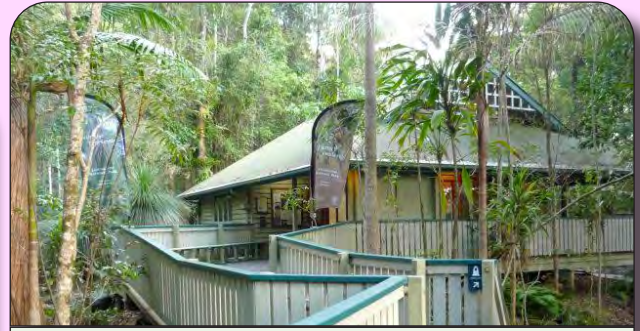
**Precedent: Mossman Gorge Visitor Centre (Kuku Yalanji land) QLD**

Developed by the local Indigenous Land Council on a former sugar cane field, this Visitor and Training Centre operates as a commercial operation where visitors have the opportunity for guided Indigenous-led walks as well as self-guided walks in Kuku Yalanji land.

Visitors can experience guided visits to sacred sites, participate in smoking ceremonies, demonstrations of traditional foods, bush tea and damper (etc.) The facility caters for large groups and is a draw card for both domestic and international visitors.

The centre incorporates an Indigenous art gallery, retail store, cafe cultural and historical replicas including a reconstructed Indigenous 'gunyah' (shelter) and shuttle bus connecting an expansive carpark with the Gorge.

Although this example is of a larger magnitude to what would likely be considered for Yalgorup National Park, it exemplifies a visitor centre that also functions as a commercial tourism business opportunity while enabling the exchange of Indigenous cultural knowledge and environmental education. It also offers an instructive example of how to cleverly manage park visitation and large numbers of visitor vehicles.



**Precedent: Lamington National Park Visitor Centre (Lamington National Park) QLD**

The Binna Burra Visitor Centre within Lamington National Park is run in partnership with Queensland National Parks and a volunteer organisation to provide conservation, management and recreational information to park visitors.

The facility is free to enter during daylight hours and includes interpretive signage, films, interactive flora and fauna material. It also provides picnic facilities and ablutions.

On weekends and during school holiday periods rostered volunteers provide further information to the public.

According to Tanner-McAllister (2019) 'This partnership has positive effects for the park through protecting and enhancing the parks natural, social and cultural values, improving safety of park visitors while increasing support and knowledge of the park, its values and conservation'.



**Precedent: North Cascades Environmental Learning Centre (Nth Cascades National Park) Washington, USA**

This learning centre is fully supported by private funding since 1986 and provides a hub of discovery for all ages in one of the USA's most biodiverse regions, the Pacific North West.

The Centre inspires environmental stewardship through the hands-on study of local natural environments and cultural history.

Facilities include research labs, library, multimedia classrooms, diverse accommodation options, outdoor learning spaces and trails and amphitheatre.

## 5. Investigate new and diverse accommodation opportunities

The consideration of future recreational opportunities in the Park (including new nature based day-use recreational activities and long distance cycle and walk trails) could be complemented by the investigation of new accommodation options. This will cater for an increasingly diverse market and increase the spectrum of available accommodation types for visitors both within and adjacent to the Park. For example, the Shire of Waroona at Preston Beach is currently trialling 'freedom camping' for hard-sided vehicles (vans, caravans, campervans) at its beach.

New accommodation opportunities could include:

- low impact environmental cabins (as unique or niche market 'glamping') nestled upon lands adjacent to the Park (outside of DBCA estate or potentially in DBCA managed lands, pending approval) could provide opportunities for the new accommodation experiences. While a range of caravan parks and camping opportunities already exist in the area, higher end accommodation is scarce and could be investigated. For example, the environmentally sensitive 'Poshtel' recently raised by the Peel Development Commission
- public campgrounds regulated and maintained by a commercial operator in close proximity to the beach (Preston Beach was identified as the best location for this)
- special interest-specific lodges are common elsewhere in Australia and internationally. For instance, bird lodges (on private land adjacent to reserves) exist at Mount Lewis QLD, and Forest & Bird NZ has six specific lodges available across North and South Islands

Various images of the diversity of potential accommodation opportunities are illustrated on pages 28 and 29.



Historic Accommodation Hut (Walls of Jerusalem National Park) Tasmania



Upscale accommodation (Hidden Valley) Margaret River, WA



Example of camping pad, Tasmania



*Allandale Homestead, Dawesville, WA*



*Hiker accommodation on the Overland Track, Tasmania*



*'Glamping' with bicycles in the Scottish Highlands*



*Example of Poshtel in-situ*



*Footprints Resort, Preston Beach, WA*



*Tent-based camping, Warren River National Park, WA*

## **6. Expand tourism and commercial operator opportunities**

*A critical component of the visitor experience is the expansion of potential commercial tourism opportunities in the Park. Such expansion may be assisted by the increased infrastructure that this Masterplan proposes.*

Some identified commercial tourism opportunities are listed as follows:

- 'niche' market small scale accommodation opportunities adjoining the Park or with private lands within the park, catering to a wide range of prices and styles and tastes (as described in Action Five)
- cycle hire and support on track maintenance
- new transport focused operators to transfer hikers and cyclists pre- and post-hike and cycle
- commercially managed overnight trail huts and accommodation
- walk and cycle trail guide opportunities specifically for families and novices
- new bridle trail infrastructure, routes and promotion may spark interest in horse riding tours 'on the beach' (dependent upon exclusion of 4WDing)
- other bridle trails exist in and around the Park, especially for those interested in military history (i.e. Light Horse), but are poorly known
- potential for tenancies related to future visitor centre (e.g. cafe) or peak periods (e.g. food trucks)
- provide opportunities for local Indigenous to run cultural walks (example set by Yanchep National Park and its cultural heritage walk trails, or Mossman Gorge)
- support investigations for alternative adventure themed space with areas suitable for: 4WD/trail bike, kids nature playground, high-tree tops course. This could provide a market for those wanting to 4wd/trailbike and opportunities for families in lands adjacent to the Park (thus reducing visitor pressure and expectation for this type of recreation in the Park)



*Guided interpretive walk (Blue Mountains World Heritage Area) NSW*



*Guided cycling experience (Sydney Olympic Park) NSW*

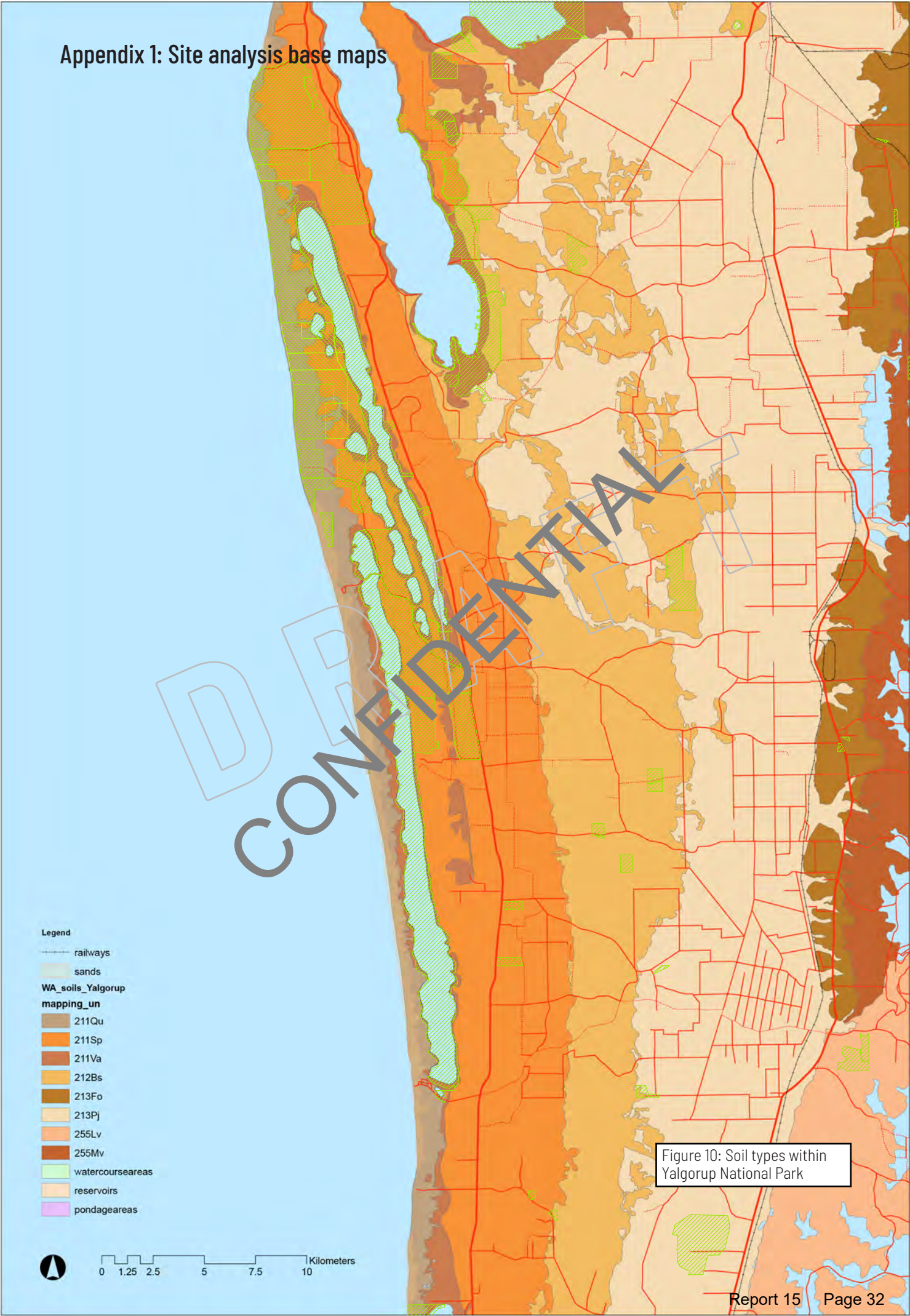
## Prioritising actions and preliminary costings

The table below outlines potential actions and their priority and indicative costings.

| Actions                                                                                                                                                                                                                                                  | Responsibility |     |                | Precinct/s or Area                    | Key sites                                                                                                                                                                                 | COST              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----|----------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
|                                                                                                                                                                                                                                                          | DBCA           | LGA | PRIVATE (CTO)* |                                       |                                                                                                                                                                                           |                   |
| 1 Align DBCA and LGA land management actions                                                                                                                                                                                                             |                |     |                |                                       |                                                                                                                                                                                           |                   |
| DBCA and LGA meeting and discussions to determine agreed approach to management actions                                                                                                                                                                  | ●              | ●   |                | All                                   | All Areas                                                                                                                                                                                 | In Kind           |
| Review limiting 4WD vehicle beach access, and protect and manage national park boundaries from Tims Thicket south to Preston Beach                                                                                                                       | ●              | ●   |                | Northern & Lakes Precincts            | 1 (Tims Thicket) south to (13) Preston Beach                                                                                                                                              | \$75,000          |
| Promote and manage 4WD from Preston beach south in co-ordination with Preston Beach volunteer rangers                                                                                                                                                    |                | ●   | ●              | Lakes Precinct                        | 13 (Preston Beach)                                                                                                                                                                        | \$45,000          |
| 2 Create new long distance cycling and walking routes                                                                                                                                                                                                    |                |     |                |                                       |                                                                                                                                                                                           |                   |
| Detailed planning of sensitive, design and development of long-distance cycle and walk trails for approx 33 km, with overnight facilities disbursed approximately every 12-15 km and rest areas located between 6-8 kms - C, D, E, G, R (proposed trail) | ●              |     |                | Northern and Lakes Precincts          | C, D, E, G, R                                                                                                                                                                             | \$125,000         |
| Preston Beach connector path approx 3.5 km                                                                                                                                                                                                               |                | ●   |                | Lakes Precinct                        | P                                                                                                                                                                                         | \$25,000          |
| Preston Beach to Mylup path approx 30 km                                                                                                                                                                                                                 |                | ●   |                | Lakes and Myalup Precincts            | U                                                                                                                                                                                         | \$250,000         |
| Construction of path (using majority existing trails), interpretive resting seats x 4, overnight campground or bed style huts (F) x 2, and directional signage \$1.5 - 2 million                                                                         | ●              |     |                | Northern Precincts                    | F                                                                                                                                                                                         | \$2-\$2.5 million |
| 3 Develop new day-use areas and short walk opportunities                                                                                                                                                                                                 |                |     |                |                                       |                                                                                                                                                                                           |                   |
| Planning and Design existing visitor sites                                                                                                                                                                                                               | ●              |     |                | Northern and Old Coast Road Precincts | 5 (White Hill Beach), 7 (Thrombolites day-use area)                                                                                                                                       | \$80,000          |
| Reinvigorate existing visitor sites, expenditure dependent on level of upgrade and improvements                                                                                                                                                          | ●              |     |                | Northern and Old Coast Road Precincts | 5 (White Hill Beach), 7 (Thrombolites day-use area)                                                                                                                                       | \$250,000         |
| Plan and Design new day-use areas                                                                                                                                                                                                                        | ●              |     |                | Northern, Lakes & Myalup Precincts    | B (new day-use area), H (Walk-in day-use area Balga Forest), L (Walk-in day-use beach area & possible walk-in camping or glamping opp), O (LakeYalgorup day-use area), W (Lake Josephine) | \$150,000         |
| Construct 5 new day-use areas                                                                                                                                                                                                                            | ●              |     |                | Northern, Lakes & Myalup Precincts    | B (new day-use area), H (Walk-in day-use area Balga Forest), L (Walk-in day-use beach area & possible walk-in camping or glamping opp), O (LakeYalgorup day-use area), W (Lake Josephine) | \$560,000         |
| 4 Explore new visitor education and interpretive opportunities                                                                                                                                                                                           |                |     |                |                                       |                                                                                                                                                                                           |                   |
| New Information and day-use area                                                                                                                                                                                                                         | ●              |     | ●              | Lakes Precinct                        | Q (Lake Preston)                                                                                                                                                                          | \$150,000         |
| Develop a pop up information/visitor facility                                                                                                                                                                                                            | ●              |     | ●              | Lakes Precinct                        | Q (Lake Preston)                                                                                                                                                                          | \$100,000         |
| 5 Investigate new and diverse accommodation opportunities                                                                                                                                                                                                |                |     |                |                                       |                                                                                                                                                                                           |                   |
| Identify locations and opportunities for accommodation and support implementation                                                                                                                                                                        | ●              | ●   | ●              | All                                   | All Areas (inclusive of YNP and surrounding private and council managed lands)                                                                                                            | In Kind           |
| 6 Expand tourism and commercial operator opportunities                                                                                                                                                                                                   |                |     |                |                                       |                                                                                                                                                                                           |                   |
| Investigate off-road/adventure - area in the Peel region                                                                                                                                                                                                 | ●              | ●   | ●              | All                                   | Peel region                                                                                                                                                                               | \$25,000          |

\* Private (CTO) - incorporates volunteers, Commercial Tour Operators and other businesses

Appendix 1: Site analysis base maps



CONFIDENTIAL

Legend

— railways

Geomorphic\_wetlands

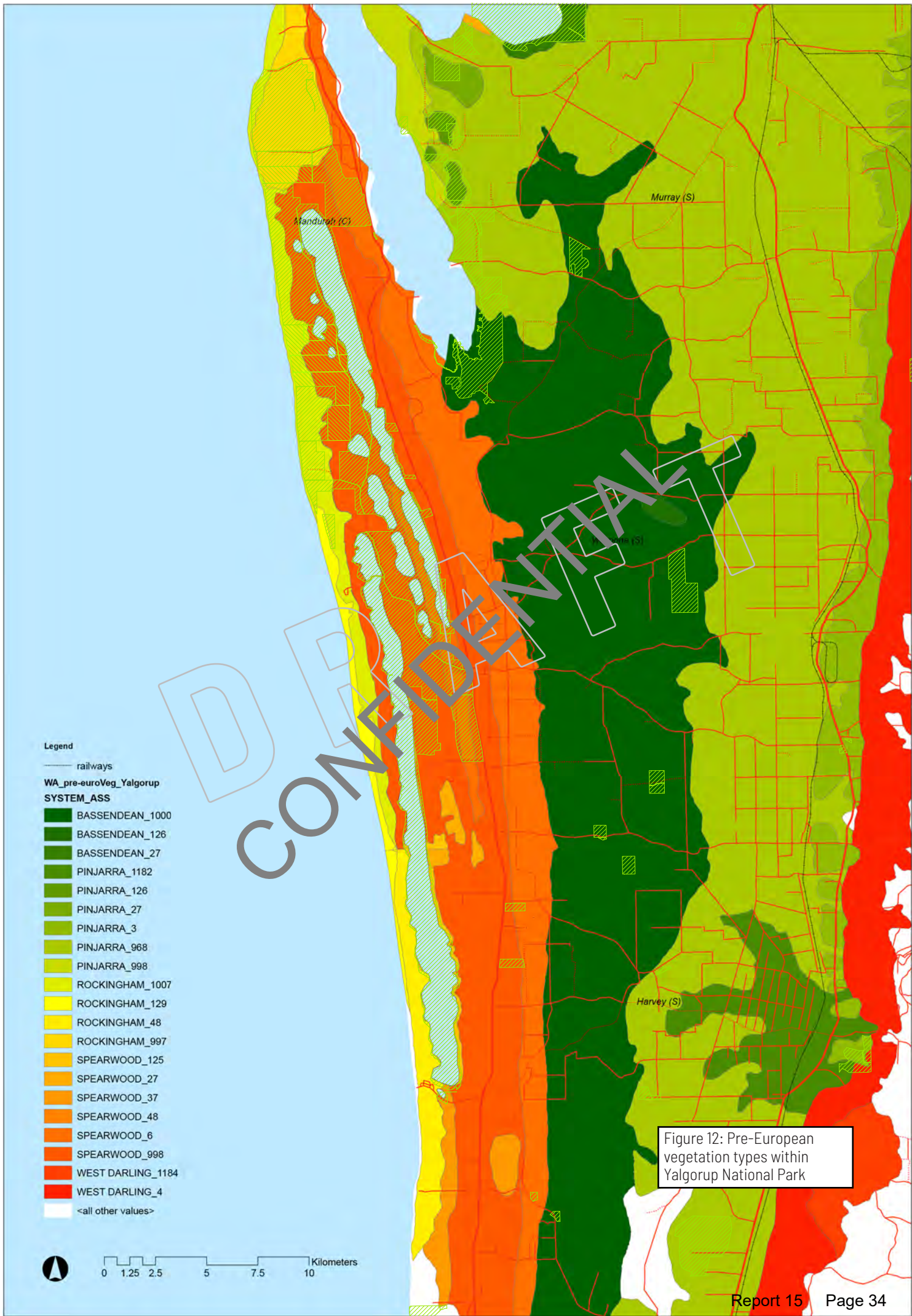
DISPLAY\_BY

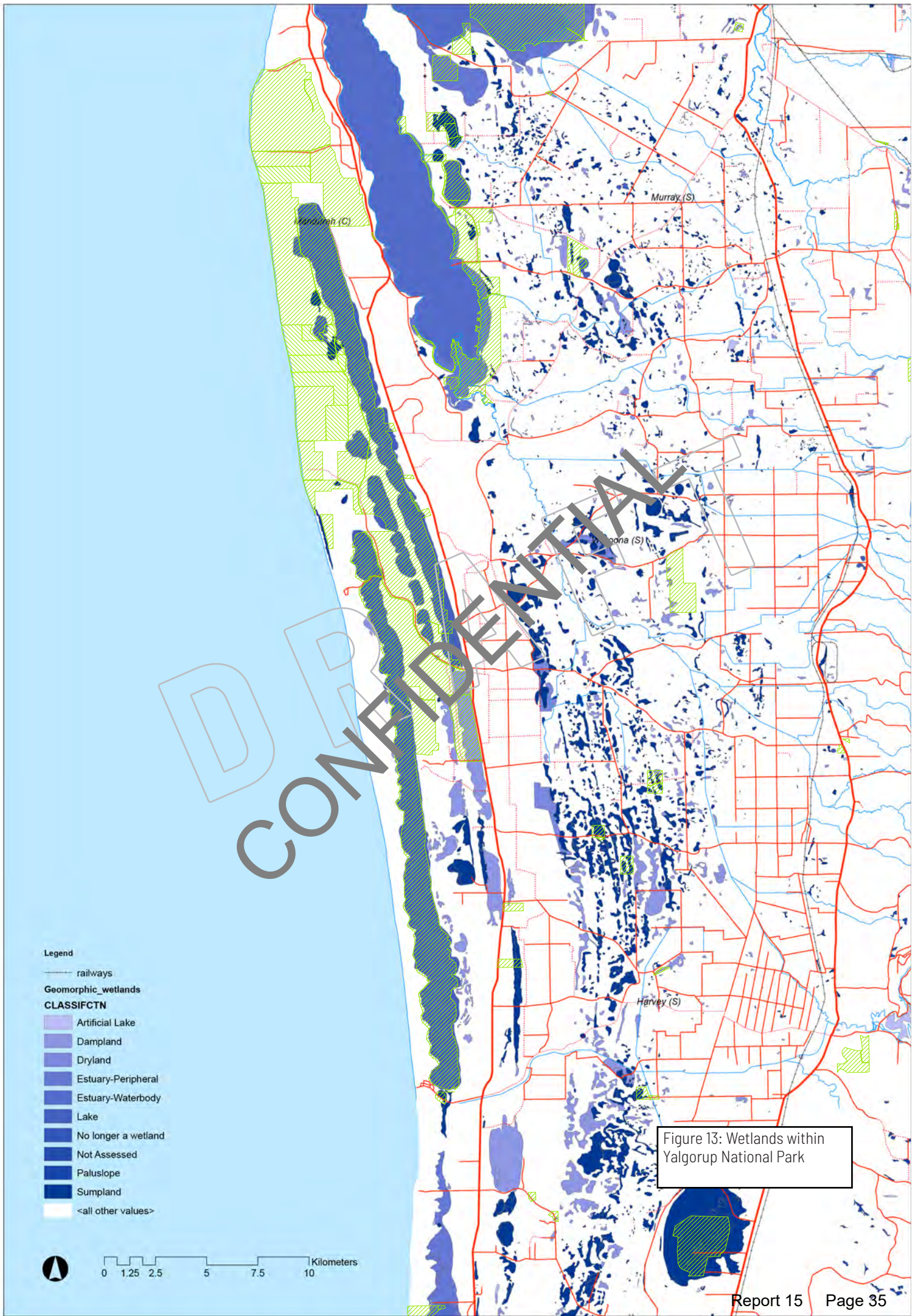
- Conservation
- Multiple Use
- Not Applicable
- Not Assessed
- Resource Enhancement
- <all other values>

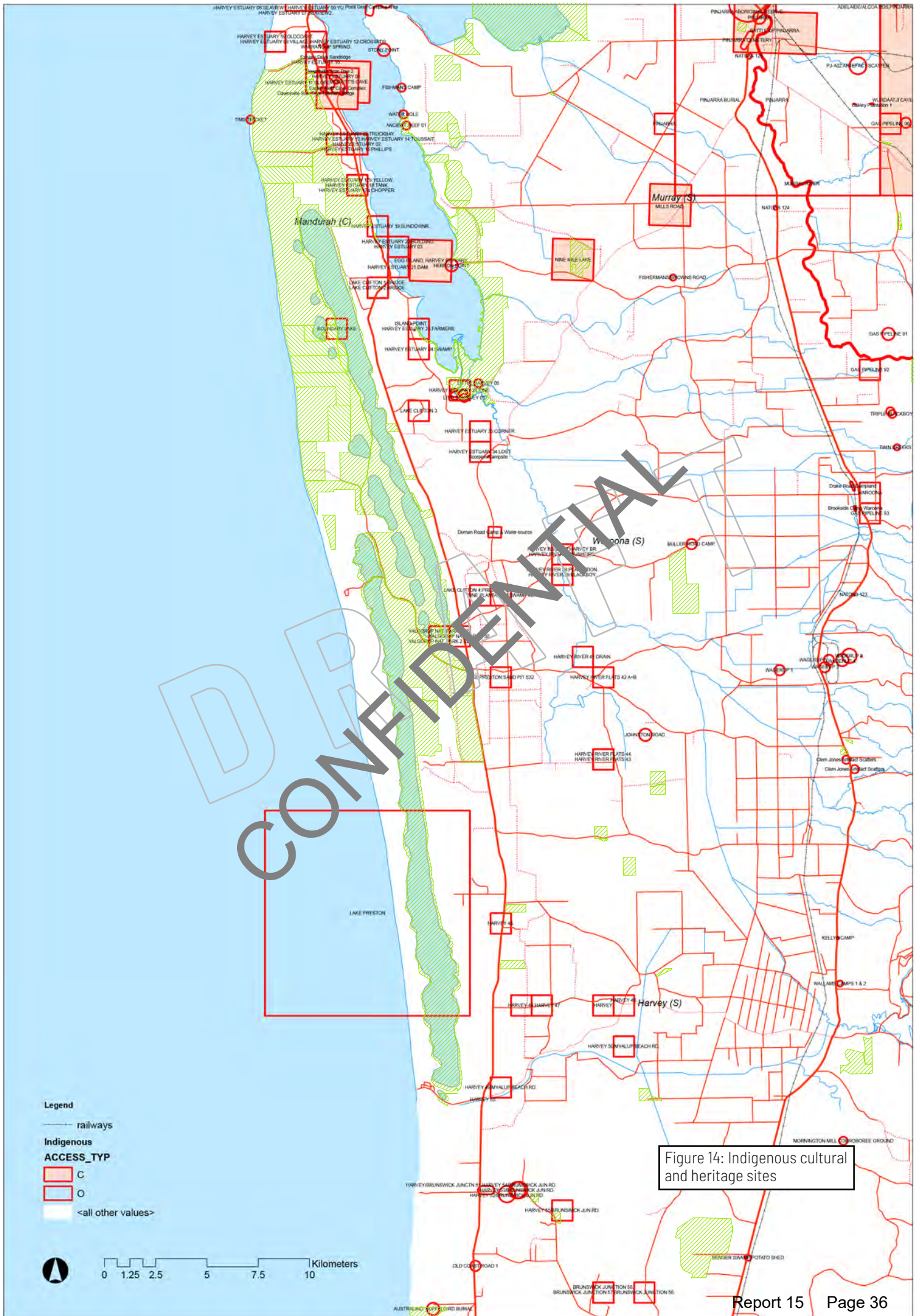


0 1.25 2.5 5 7.5 10 Kilometers

Figure 11: Hydrology within Yalgorup National Park







## Appendix 2: Stakeholder consultation outcomes

As part of the Plan's formation 45 stakeholders from 16 different community, environmental, recreational, professional and local government groups were engaged with through a series of targeted interviews and an online survey. This sought to provide a background into the values, threats and challenges to Yalgorup National Park and provided guidance into the planning and management of existing and future recreation opportunities for the Park.

### **Environmental and recreational values**

The key environmental and recreational values that stakeholders identified were:

- to ensure the pristine natural environment (fauna, flora, waterways, Thrombolites, air quality etc) remains protected and maintained to a high standard for future generations
- environmental concerns impacting the Park related to salt levels, fringing weeds incursion, aquatic species and surrounding land use are managed
- the environmental integrity of the landscape is maintained
- extensive areas of recognised coastal lands, wetlands, cultural and historical sites of significance, including Ramsar listed sites and Threatened Ecological Communities, Thrombolites and the largest Tuart stand in the world are protected
- ensure that industry does not impact the park

Some key trends that were found include that stakeholders considered the most significant critical threats to safeguarding the Park's future are biodiversity decline and species loss, management of visitor and their impacts and urbanisation and land-use change.

### **Future visitor recreational planning**

Identified future planning directions included:

- establish suitable recreation and tourism activities and facilities in the park that will not compromise existing environmental and cultural values
- visitor and recreation opportunities be provided without negative impacts to the environmental, cultural and heritage sites; and that these activities should encourage awareness and education of the unique ecosystem
- preservation of lakes system in accordance with Ramsar agreement
- a park accessible for users that is not compromised by specific groups such as 4WD & trail bikes accessing beach, fishing and camping
- prioritising passive recreation with no impact
- successful blending of catering to visitors, looking after the environment and highlighting its features in a non-intrusive way
- limited recreation opportunities were recognised within the Park boundaries of the Harvey Shire (compared to Mandurah and Waroona)



*Clematis linearifolia* (Old Man's Beard), Yalgorup National Park

### **Existing recreation opportunities**

A range of recreational sites and activities exist within the Park and surrounding lands, these include campgrounds, walks and bridle trails, 4WDing, historic and natural sites. The primary concerns that were identified relating to the current management of recreation sites and activities within the Park were:

1. *Conflict between recreational activities and natural values*
2. *Specific concerns about management of beach and dunes*
3. *Effective management and maintenance of recreation sites and activities*

### **4WD and off road behaviour**

Many comments were made specifically regarding 4WDs and trail bikes on the beach and Thrombolites and the associated problematic behaviour (driving over dunes and illegal entry points, fires, camping, littering and disturbance to wildlife) and lack of management.

### **Precinct planning**

Based upon previous planning activities, the Park was divided into four precincts: *Northern, Lakes, Myalup and Old Coast Road*. Participants then identified the most suitable locations and types of future recreational opportunities in order of preference.

Overall, *day-use facilities (i.e. picnic tables, BBQs and ablutions)* and *short walk trail loops (30 mins to 2 hours)* were considered important for all precincts.

When considering the precincts individually, the next two highest recommendations were also recorded for each precinct:

1. *Northern precinct*
  - Long distance cycle route (focused on utilising existing tracks in the park)
  - Lookouts, boardwalks and bird-hides
2. *Lakes precinct*
  - 1. Lookouts, boardwalks and bird-hides
  - 2. Historical and cultural activities, education and interpretation
3. *Myalup precinct*
  - 1. Public campground
  - 2. Historical and cultural activities, education and interpretation
4. *Old Coast Road precinct*
  - 1. Lookouts, boardwalks, and bird-hides
  - 2. Historical and cultural activities, education and interpretation



*Salt deposits, Lake Hayward, Yalgorup National Park*

## Future/improved recreational opportunities

Recreational opportunities identified through the online questionnaire and rated by stakeholders were broken down in the table below which combines all responses for recreational opportunities from least supported to most supported:



A disclaimer regarding these results: the Tourism sector indicated that the word 'glamping and private operators' may be misleading and biased on local debates in the area regarding other proposed and contentious projects. A more acceptable term could perhaps be 'Tourism Resort'.



Long distance beach hiking (Wineglass Bay) Tasmania

# NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
- 8 Historic Lime Kilns (ca. 1919-1922)
- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
- 11 Lake Preston information and day-use area
- 12 Old Ranger's Station
- 13 Lake Hayward day-use area
- 14 Heathlands Walktrail and day-use area
- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1897)
- 17 Old Whittaker's Mill day-use area (ca. 1853)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (ca. 1925-1930)

## NATURAL AND CULTURAL SITES - non DBCA managed

- 1 Melros Beach day-use area
- 2 Warrangup Spring Reserve
- 3 Pinjarra Massacre Site (28th October 1834)
- 4 Allendale Homestead (ca. 1913)
- 5 Morfit's Cave (historic)
- 6 Parkridge Foreshore and water access
- 7 Hardy's Cottage (ca. 1860s)
- 8 Herron Homestead (ca. 1866)
- 9 Island Point Reserve and water access
- 10 Herron Point campground and water access
- 11 Lake Clifton Townsite (historic)
- 12 Old Bunbury Road/Harvey River Bridge trailhead
- 13 Preston Beach carpark, beach access and carpark-based campsite
- 14 Peppermint Grove Farm, nurseries, cottages (ca. 1854)
- 15 Lake Preston (Myalup) information and day-use trailhead
- 16 Myalup Beach day-use and beach access
- 17 Peard's Cottage (ca.1841)
- 18 Binningup Beach day-use and beach access
- 19 Runnymede & Flories Cottage Group (ca.1870)
- 20 Springhill Homestead (historic ca. 1862)
- 21 Parkfield Homestead (historic ca. 1865)

## OTHER VISITOR ATTRACTIONS AND ACCOMMODATION

- 1 Twin Waters Caravan Park
- 2 Pinjarra Holiday Park
- 3 Water's Edge Caravan Park
- 4 Cape Bouvard Winery
- 5 Lake Clifton Bakery, Service Station, Tavern, Motel and Caravan Park
- 6 Lake Clifton Winery
- 7 Waroona Caravan Village
- 8 Footprints Resort
- 9 Vineyard 28
- 10 Mojelup Farm Winery
- 11 Myalup Pines Cottages
- 12 Fifth Estate Wines
- 13 Harvey River Estate Winery and the Big Orange Tower
- 14 Old Coast Road Brewery
- 15 Crooked Carrot
- 16 Miami Bakehouse Myalup
- 17 Binningup Beach Caravan Park

## PROPOSED VISITOR SITES, FACILITIES AND ATTRACTIONS

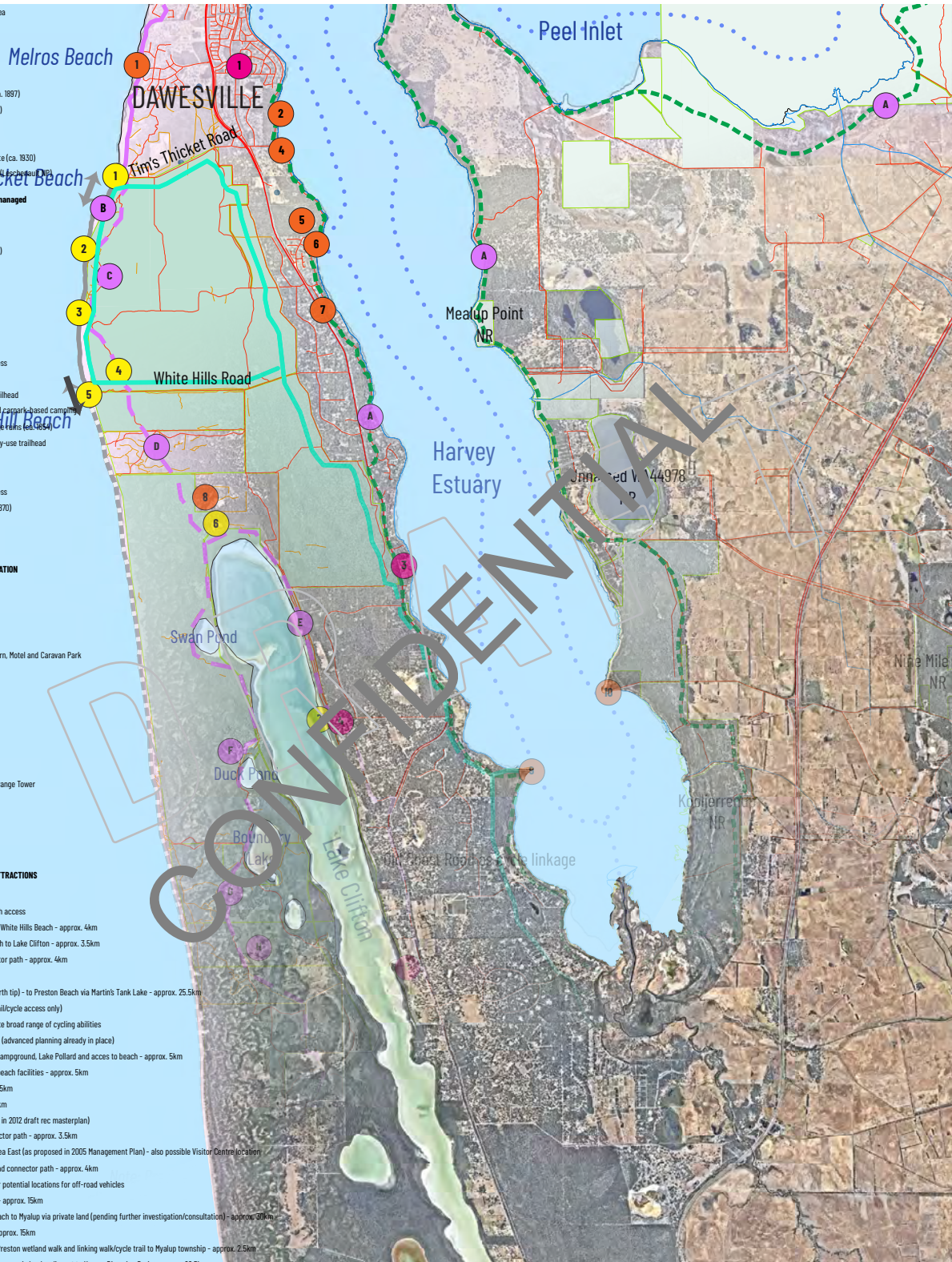
- 1 Round the Inlet Trail (Peel Trails Strategy)
- 2 Tim's Thicket new day-use area and beach access
- 3 New cycle/walktrail from Tim's Thicket to White Hills Beach - approx. 4km
- 4 New cycle/walktrail from White Hills Beach to Lake Clifton - approx. 3.5km
- 5 New cycle/walktrail Thrombolites connector path - approx. 4km
- 6 Future cycle/walktrail only camp ground
- 7 New cycle/walktrail from Lake Clifton (North tip) - to Preston Beach via Martin's Tank Lake - approx. 25.5km
- 8 Future Balga Forest day-use area (walktrail/cycle access only)
- 9 Repurposed Old Coast Road to accommodate broad range of cycling abilities
- 10 Lime Kilns and Lakeside interpretive walk (advanced planning already in place)
- 11 New walktrail network link Martin's Tank campground, Lake Pollard and access to beach - approx. 5km
- 12 New walk-only access day-use area and beach facilities - approx. 5km
- 13 Lake Clifton to Codford Railtrail - approx. 5km
- 14 Codford to Waroona Railtrail - approx. 25km
- 15 Lake Yalganup day-use area (as proposed in 2012 draft rec masterplan)
- 16 New cycle/walktrail Preston Beach connector path - approx. 3.5km
- 17 Lake Preston information and day-use area East (as proposed in 2005 Management Plan) - also possible Visitor Centre location
- 18 Preston Beach Causeway to Old Coast Road connector path - approx. 4km
- 19 Broader Peel region to be investigated for potential locations for off-road vehicles
- 20 Waroona to Yarloop on-road cycle route - approx. 15km
- 21 Potential cycle/walktrail from Preston Beach to Myalup via private land (pending further investigation/consultation) - approx. 20km
- 22 Yarloop to Harvey on-road cycle route - approx. 15km
- 23 Lake Josephine new day-use area, Lake Preston wetland walk and linking walk/cycle trail to Myalup township - approx. 2.5km
- 24 Potential cycle/walktrail from Myalup to Harvey via lands adjacent to Harvey Diversion Drain - approx. 22.5km

## NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- |                                                                                                                  |                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|  Existing walking trails       |  Proposed walking trails               |
|  Existing cycle/walking trails |  Proposed cycle/walking trails (DBCA)  |
|  Existing bridle trails        |  Proposed cycle/walking trails (other) |
|  Existing 4WD beach use        |  Proposed bridle trail                 |
|  Existing 4WD beach access     |  Proposed 4WD beach use                |
|                                                                                                                  |  Proposed 4WD beach access             |
|                                                                                                                  |  Proposed paddle trail                 |

## Appendix 3A: Northern precinct

Below is an enlarged portion of the Northern Precinct for purposes of clarity



#### NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
- 8 Historic Lime Kilns (ca. 1919-1922)
- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
- 11 Lake Preston information and day-use area
- 12 Old Ranger's Station
- 13 Lake Hayward day-use area
- 14 Heathlands Walktrail and day-use area
- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1897)
- 17 Old Whittaker's Mill day-use area (ca. 1853)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

#### NATURAL AND CULTURAL SITES - non DBCA managed

- 22 Melros Beach day-use area
- 23 Warrangup Spring Reserve
- 24 Pinjarra Massacre Site (28th October 1834)
- 25 Allandale Homestead (ca. 1913)
- 26 Morfit's Cave (historic)
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- 28 Hardy's Cottage (ca. 1860s)
- 29 Herron Homestead (ca. 1866)
- 30 Island Point Reserve and water access
- 31 Herron Point campground and water access
- 32 Lake Clifton Townsite (historic)
- 33 Old Bunbury Road/Harvey River Bridge trailhead
- 34 Preston Beach carpark, beach access and carpark-based camping
- 35 Peppermint Grove Farm/Fouracre's Cottage ruins (ca. 1854)
- 36 Lake Preston (Myalup) information and day-use trailhead
- 37 Myalup Beach day-use and Beach access
- 38 Peas's Cottage (ca.1841)
- 39 Binningup Beach day-use and beach access
- 40 Runnymede & Flories Cottage Group (ca.1870)
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- 42 Parkfield Homestead (historic ca. 1865)

#### OTHER VISITOR ATTRACTIONS AND ACCOMMODATION

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- 44 Pinjarra Holiday Park
- 45 Water's Edge Caravan Park
- 46 Cape Boulevard Winery
- 47 Lake Clifton Bakery, Service Station, Tavern, Motel and Caravan Park
- 48 Lake Clifton Winery
- 49 Waroona Caravan Village
- 50 Footprints Resort
- 51 Vineyard 28
- 52 Mojelup Farm Winery
- 53 Myalup Pines Cottages
- 54 Fifth Estate Wines
- 55 Harvey River Estate Winery and the Big Orange Tower
- 56 Old Coast Road Brewery
- 57 Crooked Carrot
- 58 Miami Bakehouse Myalup
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#### PROPOSED VISITOR SITES, FACILITIES AND ATTRACTIONS

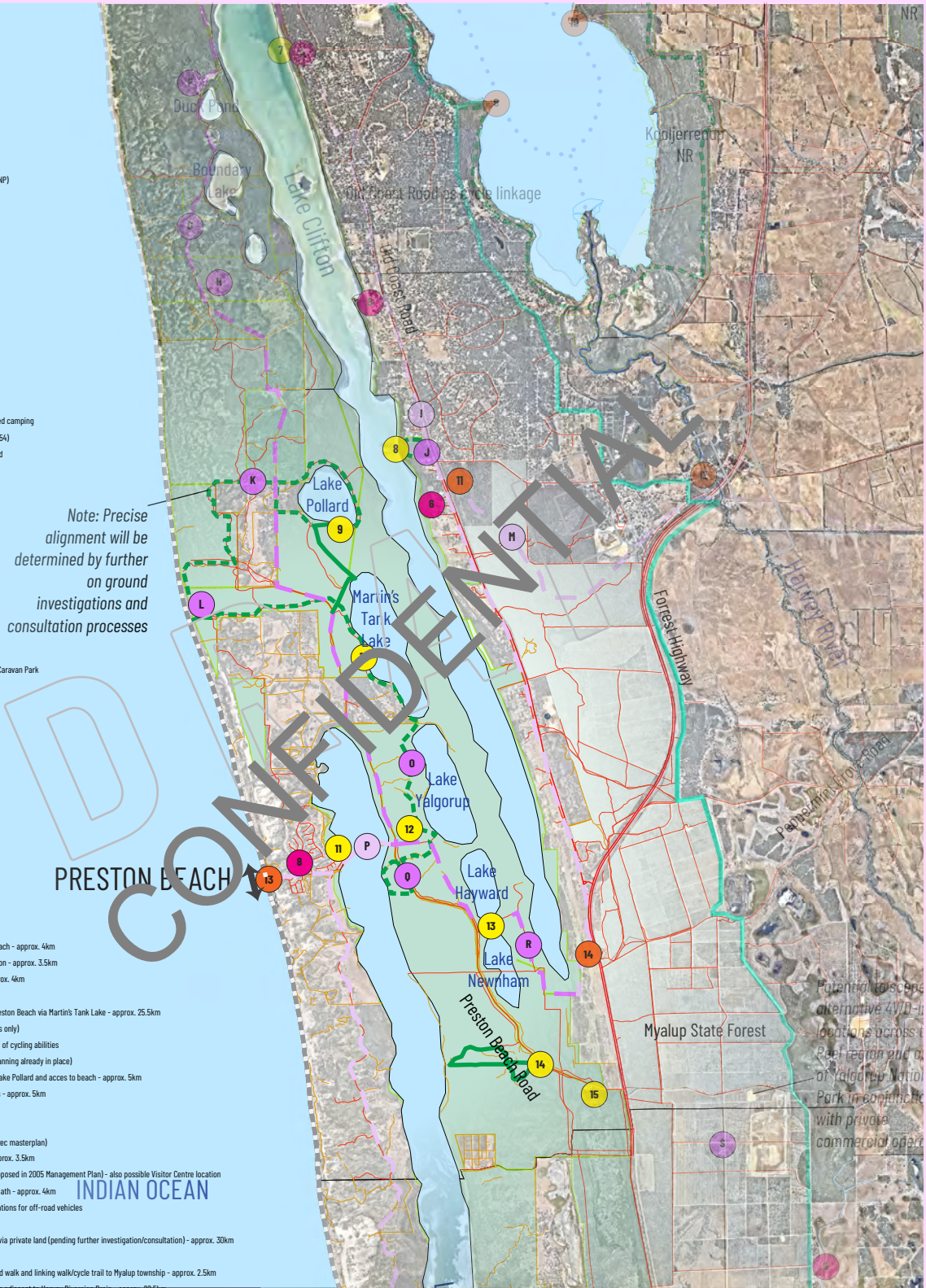
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- 69 Lime Kilns and Lakeside interpretive walk (advanced planning already in place)
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#### NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- |                                                                                                                  |                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|  Existing walking trails       |  Proposed walking trails               |
|  Existing cycle/walking trails |  Proposed cycle/walking trails (DBCA)  |
|  Existing bridle trails        |  Proposed cycle/walking trails (other) |
|  Existing 4WD beach use        |  Proposed bridle trail                 |
|  Existing 4WD beach access     |  Proposed 4WD beach use                |
|                                                                                                                  |  Proposed 4WD beach access             |
|                                                                                                                  |  Proposed paddle trail                 |

## Appendix 3B: The Lakes precinct

Below is an enlarged portion of the Lakes Precinct for purposes of clarity



#### NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
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- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
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- 13 Lake Hayward day-use area
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- 15 Park Visitor Station
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- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

#### NATURAL AND CULTURAL SITES - non DBCA managed

- 22 Melros Beach day-use area
- 23 Warrangup Spring Reserve
- 24 Pinjarra Massacre Site (28th October 1834)
- 25 Allandale Homestead (ca. 1913)
- 26 Morfit's Cave (historic)
- 27 Parkridge Foreshore and water access
- 28 Hardy's Cottage (ca. 1860s)
- 29 Herron Homestead (ca. 1866)
- 30 Island Point Reserve and water access
- 31 Herron Point campground and water access
- 32 Lake Clifton Townsite (historic)
- 33 Old Bunbury Road/Harvey River Bridge trailhead
- 34 Preston Beach carpark, beach access and carpark-based camping
- 35 Peppermint Grove Farm/Fouracre's Cottage ruins (ca. 1854)
- 36 Lake Preston (Myalup) information and day-use trailhead
- 37 Myalup Beach day-use and Beach access
- 38 Peard's Cottage (ca.1841)
- 39 Binningup Beach day-use and beach access
- 40 Runnymede & Flories Cottage Group (ca.1870)
- 41 Springhill Homestead (historic ca. 1862)
- 42 Parkfield Homestead (historic ca. 1865)

#### OTHER VISITOR ATTRACTIONS AND ACCOMMODATION

- 43 Twin Waters Caravan Park
- 44 Pinjarra Holiday Park
- 45 Water's Edge Caravan Park
- 46 Cape Boulevard Winery
- 47 Lake Clifton Bakery, Service Station, Tavern, Motel and Caravan Park
- 48 Lake Clifton Winery
- 49 Waroona Caravan Village
- 50 Footprints Resort
- 51 Vineyard 28
- 52 Mojelup Farm Winery
- 53 Myalup Pines Cottages
- 54 Fifth Estate Wines
- 55 Harvey River Estate Winery and the Big Orange Tower
- 56 Old Coast Road Brewery
- 57 Crooked Carrot
- 58 Miami Bakehouse Myalup
- 59 Binningup Beach Caravan Park

#### PROPOSED VISITOR SITES, FACILITIES AND ATTRACTIONS

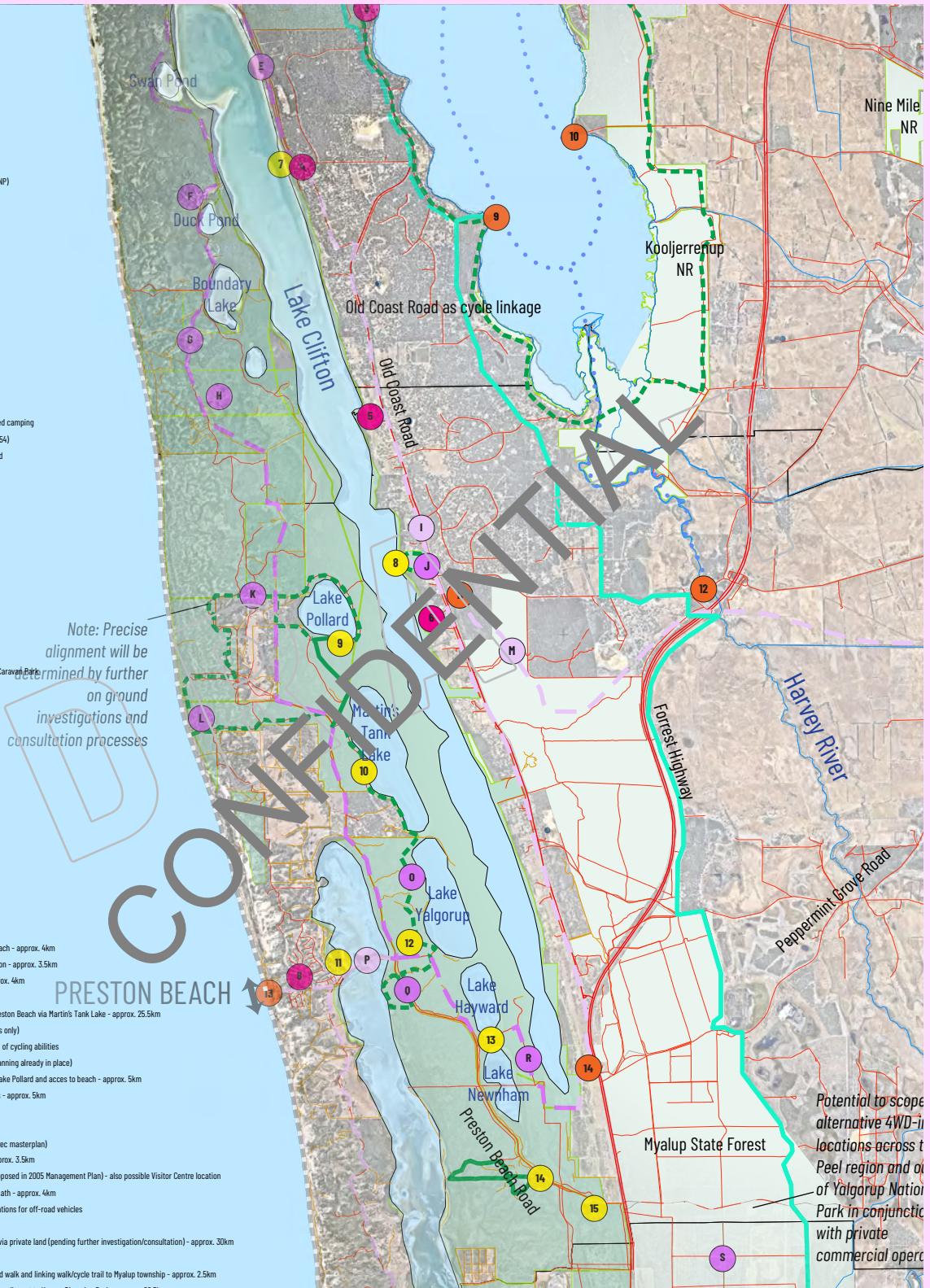
- 60 Round the Inlet Trail (Peel Trails Strategy)
- 61 Tim's Thicket new day-use area and beach access
- 62 New cycle/walktrail from Tim's Thicket to White Hills Beach - approx. 4km
- 63 New cycle/walktrail from White Hills Beach to Lake Clifton - approx. 3.5km
- 64 New cycle/walktrail Thrombolites connector path - approx. 4km
- 65 Future cycle/walktrail only camp ground
- 66 New cycle/walktrail from Lake Clifton (North tip) - to Preston Beach via Martin's Tank Lake - approx. 25.5km
- 67 Future Balga Forest day-use area (walktrail/cycle access only)
- 68 Repurposed Old Coast Road to accommodate broad range of cycling abilities
- 69 Lime Kilns and Lakeside interpretive walk (advanced planning already in place)
- 70 New walktrail network link Martin's Tank campground, Lake Pollard and access to beach - approx. 5km
- 71 New walk-only access day-use area and beach facilities - approx. 5km
- 72 Lake Clifton to Codford Railtrail - approx. 5km
- 73 Codford to Waroona Railtrail - approx. 25km
- 74 Lake Yalgurup day-use area (as proposed in 2012 draft rec masterplan)
- 75 New cycle/walktrail Preston Beach connector path - approx. 3.5km
- 76 Lake Preston information and day-use area East (as proposed in 2005 Management Plan) - also possible Visitor Centre location
- 77 Preston Beach Causeway to Old Coast Road connector path - approx. 4km
- 78 Broader Peel region to be investigated for potential locations for off-road vehicles
- 79 Waroona to Yarloop on-road cycle route - approx. 15km
- 80 Potential cycle/walktrail from Preston Beach to Myalup via private land (pending further investigation/consultation) - approx. 30km
- 81 Yarloop to Harvey on-road cycle route - approx. 15km
- 82 Lake Josephine new day-use area, Lake Preston wetland walk and linking walk/cycle trail to Myalup township - approx. 2.5km
- 83 Potential cycle/walktrail from Myalup to Harvey via lands adjacent to Harvey Diversion Dam - approx. 22.5km

#### NATURAL AND CULTURAL TRAILS - DBCA and OTHERS

- |                               |                                       |
|-------------------------------|---------------------------------------|
| Existing walking trails       | Proposed walking trails               |
| Existing cycle/walking trails | Proposed cycle/walking trails (DBCA)  |
| Existing bridle trails        | Proposed cycle/walking trails (other) |
| Existing 4WD beach use        | Proposed bridle trail                 |
| Existing 4WD beach access     | Proposed 4WD beach use                |
|                               | Proposed 4WD beach access             |
|                               | Proposed paddle trail                 |

## Appendix 3C: Old Coast Road precinct

Below is an enlarged portion of the Old Coast Precinct for purposes of clarity



Potential to scope alternative 4WD-in locations across the Peel region and of Yalgurup National Park in conjunction with private commercial operators

#### NATURAL AND CULTURAL SITES- DBCA managed

- 1 Tim's Thicket Beach
- 2 Seal Rock
- 3 Unnamed Rock outcropping
- 4 White Hill Lookout
- 5 White Hill Beach
- 6 Men of the Trees revegetation site
- 7 Lake Clifton Thrombolites
- 8 Historic Lime Kilns (ca. 1919-1922)
- 9 Lake Pollard day-use area and bird hide
- 10 Martin's Tank campground
- 11 Lake Preston information and day-use area
- 12 Old Ranger's Station
- 13 Lake Hayward day-use area
- 14 Heathlands Walktrail and day-use area
- 15 Park Visitor Station
- 16 Hamel Nursery and Experimental farm (ca. 1897)
- 17 Old Whittaker's Mill day-use area (ca. 1853)
- 18 Lake Preston 'Pink Lake' day-use area
- 19 Old Skiclub day use area
- 20 Depression Sustenance workers' Camp Site (ca. 1930)
- 21 Buffalo Beach day-use and beach access (Leschenault NP)

#### NATURAL AND CULTURAL SITES - non DBCA managed

- 22 Melros Beach day-use area
- 23 Warrangup Spring Reserve
- 24 Pinjarra Massacre Site (28th October 1834)
- 25 Allandale Homestead (ca. 1913)
- 26 Morfit's Cave (historic)
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#### PROPOSED VISITOR SITES, FACILITIES AND ATTRACTIONS

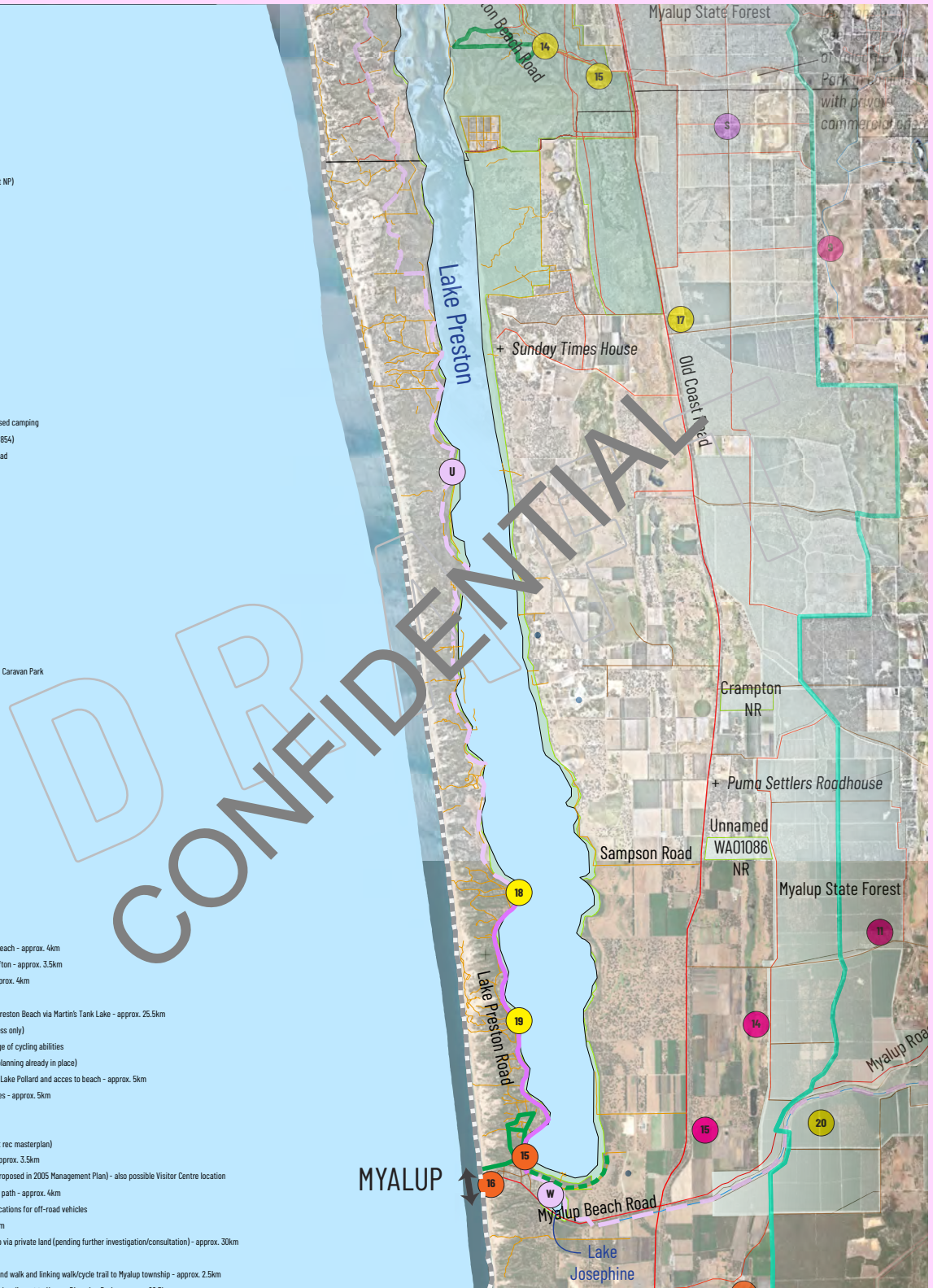
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|  | Existing 4WD beach use        |  | Proposed bridle trail                 |
|  | Existing 4WD beach access     |  | Proposed 4WD beach use                |
|  |                               |  | Proposed 4WD beach access             |
|  |                               |  | Proposed paddle trail                 |

## Appendix 3D: Myalup precinct

Below is an enlarged portion of the Myalup Precinct for purposes of clarity



## References:

City of Mandurah (2019) *Peel Regional Trails Strategy*

Department of Biodiversity, Conservation and Attractions (1995) *Yalgorup National Park Management Plan 1995-2005*

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Page 20. Pinnacles Visitor Centre: <https://parks.dpaw.wa.gov.au/park/yanchep>

Page 20. Wilderquest: <https://wilderquest.nsw.gov.au/>

Page 23. Old Ghost Trail: [https://commons.wikimedia.org/wiki/File:The\\_Lyell\\_Range\\_seen\\_from\\_The\\_Old\\_Ghost\\_Road\\_trail.jpg](https://commons.wikimedia.org/wiki/File:The_Lyell_Range_seen_from_The_Old_Ghost_Road_trail.jpg)

Page 29. Allandale Homestead: used with permission of Private Properties [privateproperties.com.au](http://privateproperties.com.au)

Page 29. Overland Track Hut: <https://www.flickr.com/photos/dougbeckers/8708707027>

Page 29. Scottish glamping and cycle: <https://www.peakpx.com/scottish>

Page 29. Preston Beach Footprints Resort: [https://www.booking.com/hotel/au/footprints-preston-beach.en-gb.html?aid=356980;label=gog235jc-1DCAsoDQIYZm9vdHByaW50cylycmVudG9uLWJlYWNoSDNYA2gPiAEbMAEJuAEHyAEU2AE06AEBMAIBqAIDuAL2tPHwBcACAO;sid=e1539a49c77c3997f23fc604b3981e09;dist=0&keep\\_landing=1&sb\\_price\\_type=total&type=total&](https://www.booking.com/hotel/au/footprints-preston-beach.en-gb.html?aid=356980;label=gog235jc-1DCAsoDQIYZm9vdHByaW50cylycmVudG9uLWJlYWNoSDNYA2gPiAEbMAEJuAEHyAEU2AE06AEBMAIBqAIDuAL2tPHwBcACAO;sid=e1539a49c77c3997f23fc604b3981e09;dist=0&keep_landing=1&sb_price_type=total&type=total&)

Page 29. Poshtel: provided by Peel Development Commission

All other images provided by Rhizome



Walktrail from Martin's Tank campground to Lake Pollard, Yalgorup National Park

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|           |                      |                                              |
|-----------|----------------------|----------------------------------------------|
| <b>16</b> | <b>SUBJECT:</b>      | Trolls in Western Australia Project Update   |
|           | <b>DIRECTOR:</b>     | A/Director Strategy and Economic Development |
|           | <b>MEETING:</b>      | Council Meeting                              |
|           | <b>MEETING DATE:</b> | 24 November 2020                             |

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## Summary

The development of the Trolls in Western Australia project is continuing to progress since the Chief Executive Officer's last update to Council in January 2020. The project initiator FORM, has now secured all of the external funding required to deliver the project with a total of \$925,000 being allocated from various State Government Departments (Tourism WA, the Officer of Premier and Cabinet and the Department for Local Government, Sport and Cultural Industries).

City officers have also met with both the Department of Biodiversity, Conservation and Attractions, and the Department of Transport to discuss possible site locations and approval processes in order to maintain the project's momentum.

With the COVID-19 pandemic still having a major impact on travel and international travel restrictions in WA and across the country, FORM has recently informed the City that the project has now been formally postponed until late 2021. Whilst this delay may be seen as disappointing, City officers have identified a number of benefits which will result in the project's ability to meet its original objectives, including boosting interstate and international visitation to Mandurah. The new timeline has an estimated installation and launch date of December 2021.

Since the last formal update to Council in January 2021, City officers have worked with FORM to understand the full extent of Council's commitment to the project. Under the terms of the draft contract, the City is also responsible for a number of costs related to each of the proposed sites including;

- Lease / license arrangements for each of the locations that are not on City owned or managed land,
- Minor works associated with the preparation of each of the sites,
- Engineer's sign off and advice in relation to the structures to ensure they are safe and in accordance with current building codes,
- Marketing and promotions as part of an integrated communications campaign.

The original funding request which Council provided support in principle was \$250,000. It is now estimated that a further \$135,500 is required to successfully deliver the project with an annual maintenance allowance of \$91,000pa. The annual maintenance allowance incorporates an amount for the ongoing maintenance of the artworks themselves (City officers have estimated maintenance based on a 10% allowance of construction costs – once maintenance plans are developed, the City officers will provide an update to Council), insurance of the assets, an allowance for minor upgrades to path access at each site, cleaning and waste management in and around the sites and ongoing marketing and promotion.

Whilst these additional implementation and ongoing maintenance costs are significant, City officers believe that the Trolls in Western Australia project is a strategic investment that has potential to deliver a unique tourism product for Mandurah. Based on conservative estimates, it is projected that the increased visitor numbers will result in an economic return of almost \$8million in the first year.

At the time when the project was originally proposed, it was seen as an opportunity to provide significant benefit for local business and the Mandurah tourism sector. However, with the impacts of COVID-19 the project can take on a different dimension as part of the City's Restart Mandurah recovery plan to boost tourism opportunities in Mandurah following the pandemic.

The purpose of this report is to update Council on:

- The amended timeline for the Trolls in Western Australia project;
- Outline the key components of the draft funding agreement being negotiated with FORM; and
- Detail the estimated costs required to support the installation of the artworks and the ongoing management and maintenance of the assets.

Council are requested to note the change to the project timeline with the anticipated launch date now being December 2021, approve unbudgeted expenditure of \$135,500 from the Restart Mandurah Fund to deliver the Trolls in Western Australia project, note the estimated costs of \$91,000pa for the ongoing management and maintenance of the project and accept FORM as the unique supplier for the project and authorise the Chief Executive Officer to enter into a contract to deliver the project.

### Disclosure of Interest

Nil

### Location

Officers are currently working with FORM and the artist Thomas Dambo to finalise five ideal sites for the Trolls in Western Australia project, and have met with both the Department of Biodiversity, Conservation and Attractions and the Department of Transport to discuss possible site locations and approval processes. These proposed sites are intended to showcase the unique estuary environment and promote opportunities for visitors to rediscover and reconnect with nature through exploration.

Below is a brief outline of the proposed sites being considered (subject to change based on final assessments and State Government approvals);

| Proposed Site                                     | Land Owner                                               |
|---------------------------------------------------|----------------------------------------------------------|
| Riverside Gardens (Serpentine River), Greenfields | City of Mandurah                                         |
| Creery Wetlands Nature Reserve, Dudley Park       | Department of Biodiversity, Conservation and Attractions |
| Samphire Cove Nature Reserve, Halls Head          | Department of Biodiversity, Conservation and Attractions |
| Len Howard Nature Reserve, Erskine                | Department of Biodiversity, Conservation and Attractions |
| Dawesville Cut (Peel Harvey Estuary), Dawesville  | Department of Transport                                  |

### Previous Relevant Documentation

|           |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| G.7/1/20  | 28 January 2020 | Council provided support in principle for the "Trolls in Western Australia" project and noted that should the project proceed, the City would contribute \$250,000 towards the project. Council also agreed that subject to evidence of the contractual relationship with Thomas Dambo, it did not intend to go to tender on the project as it believes that in accordance with regulation 11(2)(f) there is only one supplier. |
| G.36/3/19 | 26 March 2019   | Council provided confirmation of \$100,000 for the Water Tower Art Project for the Caddadup and Allan Place, Halls Head towers.                                                                                                                                                                                                                                                                                                 |
| G.22/5/18 | 22 May 2018     | Council acknowledged the Water Towers Art Project application, noted the inclusion of \$100,000 on the draft 2018/19 budget as a contribution to the project and formally requested PHCC to put a proposal before Council by way of a presentation.                                                                                                                                                                             |

## Background

In December 2019, the City was approached by FORM, WA's leading public arts organisation, to partner in the creation of an internationally significant public art trail within the City of Mandurah. The proposal was to create five troll sculptures within or abutting our internationally recognised and RAMSAR listed waterways. The project was estimated to cost \$1,261,000 with Council being requested to contribute \$250,000. See Confidential Attachment 1 for a copy of the draft project budget.

At this time, the project was working towards an ambitious timeframe of October 2020 for the installations to be completed with funding contributions from the following project partners;

|                                           |           |
|-------------------------------------------|-----------|
| ✓ Tourism WA                              | \$450,000 |
| ✓ Lotterywest (City of Mandurah to apply) | \$475,000 |
| ✓ City of Mandurah                        | \$250,000 |
| ✓ FORM (in-kind)                          | \$ 86,000 |

In January 2020, Council supported the project in principle noting that if the project is to proceed, the City's contribution would be \$250,000 and advised FORM that subject to evidence of its contractual relationship with Thomas Dambo, the City intends not to go to tender on the project as it believes that because of the unique nature of the goods and services being requested, there is likely to be only one supplier.

In February 2020, City officers submitted a funding application to Lotterywest focusing on the community engagement and educational outcomes and activities associated with the project. FORM, in conjunction with the City, also hosted the artist in Mandurah which included;

- a project overview presentation held at the Peel Harvey Catchment Council (PHCC) offices and attended by City staff, PHCC staff and representatives from Visit Mandurah and the Peel Development Commission;
- aerial and on water tours of the Peel Harvey estuary area;
- site visits to prominent locations along the estuary and river system;
- a meeting facilitated by Mayor Williams with local aboriginal elders Harry Nannup and George Walley.

Despite the interruptions caused by COVID-19 and the unfortunate outcome whereby the City's Lotterywest application was declined due to the repurposing of all grants toward COVID-19 relief, FORM has now successfully secured all project funding. A breakdown of the project partners is outlined below;

|                                                                |           |
|----------------------------------------------------------------|-----------|
| ✓ Tourism WA                                                   | \$450,000 |
| ✓ Officer Premier & Cabinet (to be administered by Tourism WA) | \$275,000 |
| ✓ Department for Local Government, Sport & Cultural Industries | \$200,000 |
| ✓ City of Mandurah                                             | \$250,000 |
| ✓ FORM (in-kind)                                               | \$ 86,000 |

## Comment

The COVID-19 pandemic is still having a major impact on travel with interstate and international restrictions in place for WA and Australia. Due to these challenges, FORM informed the City on the 17<sup>th</sup> September that the project has now been formally postponed until late 2021. Whilst it is disappointing that this exciting project is now being delayed, a number of benefits have been identified;

- The original outcomes for the project centred on attracting significant interstate and international visitation. Under the current COVID-19 travel restrictions this would not be possible limiting visitation largely to the intrastate market over the first 12 plus months.
- The proposal put forward by FORM includes an intensive 12 month 'Exhibition Period' to create and grow awareness of the artworks. This was again designed to target interstate and international tourists.

- The timeframes that had been established were very tight and as a result there were concerns about the project team's ability to deliver upon all project objectives namely the important community engagement elements central to the project's success. The postponement of the project to late 2021 will enable these elements to be carefully planned and delivered in line with the original intentions of the project.

At the time when the Trolls in Western Australia concept was first proposed and prior to the onset of the COVID-19 pandemic, the project was widely seen as a great initiative due to the significant benefits it could provide to local business and the Mandurah tourism sector. Now it is arguably even more important taking on a different dimension as part of the City's recovery plan to boost tourism opportunities in Mandurah following the pandemic. Outlined below is an overview of the new timeline for the project with an estimated launch date of November 2021.

| Month          | Activity                                                           |
|----------------|--------------------------------------------------------------------|
| September 2020 | Finalise Artist Agreement (FORM & Thomas Dambo) - <i>completed</i> |
| November 2020  | Council endorsement to enter into a funding agreement with FORM    |
| December 2020  | Finalise Funding Agreement - City of Mandurah & FORM               |
| January 2021   | Concept design process and Community Engagement commences          |
| March 2021     | Finalise Lease / tenure agreements for all project sites           |
| April 2021     | Finalise all design documentation and development approvals        |
| October 2020   | Commence installation of artworks                                  |
| December 2021  | Conduct launch events. 12-month exhibition period commences        |
| December 2022  | Exhibition period concludes                                        |

With consideration to some of the challenges presented to this project as a result of COVID-19, the amended timeline increases the longevity of the project, and its ability to meet its original objectives. It also allows more time for the world to return to a "new normal" where travel is allowed, tourism businesses are operating at a larger capacity, and the local economy can benefit from not only intrastate tourism, but interstate and international tourism as well.

### Funding Agreement

Officers are currently in the process of developing the Funding Agreement with FORM that will ensure that the City is adequately protected from a financial, risk, insurance and legal perspective. A number of clauses within the Funding Agreement are being negotiated including:

- The Funding Agreement to end at the point of installation of the structures with the City's responsibilities to FORM during the 12 month exhibition period to be outlined in a separate MoU / agreement.
- Clear separation of roles and responsibilities between the City and FORM on all project elements in the planning and delivery of the project. This is to ensure both parties acknowledge and agree to the associated costs of the project. In the event that the costs of the project exceed the funding amount, FORM will be solely responsible for any additional costs.
- The need for the draft design documentation to be reviewed by a suitably qualified engineering consultant to ensure that the structures meet the relevant building codes and Australian Standards. In addition, the City would also look to engage its insurers to undertake a risk review and assessment as part of the design process. This may also require a possible amendment to the contract between FORM and the artist to ensure the key risks identified are appropriately addressed. Following installation, the City would also re-engage the engineering consultant to ensure the artworks were erected in line with the approved design.

- Inclusion of a default clause to address any circumstances whereby FORM fail to comply with the agreement.
- If FORM is planning to utilise volunteers for the purposes of the project delivery or engagement, the agreement needs to clearly state that the volunteers are under their responsibility and this will extend to insurance obligations and induction including requirement for police checks, age and management of volunteers.
- Insurance clauses to align to the City's existing clauses utilised in funding agreements and contracts. In addition, the insurance will need to extend the period of the construction of the Trolls.
- Clarifications on the Marketing and Communications roles and responsibilities for the City, FORM and opportunities for Visit Mandurah.
- The City would be responsible for the decommissioning of the structures and the need for engagement with the artist following the completion of the artworks.
- Intellectual and Copyright clauses (the City is seeking specialist legal advice through the WALGA panel).
- Amendments to the milestone payment schedule to reflect the City receiving and reviewing key project documentation including;
  1. FORM's agreement with the Artist (already provided)
  2. Project Management Plan
  3. Concept and Design Documentation (including site locations and the project narrative)
  4. Community and Volunteer Engagement Strategies (including specific indigenous engagement activities)
  5. Construction Documentation (including the maintenance manual for the artworks)
  6. Communications & Marketing Plan

### **MEAG Comment**

The Mandurah Environmental Advisory Group will be engaged directly through the project's community consultation process with a formal response from the group to be included in a future report to Council.

### **Consultation**

FORM presented an overview of the Trolls in Western Australia project at the Peel Harvey Catchment Council (PHCC) offices in February 2020, which was attended by City staff, PHCC staff and representatives from Visit Mandurah and the Peel Development Commission. A further meeting with local Aboriginal elders was also facilitated.

On Friday 21 August 2020, FORM was invited to provide a project overview to the Reconciliation Action Plan Steering Group. The project appeared to be well received with a number of members of the group wanting to be further involved. The next step is to develop a proposal for the next stage of consultation to be presented back to the RAP Group. It is envisaged that this will be broken down into 2 parts;

1. Artwork and Storytelling (*possible options may include site visits and workshops*)
2. Project Resources – ie. Educational Kits (*focused on creating cultural & environmental awareness*)

As the project has continued to progress, a small working group has been formed encompassing FORM, Visit Mandurah, Corporate Communications, Festivals and Events, and Strategy to ensure that promotion and engagement opportunities are identified and leveraged throughout the planning and delivery of the project.

In addition to the above, Officers have met with the Department of Transport, and the Department of Biodiversity, Conservation and Attraction to determine the suitability, and required approval processes for each of the sites.

Once the Funding Agreement is finalised and FORM are able to further progress with the project, comprehensive community and volunteer engagement strategies will be implemented to engage with community groups and residents to be involved in the project delivery.

## Statutory Environment

Council will need to be aware of its obligations in terms of the *Local Government (Functions and General) Regulations 1996* in relation to Council's procurement obligations.

Regulation 11(2)(f) of those regulations, states that tenders do not have to be publicly invited if the *local government has good reason to believe that, because of unique nature of the goods and services required or for any other reason, it is unlikely that there is more than one potential supplier.*

Following the Council resolution in January 2020, FORM was advised that if the project was to proceed, the City's contribution of \$250,000 would be subject to evidence of FORM's contractual relationship with the artist. Subsequently, the City has now been provided with a copy of the Artists Contract between FORM and Thomas Dambo satisfying this regulation.

## Policy Implications

- Council Procurement Policy (POL-CPM 02)
- Authority to Execute Policy (POL-CPM 06)

## Economic Implications

The original proposal from FORM made a funding request of \$250,000 as the City of Mandurah's contribution towards the project. However, the proposal also requires the City to be responsible for the preparation of the selected sites, all approvals associated with installation of the artworks and the ongoing management and maintenance of the installations following their completion. Officers have sought further information to provide Council with a more accurate estimate on the upfront and ongoing costs of the project, that factors in the City's roles and responsibilities for installation, signage and possible enhancements, ongoing maintenance and decommissioning of the project once it has realised its value.

Below is a summary of the estimated costs to the City to deliver the project:

| Item                | Est. Cost of Installation | Notes                                                                                                                          |
|---------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Contract Management |                           |                                                                                                                                |
| Project Funding     | \$250,000                 | As per the original project request.                                                                                           |
| Legal Costs         | \$8,000                   | Includes an allowance for contract development and drafting of lease / tenure agreements with land owners.                     |
| Site Works          |                           |                                                                                                                                |
| Site Preparation    | \$16,500                  | Includes costs for site fencing, traffic management and waste management.                                                      |
| Consultancy Fees    | \$40,000                  | Includes costs to engage an engineer to review the design documentation and provide final sign-off on the installations.       |
| Site Access         | \$16,000                  | Includes possible path upgrades and an allowance for way finder signage.                                                       |
| Site Management     | \$15,000                  | Includes an allowance for parking & traffic management actions, and the installation of new bins at each site to manage waste. |

| Item                  | Est. Cost of Installation | Notes                                                                                     |
|-----------------------|---------------------------|-------------------------------------------------------------------------------------------|
| Marketing & Promotion | \$40,000                  | Includes an allowance for promotion and communications for the project and launch events. |
| <b>Totals</b>         | <b>\$385,500</b>          |                                                                                           |

The table outlined above indicates that in addition to the City's \$250,000 funding contribution, it is estimated that the installation of the Trolls in Western Australia project will cost the City a further \$135,500. These costs relate to the preparation and approvals associated with each of the sites to enable the artworks to be installed, any minor upgrades to ensure the locations can accommodate and service the expected increases in visitation and an allowance for promotional activities to support the integrated marketing campaign. In addition to the costs outlined above, the City is providing in-kind costs for City officers in the areas of project management, governance, project construction advice and supervision and communications.

After the artworks are completed and the sites established, it is estimated that the annual cost to manage and maintain the 5 sites will be approximately \$91,000pa. This estimate is comprised of an allowance for artwork maintenance (10% allowance), insurance of the assets, an allowance for minor upgrades to path access at each site, cleaning and waste management in and around the sites and ongoing marketing and promotion.

The Trolls in Western Australia project has the potential to deliver significant economic benefits, particularly within the realm of tourism. FORM has estimated visitor numbers as a result of the project with conservative estimates being 150,000 day trippers and 5,000 overnight visitors over the course of 12 months. Using the City's current estimate that \$45.00 is spent per day by a day tripper, and \$215.00 per day by an overnight visitor, an economic return of almost \$8 million can be expected in the first year. This would represent a return on investment for the City of more than \$18 for every \$1 spent with potential for this figure to increase in future years once the product has been established and demand recognised.

The timing of this project will also provide local tourism businesses with more opportunity than the previous proposed timeline which was going to fall within the peak of COVID-19. The delay until November 2021 will increase opportunities for local tourism businesses, and provide them with a platform to develop new business products that will assist them with their business recovery.

## Risk Analysis

Whilst a full risk assessment will also be submitted by FORM as part of the overall Project Plan, City officers have identified 3 key risks which it is working to mitigate as part of the contract negotiations;

### 1. Further Project Delays / Cancellation

The current COVID-19 situation has required the City to review many of its contracts in the event of delays and cancellations. Projects of this nature are structured around milestone payments based on project deliverables. Under the draft agreement currently being developed, the milestones are split with an initial payment to be made upon signing of the contract, interim payments linked to the provision of key actions including the approval of design documentation and community engagement activities, with the final payment to be processed upon the successful installation of the 5 artworks. This approach will help to manage the City's risks in the unfortunate situation of further project delays as any financial contributions will be directly linked to works completed.

If in the most extreme case whereby the project was cancelled and the contract terminated, the City would share the risk for any costs incurred in the planning phases up to a set amount.

## 2. Building Codes & Australian Standards

One of the key risks for the City in FORM's engagement of an international artist, is their understanding of the need to ensure that the structures meet all relevant building codes and Australian Standards. This is important not only from the perspective of structural integrity and the ability of the sculptures to withstand the external environment in which they will be situated, but also in regards to the health and safety of both the general public visiting and engaging with the artworks and staff and volunteers who will be required to maintain the assets. For this reason, the City has built into its budget an allowance for a suitably qualified engineering consultant to be engaged to review the draft design documentation, work with the artist to ensure Australian building standards can be met and provide final sign off that the artworks were constructed in line with the approved design. Additional consultation time may be required to inspect stages of construction which have not been included in the budget and this will depend on the cooperation from the artist.

In addition, the City would also engage its insurers to undertake a risk review and assessment as part of the design process.

## 3. Ongoing Management & Maintenance

The City will be responsible for the upkeep of each of the sites including all costs associated with access, cleaning and waste management after installation is complete. City officers have also sought further information on the City's obligations to maintain each of the individual sculptures. This will be developed and provided to the City as part of the 'Maintenance Manual' with the costs, currently estimated at \$91,000pa, to be incorporated into the City's Long-Term Financial Plan.

### Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2020 – 2040* are relevant to this report:

#### Economic:

- Leverage partnerships with key stakeholders to achieve improved economic outcomes with due consideration to environmental impacts.

#### Social:

- Facilitate opportunities that promote community led initiatives and build local capacity and capability.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.
- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.

#### Health:

- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

#### Environment:

- Advocate for and partner with all levels of Government and other agencies to ensure environmental impacts are considered in all strategy development and decision making.
- Protect and manage our local natural environment and ensure that our actions to manage land-based assets don't adversely impact our waterways.
- Create opportunities for our community to celebrate and preserve our local natural environment.

#### Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.
- Listen to and engage with our community in the decision-making process.

- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

## **Conclusion**

The Trolls in Western Australia project will create an art trail of international significance within the City of Mandurah. After what has been a time of great uncertainty, this project will create a platform for tourism recovery that will provide opportunities to create new business products, and boost patronage into our local businesses who have suffered most from the pandemic.

The postponement of the project will increase its potential to meet the original objectives, and provide greater opportunity for interstate and international visitation to Mandurah. The City is committed to maintaining these sculptures for as long as possible to maximise the economic benefit it will bring to Mandurah. FORM are also committed to implementing a comprehensive volunteer engagement strategy that will provide opportunities for local community groups, businesses and artists to be engaged in the project, and increase pride in place and community connection which will be most needed as our City recovers from this pandemic situation.

NOTE:

- Refer ***Confidential Attachment Trolls in Western Australia Draft Project Budget***

## **RECOMMENDATION**

**That Council:**

1. **Note the change to the Trolls in Western Australia project timeline resulting from travel restrictions due the impact of the COVID 19 pandemic with the anticipated launch date now being December 2021;**
2. **Approves unbudgeted expenditure of \$135,500 from the Restart Mandurah Fund to deliver the Trolls in Western Australia project;**
3. **Note the estimated costs of \$91,000pa for the ongoing management and maintenance of the project which will be incorporated into the City's Long Term Financial Plan;**
4. **Accept FORM as the unique supplier for the project and authorise the Chief Executive Officer to enter into a contract to deliver the project.**

**\*ABSOLUTE MAJORITY REQUIRED\***

# Trolls in Western Australia

## Project Budget (draft)

|                                                                        | Total Cost         |
|------------------------------------------------------------------------|--------------------|
| Design & Fabrication of Artworks                                       | \$400,000          |
| <i>Artworks x 5</i>                                                    |                    |
| Freight & Transportation Costs                                         | \$90,000           |
| <i>Shipping, Transport &amp; Storage</i>                               |                    |
| Installation of Artworks                                               | \$174,200          |
| <i>Materials</i>                                                       |                    |
| <i>Local Contract Labour</i>                                           |                    |
| <i>Approvals</i>                                                       |                    |
| <i>Security</i>                                                        |                    |
| <i>Studio Costs (travel, visas, accommodation, car hire, fuel etc)</i> |                    |
| Community Engagement Activities & Volunteer Management                 | \$71,500           |
| <i>Engagement Workshops</i>                                            |                    |
| <i>Volunteer Recruitment &amp; Management</i>                          |                    |
| <i>Story Telling &amp; Schools Engagement Program</i>                  |                    |
| <i>Community Launch Event</i>                                          |                    |
| Program Design and Development                                         | \$109,300          |
| <i>Website Development</i>                                             |                    |
| <i>Filming &amp; Photography</i>                                       |                    |
| <i>Catalogue Design &amp; Development</i>                              |                    |
| <i>Printing</i>                                                        |                    |
| <i>Audio Guide Development</i>                                         |                    |
| Project Management Costs                                               | \$225,000          |
| <i>Staff Costs</i>                                                     |                    |
| <i>Administration Costs</i>                                            |                    |
| Media, Marketing and Promotion                                         | \$136,000          |
| <i>Marketing &amp; Promotional Campaign</i>                            |                    |
| <i>Advertising</i>                                                     |                    |
| <i>Media Event &amp; Community Launch</i>                              |                    |
| Signage Costs                                                          | \$30,000           |
| Insurances Costs                                                       | \$5,000            |
| Contingency Allowance                                                  | \$20,000           |
| <b>Totals</b>                                                          | <b>\$1,261,000</b> |

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|    |                      |                                                   |
|----|----------------------|---------------------------------------------------|
| 17 | <b>SUBJECT:</b>      | Amendments to Corporate Business Plan 2020 – 2024 |
|    | <b>DIRECTOR:</b>     | A/Director Strategy and Economic Development      |
|    | <b>MEETING:</b>      | Council Meeting                                   |
|    | <b>MEETING DATE:</b> | 24 November 2020                                  |

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## Summary

Council adopted the Strategic Community Plan 2020-2040 in March 2020 and the Corporate Business Plan 2020-2024 in May 2020. A Performance Reporting Framework was developed to report against the Strategic Community Plan and Corporate Business Plan, and presented to Elected Members in March 2020.

To ensure that the City delivers on the Corporate Business Plan, City officers developed a One Year Operational Plan focused on the 2020/2021 financial year. The Plan consists of two components;

- Deliverables - Details of the key projects, programs and activities to be delivered with quarterly targets against each action; and
- KPIs - Indicators that measure the success of our delivery.

This Plan was workshopped with Elected Members in October 2020.

Following a review of the Corporate Business Plan 2020-2024, as a result of the Elected Member discussion in October 2020, City officers have proposed minor changes to the Plan.

Council is requested to adopt the proposed minor modifications to the Corporate Business Plan 2020-2024 (as outlined under the comments section of this report), and the Corporate Business Plan Performance Measures as set out in Attachment 17.1.

## Disclosure of Interest

N/A

## Previous Relevant Documentation

- G.24/5/20      May 2020      Council adopted the Corporate Business Plan 2020-2024, and noted that officers will undertake a review of the Corporate Business Plan post the COVID-19 pandemic to assess the impacts of the pandemic response and changes to community programs and services.
- G.16/3/20      March 2020      Council approved the Strategic Community Plan 2020-2040 for adoption and public release.

## Background

As part of the Western Australian Government's Local Government reform program, introduced in 2010/11, all Local Governments were required to prepare and implement an Integrated Planning and Reporting Framework (IPRF) by 30 June 2013. The IPRF consisted of a Strategic Community Plan, a Corporate Business Plan, and an Annual Budget, and was to be informed by a combination of extensive community engagement and existing Council strategies and plans.

The framework requires all WA Local Governments to periodically review their Strategic Community Plans.

At a minimum, a desk-top review of the Strategic Community Plan should be undertaken every two years with a full review and renewed long term visioning process conducted every four years. This ensures that community priorities and aspirations are kept up-to date and remain relevant.

The City undertook a major review during the 2019/20 financial year resulting in the development and adoption of the Strategic Community Plan 2020-2040.

In line with the review of the Strategic Community Plan, the City of Mandurah Corporate Business Plan 2020-2024 was prepared to operationalise the strategic priorities identified in the Strategic Community Plan (adopted in May 2020), and a performance reporting framework developed to ensure the City measured and monitored the success of the delivery of these Plans.

## Comment

The Corporate Business Plan 2020 – 2024 outlines the City's key priorities, projects, services and actions over the next four years. It provides an indication of detail for the implementation of the first four years of the Strategic Community Plan 2020 – 2040 and outlines key service delivery required by the City of Mandurah. It is developed on a four-yearly basis and reviewed annually to ensure projects and services are prioritised. It links annual operations to priorities identified in the Strategic Community Plan and informs the annual budget process.

Supporting the Corporate Business Plan are the annual business plans of each business unit which sit under and inform the CBP. The CBP and all business unit plans are reviewed on an annual basis to ensure the City remains adaptive and responsive to the changing external environment and community need.

Measuring performance is essential for the City's accountability. The City's Reporting Framework enables the City to continually review its approach and make improvements to ensure the best possible outcomes for the community. In measuring progress, the City takes responsibility for measuring its own performance while also choosing to monitor some important community indicators in areas where it is not directly accountable for outcomes.

The City's Performance Reporting Framework will see all measures of success set out in the 20 Year Strategic Community Plan, and performance measures generated from the Corporate Business Plan presented to Council and the community in multiple forms.

Following a review of the Corporate Business Plan 2020-2024, as a result of the Elected Member discussion October 2020, City officers have proposed minor changes to the Plan as follows;

### 1. Change Key Focus Area

| Action                                                                                                                                                                                           | Current                                                                                                                                | Proposed                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transfer '1.26 <i>Delivery of the Advocacy Strategy, aligned with the Strategic Community Plan</i> ' from Economic to Organisational Excellence                                                  | 1.5. Leverage partnerships with key stakeholders to achieve improved economic outcomes with due consideration to environmental impacts | 5.1. Demonstrate regional leadership and advocate for the needs of our community                                                                                                                                    |
| Transfer '2.26 <i>Increase Youth access to information on services and opportunities through grants, job skills and networks, and access to education and training</i> ' from Social to Economic | 2.2. Promote a positive identity and image of Mandurah and the contributions of its youth                                              | 1.2. Facilitate and advocate for sustainable local job creation and industry diversification<br>1.4. Advocate for and facilitate opportunities for improved pathways to education and learning outcomes in Mandurah |
| Transfer '2.37 <i>Maintain Mandurah Ocean Marina (MOM) and MOM Chalet Park</i> ' from Social to Economic                                                                                         | 2.5. Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in        | 1.1. Promote and foster business investment aimed at stimulating economic growth                                                                                                                                    |
| Transfer '5.39 <i>Coordinate Peel Region Youth Services Network (PRYS) Steering group</i> ' from Organisational Excellence to Social                                                             | 5.1. Demonstrate regional leadership and advocate for the needs of our community                                                       | 2.2. Promote a positive identity and image of Mandurah and the contributions of its youth<br>2.3. Facilitate opportunities that promote community led initiatives and build local capacity and capability           |

|                                                                                                                 |                                                                                                                                                                                                   |                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Transfer '5.69 Manage and maintain the City's parks and natural areas' from Organisational Excellence to Health | 5.4. Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management | 3.3. Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

2. Remove 'Implement transport plans for community to safely negotiate through areas of environmental significance i.e. opening these areas up to tourists' (under the Environment focus area) as it is a part of the Integrated Transport Strategy already captured elsewhere.
3. Add project 'Manage Waste to Energy contract'
 

Action: Monitor progress on the construction of the Waste to Energy plant, including provision of regular updates to the community and on the City's website

Focus Area: Environment

Objectives: 4.2. Protect and manage our local natural environment and ensure that our actions to manage land-based assets don't adversely impact our waterways.

#### Next Steps

Pending Council's decision to adopt the proposed changes to the Corporate Business Plan (outlined above) and the Performance Measures (set out in Attachment 17.1) the next steps are;

- Quarter 1 2020/21 performance against the Corporate Business Plan, and performance against the Strategic Community Plan will be presented to Elected Members; and
- The quarterly reports will then be made publicly available via the Mandurah Matters and City of Mandurah websites.

#### **Consultation**

N/A

#### **Statutory Environment**

As part of the Western Australian Government's Local Government reform program, introduced in 2010/11, all Western Australian Councils were required to prepare and implement the Integrated Planning and Reporting Framework (IPRF) by 30 June 2013. The IPRF consists of a Strategic Community Plan, a Corporate Business Plan, and an Annual Budget, and is to be informed by a combination of extensive community engagement and existing Council strategies and plans.

Strategic Community Plans are to be reviewed periodically – desktop review two years from adoption and a major review four years from adoption. The Corporate Business Plan is to be reviewed annually.

The regulatory requirements of the Integrated Planning and Reporting Framework include:

- The Corporate Business Plan is to be adopted by Council by absolute majority
- Notice must be given to the public when the Corporate Business Plan is adopted or modified;
- If a significant modification is made during a financial year to a Local Government's Corporate Business Plan, the annual report of the Local Government for the financial year is to contain information about that significant modification;
- Operational plans are to be monitored quarterly.

#### **Policy Implications**

N/A

## Economic Implications

N/A

## Risk Analysis

Risk of noncompliance – failing to adopt modifications to the Corporate Business Plan and failing to measure performance.

## Strategic Implications

The following objectives from the *20 Year Strategic Community Plan 2020 – 2040* are relevant to this report:

### Organisation Excellence

- Listen to and engage with our community in the decision-making process.
- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

## Conclusion

Since the introduction of the State Government's Integrated Planning and Reporting Framework (IPRF) in 2010/11, Local Governments across Western Australian have been required to provide a significant degree of rigour to their long-term strategic planning.

In an endeavour to respond to the community's broad priorities and aspirations, the City developed and adopted the 20 Year Strategic Community Plan 2020-2040 in March 2020, and the Corporate Business Plan 2020-2024 in May 2020.

City officers subsequently prepared a Performance Reporting Framework to ensure the City measured and monitored the delivery of the Plans.

Following a review of the Corporate Business Plan 2020-2024, as a result of an Elected Member workshop in October 2020, City officers have proposed minor changes to the Plan.

Council is requested to adopt the proposed minor modifications to the Corporate Business Plan 2020-2024 (as outlined under the comments section of this report), and the Corporate Business Plan Performance Measures as set out in Attachment 17.1.

### NOTE:

- Refer **Attachment 17.1 Corporate Business Plan Performance Measures**

## RECOMMENDATION

### That Council:

1. **Adopts the proposed minor modifications to the Corporate Business Plan 2020-2024 as outlined in the comment section of the report.**
2. **Adopts the proposed Corporate Business Plan Performance Measures as detailed in Attachment 17.1.**

**\*ABSOLUTE MAJORITY REQUIRED**

## Focus Area 1: Economic

## Objectives

1.1. Promote and foster business investment aimed at stimulating economic growth  
 1.2. Facilitate and advocate for sustainable local job creation and industry diversification  
 1.3. Actively partner and engage with business and industry to build Mandurah's entrepreneurial capacity and capability

1.4. Advocate for and facilitate opportunities for improved pathways to education and learning outcomes in Mandurah  
 1.5. Leverage partnerships with key stakeholders to achieve improved economic outcomes with due consideration to environmental impacts

| #    | Projects/Initiatives                                                                                                                              | Objective               | Unit of Measure | Annual Target | Target 2020/2021 |     |     |     | Responsibility                    |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------|---------------|------------------|-----|-----|-----|-----------------------------------|
|      |                                                                                                                                                   |                         |                 |               | Q1               | Q2  | Q3  | Q4  |                                   |
| 1.1  | Number of participants at Entrepreneurial Capacity Building Programs                                                                              | 1.3                     | #               | 20            | N/A              | N/A | N/A | 20  | Economic Development              |
| 1.2  | Business Incentives Grants Program (Number of applications received)                                                                              | 1.1                     | #               | 10            | N/A              | N/A | 5   | 10  | Economic Development              |
| 1.3  | Economic development (what the City is doing to attract investors, attract and retain businesses, grow tourism and create more job opportunities) | 1.1, 1.2, 1.3, 1.4, 1.5 | Index Score     | 45            | N/A              | 45  | 45  | 45  | Economic Development              |
| 1.4  | Number of external events secured/delivered                                                                                                       | 1.5                     | #               | 20            | N/A              | 6   | 12  | 20  | Festivals & Events                |
| 1.5  | Number of businesses involved in City of Mandurah events                                                                                          | 1.1                     | #               | 65            | N/A              | 10  | 60  | 65  | Festivals & Events                |
| 1.6  | Economic impact of Events Program                                                                                                                 | 1.5                     | \$ million      | 15            | N/A              | N/A | 8   | 15  | Festivals & Events                |
| 1.7  | Funds committed by third parties for the delivery of City projects (Successful advocacy/lobbying)                                                 | 1.1                     | \$              | TBC           | TBC              | TBC | TBC | TBC | Office of the Mayor & Councillors |
| 1.8  | How the City centre is being developed Performance Index Score                                                                                    | 1.1, 1.5, 1.2, 1.3      | Index Score     | 51            | N/A              | 51  | 51  | 51  | City Centre                       |
| 1.9  | New Business City Centre Activation Grants Program (\$ Allocated)                                                                                 | 1.1                     | \$'000          | 150           | N/A              | 50  | 100 | 150 | City Centre                       |
| 1.10 | Increase in local suppliers responding to procurement opportunities                                                                               | 1.2, 1.3                | %               | 25            | N/A              | N/A | N/A | 25  | Governance Services               |
| 1.11 | Mandurah Ocean Marina (MOM) and MOM Chalet Park occupancy rate                                                                                    | 1.1                     | %               | 50            | 50               | 50  | 50  | 50  | Marina and Visit Mandurah         |

## Focus Area 2: Social

## Objectives

2.1. Facilitate safe neighbourhoods and lifestyles by influencing the built form through urban design  
 2.2. Promote a positive identity and image of Mandurah and the contributions of its youth  
 2.3. Facilitate opportunities that promote community led initiatives and build local capacity and capability  
 2.4. Promote and encourage community connectedness to create social interaction and a strong sense of security and belonging

2.5. Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in  
 2.6. Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle

| #   | Projects/Initiatives                                                                   | Objective | Unit of Measure | Annual Target | Target 2020/2021 |     |     |    | Responsibility                          |
|-----|----------------------------------------------------------------------------------------|-----------|-----------------|---------------|------------------|-----|-----|----|-----------------------------------------|
|     |                                                                                        |           |                 |               | Q1               | Q2  | Q3  | Q4 |                                         |
| 2.1 | Sport and recreation facilities Performance Index Score                                | 2.6       | Index Score     | 65            | N/A              | 65  | 65  | 65 | Facilities Management                   |
| 2.2 | Playgrounds, parks and reserves Performance Index Score                                | 2.6       | Index Score     | 68            | N/A              | 68  | 68  | 68 | Facilities Management                   |
| 2.3 | Recreation Services Customer Satisfaction                                              |           | %               | 88            | N/A              | N/A | N/A | 88 | Recreation Services                     |
| 2.4 | Services and facilities for youth Performance Index Score                              | 2.6       | Index Score     | 51            | N/A              | 51  | 51  | 51 | Youth Development                       |
| 2.5 | Access to services and facilities for people with a disability Performance Index Score | 2.6       | Index Score     | 56            | N/A              | 56  | 56  | 56 | Community Capacity Building             |
| 2.6 | The control of graffiti, vandalism & anti-social behaviour Performance Index Score     | 2.1       | Index Score     | 50            | N/A              | 50  | 50  | 50 | Community Capacity Building             |
| 2.7 | Feel safe in Mandurah Performance Index Score                                          | 2.1       | Index Score     | 41            | N/A              | 41  | 41  | 41 | Community Capacity Building             |
| 2.8 | Library and information services Performance Index Score                               | 2.4, 2.5  | Index Score     | 72            | N/A              | 72  | 72  | 72 | Library & Heritage Services             |
| 2.9 | Lighting of streets and public places Performance Index Score                          | 2.1       | Index Score     | 55            | N/A              | 55  | 55  | 55 | Technical Services, Operations Services |

## Focus Area 3: Health

## Objectives

3.1. Facilitate and partner with key service providers including State and Federal Government to ensure health outcomes are aligned with community needs and expectations  
 3.2. Advocate for and facilitate the provision of a technologically advanced, quality health care system in Mandurah  
 3.3. Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community

3.4. Provide quality health and wellbeing programmes and services that target whole of life health from infants to seniors  
 3.5. Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community

| #    | Projects/Initiatives                                                                                                                    | Objective | Unit of Measure | Annual Target | Target 2020/2021 |     |     |     | Responsibility                          |
|------|-----------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------|---------------|------------------|-----|-----|-----|-----------------------------------------|
|      |                                                                                                                                         |           |                 |               | Q1               | Q2  | Q3  | Q4  |                                         |
| 3.1  | Footpaths and cycleways Performance Index Score                                                                                         | 3.3       | Index Score     | 54            | N/A              | 54  | 54  | 54  | Technical Services, Operations Services |
| 3.2  | Number of initiatives undertaken to promote the health benefits linked to connecting people with and protecting the natural environment | 3.5       | #               | 40            | 10               | 20  | 30  | 40  | Health Services                         |
| 3.3  | Food Premises inspections carried out within statutory timeframes                                                                       | 3.3       | %               | 100           | 100              | 100 | 100 | 100 | Health Services                         |
| 3.4  | Health Premises inspections carried out within statutory timeframes                                                                     | 3.3       | %               | 100           | 100              | 100 | 100 | 100 | Health Services                         |
| 3.5  | Public Building and Events assessments carried out within statutory timeframes                                                          | 3.3       | %               | 100           | 100              | 100 | 100 | 100 | Health Services                         |
| 3.6  | Recreational Water Quality assessments carried out within statutory timeframes                                                          | 3.3       | %               | 100           | 100              | 100 | 100 | 100 | Health Services                         |
| 3.7  | MARC Cost per Attendance                                                                                                                | 5.4       | \$              | 1.5           | 1.5              | 1.5 | 1.5 | 1.5 | Recreation Centres                      |
| 3.8  | Recreation Centres Customer Satisfaction                                                                                                | 3.3       | %               | 88            | N/A              | N/A | N/A | 88  | Recreation Centres                      |
| 3.9  | Maintain participation/occupancy rate in Recreation Centres facilitated programs                                                        | 3.4       | %               | 80            | 80               | 80  | 80  | 80  | Recreation Centres                      |
| 3.10 | Number of new Events delivered to promote active participation                                                                          | 3.4       | #               | 12            | 3                | 6   | 9   | 12  | Recreation Centres                      |
| 3.11 | Increase in, Mandurah sport and recreational clubs, participation/membership within Club Connect development program                    | 3.5       | %               | 20            | 5                | 10  | 15  | 20  | Recreation Centres                      |

Focus Area 4: Environment

|                                                                                                                                                                                      |  |                                                                                                                         |  |  |  |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|--|
| <b>Objectives</b>                                                                                                                                                                    |  |                                                                                                                         |  |  |  |  |  |  |  |
| <b>4.1.</b> Advocate for and partner with all levels of Government and other agencies to ensure environmental impacts are considered in all strategy development and decision making |  | <b>4.3.</b> Create opportunities for our community to celebrate and preserve our local natural environment              |  |  |  |  |  |  |  |
| <b>4.2.</b> Protect and manage our local natural environment and ensure that our actions to manage land based assets don't adversely impact our waterways                            |  | <b>4.4.</b> Educate our community on global environmental sustainability issues and demonstrate leadership in the field |  |  |  |  |  |  |  |
|                                                                                                                                                                                      |  | <b>4.5.</b> Partner and engage with our community to deliver environmental sustainability outcomes                      |  |  |  |  |  |  |  |

| #    | Projects/Initiatives                                                                                                                        | Objective     | Unit of Measure | Annual Target | Target 2020/2021 |       |       |        | Responsibility         |
|------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------------|---------------|------------------|-------|-------|--------|------------------------|
|      |                                                                                                                                             |               |                 |               | Q1               | Q2    | Q3    | Q4     |                        |
| 4.1  | % of clean energy used by the City of Mandurah                                                                                              | 4.2           | %               | 19            | N/A              | N/A   | N/A   | 19     | Environmental Services |
| 4.2  | Compliance with Environmental regulations                                                                                                   | 4.2           | %               | 100           | 100              | 100   | 100   | 100    | Environmental Services |
| 4.3  | Maintain compliance with Groundwater allocation licenses                                                                                    | 4.2           | %               | 100           | 100              | 100   | 100   | 100    | Environmental Services |
| 4.4  | Maintain Waterwise Council accreditation                                                                                                    | 4.2, 4.4, 4.5 | %               | 100           | 100              | 100   | 100   | 100    | Environmental Services |
| 4.5  | Increase in number of Natural areas managed by the City that have had a management plan reviewed within the last 5 years                    | 4.2           | %               | 50            | 42               | 45    | 47    | 50     | Environmental Services |
| 4.6  | Number of opportunities created for the community to increase awareness of environmental issues and participate in environmental activities | 4.2, 4.4, 4.5 | #               | 20            | 5                | 10    | 15    | 20     | Environmental Services |
| 4.7  | % waste diversion from landfill                                                                                                             | 4.2, 4.5      | %               | >24           | N/A              | N/A   | N/A   | >24    | Waste Management       |
| 4.8  | Weekly rubbish collections Performance Index Score                                                                                          | 4.2, 4.5      | Index Score     | 76            | N/A              | 76    | 76    | 76     | Waste Management       |
| 4.9  | Fortnightly recycling collections Performance Index Score                                                                                   | 4.2, 4.5      | Index Score     | 73            | N/A              | 73    | 73    | 73     | Waste Management       |
| 4.10 | Verge-side bulk waste collections Performance Index Score                                                                                   | 4.2, 4.5      | Index Score     | 71            | N/A              | 71    | 71    | 71     | Waste Management       |
| 4.11 | Street tree planting                                                                                                                        | 4.2           | #               | 500           | 250              | 250   | 250   | 500    | Operations Services    |
| 4.12 | Park tree planting                                                                                                                          | 4.2           | #               | 500           | 250              | 250   | 250   | 500    | Operations Services    |
| 4.13 | Park infill garden planting                                                                                                                 | 4.2           | #               | 2,000         | 1,000            | 1,000 | 1,000 | 2,000  | Operations Services    |
| 4.14 | Bushland Planting                                                                                                                           | 4.2           | #               | 10,000        | 5,000            | 5,000 | 5,000 | 10,000 | Operations Services    |

Focus Area 5: Organisational Excellence

|                                                                                         |  |                                                                                                                                                                                                          |  |  |  |  |  |  |  |
|-----------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|--|
| <b>Objectives</b>                                                                       |  |                                                                                                                                                                                                          |  |  |  |  |  |  |  |
| <b>5.1.</b> Demonstrate regional leadership and advocate for the needs of our community |  | <b>5.4.</b> Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management |  |  |  |  |  |  |  |
| <b>5.2.</b> Listen to and engage with our community in the decision making process      |  | <b>5.5.</b> Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.                                                                           |  |  |  |  |  |  |  |
| <b>5.3.</b> Build and retain a skilled, agile, motivated and healthy workforce          |  |                                                                                                                                                                                                          |  |  |  |  |  |  |  |

| #    | Projects/Initiatives                                                                                                       | Objective | Unit of Measure | Annual Target | Target 2020/2021 |     |     |     | Responsibility                          |
|------|----------------------------------------------------------------------------------------------------------------------------|-----------|-----------------|---------------|------------------|-----|-----|-----|-----------------------------------------|
|      |                                                                                                                            |           |                 |               | Q1               | Q2  | Q3  | Q4  |                                         |
| 5.1  | Asset Consumption Ratio                                                                                                    | 5.4       | %               | 60            | N/A              | 60  | 60  | 60  | Financial Services                      |
| 5.2  | Asset Renewal Funding Ratio                                                                                                | 5.4       | %               | 90            | N/A              | 90  | 90  | 90  | Financial Services                      |
| 5.3  | Asset Sustainability Ratio                                                                                                 | 5.4       | %               | 75            | N/A              | 75  | 75  | 75  | Financial Services                      |
| 5.6  | Private swimming pools inspected within 4 years                                                                            | 5.5, 5.4  | %               | 100           | 100              | 100 | 100 | 100 |                                         |
| 5.7  | Reduce Dog Attacks with Injury from 2019-20 levels                                                                         | 5.5, 5.4  | %               | 5             | N/A              | N/A | N/A | 5   | Ranger Services                         |
| 5.8  | Post Transaction Customer Satisfaction                                                                                     | 5.2       | %               | 88            | 88               | 88  | 88  | 88  | Customer Services                       |
| 5.9  | First Point of Contact (FPOC) Resolution Rate                                                                              | 5.2       | %               | 80            | 80               | 80  | 80  | 80  | Customer Services                       |
| 5.10 | Freedom of Information (FOI) enquiries responded to within regulatory timeframes                                           | 5.4       | %               | 100           | 100              | 100 | 100 | 100 | Information Management                  |
| 5.11 | Deliver City Parks Capital Program (% Budget)                                                                              | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.12 | Deliver City Parks Capital Program (% Projects)                                                                            | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.13 | Deliver City Parks Maintenance Program (% Budget)                                                                          | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.14 | Deliver City Works Capital Program (% Budget)                                                                              | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.15 | Deliver City Works Capital Program (% Projects)                                                                            | 6.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.16 | Deliver City Works Maintenance Program (% Budget)                                                                          | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.17 | Deliver City Maintenance Program (% Budget)                                                                                | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.18 | Deliver City Fleet Capital Program (% Budget)                                                                              | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.19 | Deliver City Fleet Maintenance Program (% Budget)                                                                          | 5.4       | %               | 100           | 25               | 50  | 75  | 100 | Operations Services                     |
| 5.20 | CRM / Work Management SLAs (% Complete Within Target)                                                                      | 5.4       | %               | 75            | 75               | 75  | 75  | 75  | Operations Services                     |
| 5.21 | Employee Engagement Index                                                                                                  | 5.3       | %               | 80            | N/A              | N/A | N/A | 80  | People and Culture                      |
| 5.22 | OSH Audit compliance score (Survey conducted June 2020)                                                                    | 5.3       | %               | 80            | 80               | 80  | 80  | 80  | People and Culture                      |
| 5.24 | Building and maintaining local roads Performance Index Score                                                               | 5.4       | Index Score     | 55            | N/A              | 55  | 55  | 55  | Technical Services, Operations Services |
| 5.25 | How the community is informed about what’s happening in the local area Performance Index Score                             | 5.2       | Index Score     | 52            | N/A              | 52  | 52  | 52  | Corporate Communications                |
| 5.26 | Community Pride - I am proud to live in Mandurah                                                                           | 5.2       | Index Score     | 76            | N/A              | 76  | 76  | 76  | Corporate Communications                |
| 5.27 | Performance rating for City’s website                                                                                      | 5.2       | Index Score     | 60            | N/A              | 60  | 60  | 60  | Corporate Communications                |
| 5.28 | Increase in Website Hits (YoY)                                                                                             | 5.2       | %               | 10            | N/A              | N/A | N/A | 10  | Corporate Communications                |
| 5.29 | Increase in City of Mandurah Facebook Reach and Engagement (with no increase in negative sentiment)                        | 5.2       | %               | 10            | N/A              | N/A | N/A | 10  | Corporate Communications                |
| 5.30 | Increase in City of Mandurah e-newsletter subscription (YoY)                                                               | 5.2       | %               | 15            | N/A              | N/A | N/A | 15  | Corporate Communications                |
| 5.31 | Increase in City of Mandurah e-newsletter open rate (YoY)                                                                  | 5.2       | %               | 5             | N/A              | N/A | N/A | 5   | Corporate Communications                |
| 5.32 | Increase in City of Mandurah e-newsletter click through rate (YoY)                                                         | 5.2       | %               | 2.5           | N/A              | N/A | N/A | 2.5 | Corporate Communications                |
| 5.33 | Increase in City of Mandurah e-newsletter traffic (YoY)                                                                    | 5.2       | %               | 100           | N/A              | N/A | N/A | 100 | Corporate Communications                |
| 5.34 | Recommendations implemented stemming from the Operations Internal Audit Plan 2020/2021                                     | 5.4       | %               | 50            | N/A              | N/A | N/A | 50  | Governance Services                     |
| 5.35 | Advocacy and lobbying on behalf of the community to influence decisions, support local causes, etc Performance Index Score | 5.1       | Index Score     | 50            | N/A              | 50  | 50  | 50  | Office of the Mayor & Councillors       |
| 5.36 | Community buildings, halls and toilets Performance Index Score                                                             | 5.4       | Index Score     | 59            | N/A              | 59  | 59  | 59  | Facilities Management                   |

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|    |                      |                                             |
|----|----------------------|---------------------------------------------|
| 18 | <b>SUBJECT:</b>      | Response to Local Government Act Amendments |
|    | <b>DIRECTOR:</b>     | Director Business Services                  |
|    | <b>MEETING:</b>      | Council Meeting                             |
|    | <b>MEETING DATE:</b> | 24 November 2020                            |

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## Summary

On 27 June 2019, the *Local Government Legislation Amendment Act 2019 (Amendment Act)* was passed in Parliament. Following consultation, the Department of Local Government, Sport and Cultural Industries (DLGSC) have now released the draft Local Government (Administration) Amendment Regulations (No. 2) 2020 and the draft Local Government (Model Code of Conduct) Regulations 2020, requesting input by 6 December 2020.

The draft regulations will bring into effect section 22 and sections 48 - 51 of the *Amendment Act* which includes:

- 5.39A Model Standards for CEO recruitment, performance and termination
- 5.39B Adoption of Model Standards
- 5.39C Policy for temporary employment or appointment of a CEO
- 5.103 - Model code of conduct for council members, committee members and candidate
- 5.104 - Adoption of model code of conduct.

Council is requested to endorse the City of Mandurah response to the DLGSC request for feedback on the draft Local Government (Administration) Amendment Regulations (No. 2) 2020 and the Local Government (Model Code of Conduct) Regulations 2020 as set out in Attachment 18.1 and 18.2.

## Disclosure

The Chief Executive Officer (CEO) has declared an interest by virtue of the position he holds as CEO.

## Previous Relevant Documentation

- |   |            |                  |                                                                                 |
|---|------------|------------------|---------------------------------------------------------------------------------|
| • | G.42/11/19 | 26 November 2019 | Response to the CEO standards and Code of Conduct                               |
| • | G.31/3/19  | 26 March 2019    | Local Government Act Review Phase Two                                           |
| • | G.11/12/18 | 27 February 2018 | Local Government Act Review – DLGSC Submission                                  |
| • | G.16/10/17 | 10 October 2017  | Review of the <i>Local Government Act 1995</i> & Regulations – WALGA Submission |

## Background

In 2017, the State Government announced a review of the *Local Government Act 1995* (the Act) which is the first significant reform of local government conducted in more than two decades. The objective of the review is for Western Australia to have a new, modern Act that empowers local governments to better provide for their communities.

The review is being conducted in two stages, the first phase focused on making information available online, building capacity through reducing red tape and meeting public expectation around standards and performance. The second phase focusses on delivering an Act for the community based on the key themes of agile, smart and inclusive.

Council has considered legislation proposals and approved submissions to be forwarded to the Western Australian Local Government Association (WALGA) and the DLGSC in response to discussion papers released since 2017.

The Department previously sought feedback on a draft CEO Standards and Model Code of Conduct in November 2019, with submissions closing on 6 December 2019. A Council workshop was held to formulate a response, which was adopted by Council at its Ordinary Council Meeting held on 26 November 2019.

## Comment

The City has prepared submissions in relation to the DLGSC's CEO Standards and Model Code of Conduct.

### CEO Standards

The draft regulations will bring into effect section 22 of the Amendment Act 2019 which includes:

- 5.39A Model Standards for CEO recruitment, performance and termination
- 5.39B Adoption of Model Standards
- 5.39C Policy for temporary employment or appointment of a CEO.

The draft Local Government (Administration) Amendment Regulations (No. 2) 2020 and Explanatory Notes are available via the DLGSC website: <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review#regulations2020>

The City has now prepared a submission to the DLGSC on the draft regulations (refer Attachment 18.1). Noting that the City largely supports the majority of the draft amendments and has only provided a response to the components that are inconsistent with Council's position in 2019. City officers have provided each response in line with the position the Council adopted at its Ordinary Council Meeting held on 26 November 2019.

WALGA have also released an Infopage for local government providing commentary on the draft regulations (refer Attachment 18.3).

### Model Code

The draft regulations will bring into effect sections 48 to 51 of the *Amendment Act* which includes:

- 5.103 - Model code of conduct for council members, committee members and candidate
- 5.104 - Adoption of model code of conduct.

The draft Local Government (Model Code of Conduct) Regulations 2020 and Explanatory Notes are available via the DLGSC website: <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review#regulations2020>

The draft regulations repeal the Rules of Conduct regulations as the rules now form part of the Model Code which apply to council members, committee members and candidates. A new section, 5.104 of the Act, will require local governments to adopt the model code of conduct within three months of these Regulations coming into operation. Once the regulations come into effect, the Model Code provides a template for local governments to adopt the code as their own by inserting their local government name. In accordance with section 5.104(3), local governments can include additional behaviours under Division 3 that are not inconsistent with the Code, which may not currently be represented.

The draft regulations also addresses the management of complaints against Elected Members and the CEO. Whilst the draft regulations do not prescribe the process for the management of complaints it does require that after considering the complaint, the local government must make a finding as to whether the breach occurred.

The City has prepared a response to the draft regulations for adoption by Council (refer Attachment 18.2). For the most part the majority of the amendments are largely supported by the City, however the proposed regulations relating to the management of complaints is of concern. This is due to the onerous, complex and potentially costly complaints model proposed by the DLGSC, which ultimately transfers a large

component of the complaints function to local governments. City officers have provided each response in line with the position Council adopted at its Ordinary Council Meeting held on 26 November 2019.

At the time of writing this report, WALGA are yet to release a response to the draft Model Code.

## Consultation

The City submitted a detailed response the DLGSC during the last round of consultation on the amendments in November 2019. As part of this process a workshop was held with Elected Members to provide to input and direction to the development of the Council endorsed survey responses.

## Statutory Environment

*Local Government Act 1995*

*Local Government Legislation Amendment Act 2019*

Draft Local Government (Model Code of Conduct) Regulations 2020

Draft Local Government (Administration) Amendment Regulations (No. 2) 2020

## Policy Implications

*Code of Conduct – Elected Members City of Mandurah 2016*

*Code of Conduct – Committee Members City of Mandurah 2016*

*Annual Performance Review – Chief Executive Officer Policy*

## Economic Implications

Any changes to legislation requiring a change in process may result in a subsequent financial impost to the City.

## Risk Analysis

N/A

## Strategic Implications

The following strategy from the City of Mandurah Strategic Community Plan 2020 – 2040 is relevant to this report:

### Organisational Excellence:

- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

## Conclusion

DLGSC has recently sought feedback from local governments with regard to the draft Local Government (Administration) Amendment Regulations (No. 2) 2020 and the draft Local Government (Model Code of Conduct) Regulations 2020. The preparation of this submission enables the City to contribute to the amendments to the *Local Government Act 1995*.

NOTE:

- Refer **Attachment 18.1** CoM Response to the draft Local Government (Administration) Amendment Regulations (No. 2) 2020  
**Attachment 18.2** City of Mandurah Response to the draft Local Government (Model Code of Conduct) Regulations 2020  
**Attachment 18.3** WALGA Infopage on Amendment Regulations

## **RECOMMENDATION**

### **That Council:**

- 1. Endorses the City of Mandurah's submission (as set out in *Attachment 18.1 and 18.2*) in response to the Department of Local Government, Sport and Cultural Industries request for feedback on the draft Local Government (Administration) Amendment Regulations (No. 2) 2020 and draft Local Government (Model Code of Conduct) Regulations 2020.**
- 2. Notes that the City of Mandurah submission will be forwarded to the Department of Local Government, Sport and Cultural Industries and the Western Australian Local Government Association.**

## CITY OF MANDURAH SUBMISSION ON THE

## ATTACHMENT 18.1

## DRAFT LOCAL GOVERNMENT (ADMINISTRATION) AMENDMENT REGULATIONS (NO.2) 2020

These regulations will bring into effect section 22 of the *Local Government Legislation Amendment Act 2019*. In particular, the following will take effect: sections 5.39A, 5.39B & 5.39C will be inserted into the *Local Government Act 1995* and Schedule 2 Model Standards for CEO Recruitment, Performance and Termination will be added to the *Local Government (Administration) Regulations 1996*.

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019                                                                                                                                                                                                                                                                                                                                                                                                                          | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Establishment of selection panel for appointment of CEO</b></p> <p>Model Standards Clause 8 requires a local government to establish a selection panel to conduct the selection and recruitment process for appointment of a person to the position of CEO.</p> <p>The selection panel must comprise of council members and at least one independent person who is not a councillor nor an employee of the local government.</p> <p>It is recommended that the independent person or persons have relevant experience in the recruitment and selection of CEO's and / or senior executives. It is the role of the selection panel to recommend one or more suitable applicants to the position of CEO based on the selection criteria outlined in the JDF.</p> | <p><u>Independent panel member</u></p> <p>Clause 8 of the Draft Regulations requires the selection panel to include at least one person who is neither a council member nor an employee of the local government.</p> <p>There is no guidance on the skills, experience or knowledge of the independent person, or their role on the panel.</p> <p>This has the potential to pose significant risk to the local government, as there are inadequate controls on the conduct of such a person (i.e. they will not be captured by a Code of Conduct as Panel is not a committee of Council).</p> <p>WALGA supports the ongoing use of an independent qualified and licensed recruitment consultant to provide guidance (as opposed to active participation) in both the recruitment</p> | <p>The requirement to have an independent member on the selection panel is not supported and the membership of the selection panel should be at the sole discretion of the Council. The Department suggestion of the inclusion of community members, former elected members or staff members as an independent person on the selection panel is contrary to the Recruitment and Selection Standards which states that the appointment is made impartially and free from nepotism and bias.</p> | <p><b>Not Supported</b></p> <p>The City does not support this amendment. It is unclear how an independent external person could add value and meaningfully participate on a selection panel.</p> <p>As per CoM previous submission, it is strongly recommended that local governments engage an experienced and qualified human resources consultant to facilitate the selection and performance review process and ensure due process is followed. This consultant would in no way contribute to the substance of the performance review or decision in the selection process.</p> <p>The City supports the appointment of a suitably qualified independent HR/recruitment consultant of whom has no voting rights and is free from bias. The appointment of the consultant should be agreed to by the CEO and Council, however it should not be mandated and should be at the discretion of Council.</p> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                           | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                   | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| It is at the discretion of the local government to determine the number of people on the selection. | process and to assist with obligations to finalise the employment of a CEO. |                                                                       | <p>Given the extent of the role of the proposed selection panel under cls. 9 of the Models standards, including to exercise due diligence by completing the necessary work history and referee checks and verified qualifications, it is critical that the selection panel is guided by an appropriate qualified HR/recruitment consultant (could be internal using local government employee or external consultant). Further, the selection panel is required to ensure that the process is completed in accordance with the principles set out in s. 5.40 of the Act which deals with Equal Opportunity and Occupational and Health legislation and ensuring processes are free from bias or nepotism. It would be prudent to provide expert and professional assistance to members of the selection panel, who for the most part consist of Elected Members which may or may not have extensive knowledge of human resources processes and legislation.</p> <p>For regional local governments, the Department may consider providing additional financial support for Councils to navigate the application of the regulations if it is mandatory for a local government to engage an external consultant for the recruitment process.</p> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                       | Should the DLGSC consider that the requirement for an independent selection panel member is necessary, the City recommends that the panel member should be an employee from the Public Sector Commission to ensure the principles are adhered to.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>Recommendation by Selection Panel</b></p> <p>Model Standards Clause 9 – Recommendation by selection panel.</p> <p>It is the role of the selection panel to recommend a preferred applicant or applicants for appointment to the position of CEO. Clause 9 requires the selection panel to make an assessment of each applicant's ability to perform the role of CEO based on their knowledge, experience, qualifications and skills as measured against the selection criteria outlined in the JDF.</p> <p>If the selection panel considers none of the applicants suitable for appointment to the position, they must advise the local government of that fact.</p> <p>If the selection panel considers none of the applicants suitable for appointment to</p> | <p><u>Council decision making authority</u></p> <p>Schedule 2, Cl. 9(2)(a) requires the selection panel to recommend one or more applicants it considers suitable, with Cl. 9(2)(b) requiring that it advise Council if it considers no applicants are suitable. In the second event, Cl. 10 requires the local government to carry out a new recruitment process. Bypassing Council in this decision-making process appears to directly conflict with Sec. 5.36(2) of the Act, where it is the Council that determines if a person is or is not suitably qualified to be employed as CEO.</p> <p>Note: further comments below in relation to cls.14 confidentiality.</p> | N/A                                                                   | <p><b>Not Supported</b></p> <p>Without further clarity on the role on the Selection Panel, the City does not support the amendments.</p> <p>The draft amendments are clear that Council are the decision maker in providing an offer of appointment to the position of CEO. However, it appears that the Selection Panel have a critical role in determining applicant(s) that may be suitable or not suitable for the role. Model cls. 11 provides the Selection Panel with the authority to find none of the applicants suitable and they must advise the local government of this fact.</p> <p>Given the powerful role of the Selection Panel, many local governments may find that all elected members may elect to be</p> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020 | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>the position of CEO, they may recommend changes be made to the duties and responsibilities of the position or the selection criteria.</p> <p>The selection panel must act in an impartial and transparent manner and in accordance with the principles set out in section 5.40 of the Act.</p> <p>The selection panel is responsible for ensuring that any applicant or applicants they recommend for appointment have demonstrated they meet the selection criteria and have had their qualifications verified. The selection panel must exercise due diligence in verifying referees, work history, skills and any other claims made by the applicant.</p> |                                           |                                                                       | <p>part of the selection process and this may create inefficiencies with the process.</p> <p>City of Mandurah proposes the following amendments to cls. 9 and cls.10 of the draft regulations. Note the proposed amendments are in red or strike through.</p> <p><b>Clause 9: Recommendations by selection panel</b></p> <ol style="list-style-type: none"> <li>1. The selection panel must assess each applicant's knowledge, experience, qualifications and skills against the selection criteria.</li> <li>2. Following the assessment referred to in subclause (1), the selection panel <u>must provide a report to the council of the local government that is to include –</u> <ol style="list-style-type: none"> <li>a. <u>An assessment of each applicant that received an interview, against the selection criteria; and</u> <ol style="list-style-type: none"> <li>i. Recommendations to the <u>council of the</u> local government for one or more applicants who the selection panel considers are suitable for</li> </ol> </li> </ol> </li> </ol> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                     | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                          |                                                                                                                                                                                                                                                                                               |                                                                       | <p>appointment to the position of CEO; or</p> <p>ii. If the selection panel considers that none of the applicants are suitable for appointment to the position of CEO – <u>justification for this</u> <del>advise the local government of that</del> <u>conclusion</u> fact.</p> <p><b>10. New process to be commenced if no suitable applicants</b></p> <p><del>(1) If the selection panel advises the local government under clause [9(2)(b)]</del> <u>the council of the local government decides that the selection panel considers</u> that none of the applicants <u>presented to the council under [9(2)]</u> are suitable for appointment to the position of CEO, the local government must carry out a new recruitment and selection process for the position in accordance with these standards.</p> |
| <p><b>Process if no suitable applicants</b></p> <p>Model Standard Clause 10 – New process to be commenced if no suitable applicants.</p> | <p><u>Council decision making authority</u></p> <p>Schedule 2, Cl. 9(2)(a) requires the selection panel to recommend one or more applicants it considers suitable, with Cl. 9(2)(b) requiring that it advise Council if it considers no applicants are suitable. In the second event, Cl.</p> | <p>N/A</p>                                                            | <p><b>Not Supported</b></p> <p>The City does not support this amendment. Under the proposed model standards, if the selection panel considers that none of the applicants are suitable for appointment to the position of CEO, the panel must advise</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                   | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019                                                                                                                                                                                                                                                                                                          | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>If the selection panel finds that none of the applicants are suitable to be appointed to the position of CEO, they must advise the local government in accordance with 9(2)(b).</p> <p>Clause 10 requires the recruitment and selection process to be undertaken again if the selection panel advises the local government it considers none of the applicants to be suitable for appointment to the position of CEO.</p> <p>Unless the selection panel recommends changes be made to the duties and responsibilities of the position or the selection criteria, clause 5 does not apply. In this instance, the original JDF previously approved by the local government (under clause 5) is the JDF form for the purposes of the new recruitment and selection process.</p> | <p>10 requires the local government to carry out a new recruitment process. Bypassing Council in this decision-making process appears to directly conflict with Sec. 5.36(2) of the Act, where it is the Council that determines if a person is or is not suitably qualified to be employed as CEO.</p>                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                | <p>the Council and it should be Council's decision to determine whether any applicants are suitable or not.</p> <p>Council should have a role in the review of the applicants and determine who to accept or reject from the recruitment process rather than the selection panel providing the recommended applicant for final endorsement.</p> <p>It is important to note that it is Council that employ the CEO, which is made up of every elected member, not just a panel with an independent member. Therefore, Council should be the decision maker and stay informed through each step of the recruitment and selection process.</p> |
| <p><b>CEO Contract</b></p> <p>Model Standard Clause 13 – Recruitment to be undertaken on expiry of certain CEO contracts. Clause 13 applies if a local government CEO has held the position for a period of 10 or more consecutive years upon expiry of the CEO's contract. Clause 13 also applies if a period of 10 or more consecutive years has elapsed since a</p>                                                                                                                                                                                                                                                                                                                                                                                                          | <p><u>Requirement to re-advertise CEO positions after 10 years of continuous service</u></p> <p>Section 5.39(2)(b) of the Act already limits CEO contracts to a maximum of 5 years and Councils have general competence powers to consider whether to renew the incumbent's contract or advertise the position. Suggesting that a Council must re-advertise the position of a CEO after</p> | <p>Suggesting that a local government CEO must reapply for their position after ten consecutive years is not considered appropriate. Council, as the employer, should determine when the position of CEO is advertised.</p> <p>Council should continue to have sole discretion regarding the CEO's employment which is governed via a fixed-term employment contract which</p> | <p><b>Not Supported</b></p> <p>There is no justification as to why a CEO position must be re-advertised after an incumbent CEO has served 10 consecutive years.</p> <p>Comments as per previous CoM submission from November 2019.</p>                                                                                                                                                                                                                                                                                                                                                                                                      |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | WALGA INFOPAGE COMMENT 2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | CITY OF MANDURAH RESPONSE FROM COUNCIL MEETING 26 NOVEMBER 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | CITY OF MANDURAH PROPOSED RESPONSE |
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| <p>recruitment and selection process for the position has occurred and the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.</p> <p>Subclause 13(2)(a)(ii) is drafted to allow for the possibility that a CEO who has, for example, held office for 10 years and has their contract renewed for another 5-year term following the recruitment and selection process. In that case, clause 13(2)(a)(ii) will operate to ensure that another 10 years can pass before another recruitment process is required. In the absence of clause 13(2)(a)(ii), when the renewed term came to an end, the CEO would have held the position for 15 consecutive years and clause 13(2)(a)(i) would operate to require a process to be undertaken.</p> <p>The local government must carry out the recruitment and selection process before expiry of the incumbent CEO's contract.</p> <p>The incumbent CEO may have their contract of employment renewed upon expiry if they are selected in accordance with the recruitment and selection process at subclause (3).</p> | <p>10 years is likely to prove unworkable or counterproductive in any case as:</p> <ul style="list-style-type: none"> <li>• Councils conducting a selection process known to involve an incumbent CEO will risk allegations of non-compliance with Section 5.40 of the Local Government Act 'Principles affecting Local Government employees' due to actual or perceived bias, nepotism and lack of merit and equity in relation to other applicants;</li> <li>• May result in CEOs actively seeking alternative employment as the 10 year horizon approaches, meaning that a CEO that has provided satisfactory or perhaps exemplary service will be unnecessarily lost to the local government;</li> <li>• Where a CEO is re-employed as a consequence of re-advertising after the 10 year period, this process has incurred unnecessary costs and time waste for the LG, distracting from achieving its strategic objectives and may further entrench perceptions that contracts are for life, thus negating the very purpose of this proposal.</li> </ul> <p>Further, Division 3 of the Draft Regulations seeks to improve the capacity of local governments to effectively manage CEO employment.</p> | <p>allows the Council and CEO to end both the contractual and employment relationship if lawful and reasonable causes exist.</p> <ul style="list-style-type: none"> <li>• The cost associated with a recruitment process are significant. If the Council is satisfied with the CEO's performance, then regulations should not impose such a costly process on the local government, which are ultimately be passed onto the ratepayers.</li> <li>• To the best of the City's knowledge no other level of Government requires CEO's to undergo this process.</li> <li>• High performing CEO's may choose not to reapply for the position after ten years and this may lead to significant loss in skills and leadership from the local government sector.</li> </ul> |                                    |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                 | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                       |
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|                                                                                                                                                                                                                                                                                                           | This is a far more appropriate and adapted mechanism to address a perceived issue of 'contracts for life', by ensuring that the performance of CEOs, whether long serving or newly appointed, is appropriately assessed and managed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |                                                                                                                                                                                                                                                                                             |
| <p><b>Confidentiality</b></p> <p>Model Standards Clause 14 requires confidentiality to be observed by the local government as part of the process of recruitment and selection. Information obtained as part of this process must only be used for, or in connection with, recruitment and selection.</p> | <p><u>Transparency and procedural fairness – Schedule 2</u></p> <p>The consultation draft emphasised that it is essential that the recruitment process is transparent and appropriately documented. Similar commentary featured in the <i>Report of the Inquiry into the City of Perth</i>, however the Draft Regulations fail to address these issues.</p> <p>The selection panel is 'established' under cl.8 of Schedule 2 of the Draft Regulations, with no reference to the formation of a committee of Council under Sec. 5.8 of the Act. Cl. 9(4) of Schedule 2 includes a reference to the selection panel acting in accordance with the principles of s.5.40 of the Act. Similarly, cl.14 requires the local government to ensure confidentiality of information provided, rather than imposing this responsibility equally on the selection panel, or individual panel members.</p> | N/A                                                                   | <p><b>Support with comment</b></p> <p>The City supports this inclusion however suggests that confidentiality should extend through the process until an offer of employment is accepted.</p> <p>Independent members of a selection panel would be bound by a confidentiality agreement.</p> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                    | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>If the selection panel were established as a committee in accordance with s.5.8 of the Act, the requirements relating to the calling and convening of meetings, keeping of minutes and agendas, confidentiality, declaration of conflicts of interest and application of the Code of Conduct would apply.</p> <p>The Draft Regulations will delete current r.18C, requiring a local government to approve a process for the selection and appointment of a CEO. Schedule 2 does not include a similar requirement for the selection panel to follow a process decided upon by the Council. This removes Council from important input in, or oversight of, the process by which the selection panel assesses the candidates and makes recommendations.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p><b>Performance review – agreement on the process</b></p> <p>Model Standards Clause 16 requires the local government and the CEO to agree on the process for performance review and any performance criteria that are additional to those specified in the contract. For example, the local government and the CEO may wish to include additional performance criteria after 1 or 2 years into a contract term as circumstances and priorities change.</p> | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Council does not support the mandatory CEO standards and any direction given by DLGSC to carry out actions relating to their decisions. Councils should be able to make decisions and have the flexibility to appoint a CEO and carry out performance reviews that best meet the needs of the local government. The Council supports DLGSC issuing guidelines that assists local governments in how each of the processes should be carried out, however no matter relating to the CEO should have further legislation imposed.</p> | <p><b>Comment</b></p> <p>The CEO and local government must agree on the process for performance review and any performance criteria that are additional to those specified in the contract. The process is covered in the CEO contract.</p> <p>It is recommended that DLGSC develop a dispute resolution process in the case that the CEO and Council do not agree on this process and criteria.</p> <p>Clause 16:</p> |

| OVERVIEW OF KEY AMENDMENTS TO REGULATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020 | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019                                                                                    | CITY OF MANDURAH PROPOSED<br>RESPONSE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p>The process for performance review must be consistent with clauses 17 (Carrying out a performance review), 18 (Endorsement of the performance review) and 19 (CEO to be notified of the results of the performance review).</p> <p>The process for performance review and the selection criteria upon which the review will be based must be set out in a written document.</p>                                                                                                                                                                                                                                                                                      |                                           | <p>The City requests that there is further clarity in the guidelines in terms of the definition of key performance measures/indicators and examples.</p> | <p><i>(1) The local government and the CEO must agree on — (a) the process by which the CEO's performance will be reviewed; and (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>Endorsement of performance review</b></p> <p>Model Standards Clause 18 – Endorsement of performance review by local government. Clause 18 requires that a performance review is endorsed by an absolute majority of council upon completion.</p> <p>Clause 19 – CEO to be notified of results of performance review. Clause 19(a) requires a local government to notify the CEO of the results of the performance review in writing. If the review identifies any performance issues, the local government must outline how it proposes to address and manage those issues.</p> <p>The local government must notify the CEO of the results of the performance</p> | N/A                                       | N/A                                                                                                                                                      | <p><b>Comment</b></p> <p>Neither the Model Standard cls. 17 or 18 provides the CEO with the ability to view or provide input to the performance review, prior to the review being endorsed by absolute majority under 18. In the interests of procedural fairness, the CEO should have the opportunity to view and respond to any adverse findings or comments that may form part of the final review. Clause 17(2c) states that the <i>evidence regarding the CEOs performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner.</i></p> <p>The City recommends that the Department provides an explanation of what would constitute review undertaken in a 'comprehensive manner,' and furthermore</p> |

| OVERVIEW OF KEY AMENDMENTS<br>TO REGULATIONS                          | WALGA INFOPAGE COMMENT<br>2 NOVEMBER 2020 | CITY OF MANDURAH RESPONSE<br>FROM COUNCIL MEETING 26<br>NOVEMBER 2019 | CITY OF MANDURAH PROPOSED<br>RESPONSE                                       |
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| review after it has been endorsed by an absolute majority of council. |                                           |                                                                       | make clear that this would include procedural fairness provided to the CEO. |

**To: All Local Governments**

**From: Tony Brown  
Executive Manager Governance &  
Organisational Services**

**Date: 2 November 2020**

**Priority: High**

**Subject: UPDATE: Draft *Local Government (Administration) Amendment Regulations (No.2) 2020* – Model standards for CEO recruitment, performance and termination**



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| Operational Area: | <b>Governance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Key Issues:       | <ul style="list-style-type: none"> <li>Amendments to the <i>Local Government Act 1995</i> to provide for mandatory model standards for CEO recruitment, performance and termination were passed in 2019 but are yet to come into effect.</li> <li>Consultation on draft <i>Local Government (Administration) Amendment Regulations (No.2) 2020</i> prescribing the proposed model standards is open until Friday 13 November.</li> <li>Local Governments are requested to provide a response to WALGA by 13 November.</li> </ul> |
| Action:           | <b>Council Consideration Required: Feedback Requested – 13 November 2020</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## Background

The *Local Government Legislation Amendment Act 2019* introduced numerous amendments to the *Local Government Act 1995*, including the yet to commence insertion of new sections introducing mandatory Model Standards for CEO recruitment, performance and termination.

In March 2019 the Department of Local Government, Sport and Cultural Industries invited WALGA and other parties to participate in the CEO Recruitment, Performance Review and Termination Working Group to develop Model Standards. The Department discontinued the Working Group in May 2019 and released a Consultation Paper without endorsement by the Working Group in October 2019.

At the WALGA State Council meeting held in December 2019, based on sector feedback, State Council resolved to request that the Working Group be reconvened to develop and endorse Model Standards for further sector consultation, and identified several concerns with the proposals in the Consultation Paper. Throughout 2020, WALGA sought advice from the Department on the progress of draft regulations and a sector consultation process. The Department has now released the draft *Local Government (Administration) Amendment Regulations (No.2) 2020* (Draft Regulations), to prescribe the Model Standards, together with Explanatory Notes. Both documents are available via the [Department's website](#). A short consultation period will close on Sunday 6 December 2020, following WALGA's advocacy for further time to enable Councils to consider this matter.

WALGA notes that the Working Group was not reconvened, and the Draft Regulations include several elements that were highlighted as matters of concern by the sector. Due to the short time frame WALGA provides the following information as our initial concerns;

1. Requirement to re-advertise CEO positions after 10 years of continuous service  
Section 5.39(2)(b) of the *Local Government Act* already limits CEO contracts to a maximum of 5 years and Councils have general competence powers to consider whether to renew the incumbent's contract or advertise the position. Suggesting that a Council must re-advertise the position of a CEO after 10 years is likely to prove unworkable or counterproductive in any case as:

- Councils conducting a selection process known to involve an incumbent CEO will risk allegations of non-compliance with Section 5.40 of the Local Government Act '*Principles affecting Local Government employees*' due to actual or perceived bias, nepotism and lack of merit and equity in relation to other applicants;
- May result in CEOs actively seeking alternative employment as the 10 year horizon approaches, meaning that a CEO that has provided satisfactory or perhaps exemplary service will be unnecessarily lost to the local government;
- Where a CEO is re-employed as a consequence of re-advertising after the 10 year period, this process has incurred unnecessary costs and time waste for the LG, distracting from achieving its strategic objectives and may further entrench perceptions that contracts are for life, thus negating the very purpose of this proposal.

Further, Division 3 of the Draft Regulations seeks to improve the capacity of local governments to effectively manage CEO employment. This is a far more appropriate and adapted mechanism to address a perceived issue of 'contracts for life', by ensuring that the performance of CEOs, whether long serving or newly appointed, is appropriately assessed and managed.

## 2. Independent panel member

Clause 8 of the Draft Regulations requires the selection panel to include at least one person who is neither a council member nor an employee of the local government. There is no guidance on the skills, experience or knowledge of the independent person, or their role on the panel. This has the potential to pose significant risk to the local government, as there are inadequate controls on the conduct of such a person (i.e. they will not be captured by a Code of Conduct as Panel is not a committee of Council). WALGA supports the ongoing use of an independent qualified and licensed recruitment consultant to provide guidance (as opposed to active participation) in both the recruitment process and to assist with obligations to finalise the employment of a CEO.

## 3. Transparency and procedural fairness – Schedule 2

The consultation draft emphasised that it is essential that the recruitment process is transparent and appropriately documented. Similar commentary featured in the *Report of the Inquiry into the City of Perth*, however the Draft Regulations fail to address these issues.

The selection panel is 'established' under cl.8 of Schedule 2 of the Draft Regulations, with no reference to the formation of a committee of Council under Sec. 5.8 of the Act. Cl. 9(4) of Schedule 2 includes a reference to the selection panel acting in accordance with the principles of s.5.40 of the Act. Similarly, cl.14 requires the local government to ensure confidentiality of information provided, rather than imposing this responsibility equally on the selection panel, or individual panel members.

If the selection panel were established as a committee in accordance with s.5.8 of the Act, the requirements relating to the calling and convening of meetings, keeping of minutes and agendas, confidentiality, declaration of conflicts of interest and application of the Code of Conduct would apply.

The Draft Regulations will delete current r.18C, requiring a local government to approve a process for the selection and appointment of a CEO. Schedule 2 does not include a similar requirement for the selection panel to follow a process decided upon by the Council. This removes Council from important input in, or oversight of, the process by which the selection panel assesses the candidates and makes recommendations.

4. Council decision making authority

Schedule 2, Cl. 9(2)(a) requires the selection panel to recommend one or more applicants it considers suitable, with Cl. 9(2)(b) requiring that it advise Council if it considers no applicants are suitable. In the second event, Cl. 10 requires the local government to carry out a new recruitment process. Bypassing Council in this decision-making process appears to directly conflict with Sec. 5.36(2) of the Act, where it is the Council that determines if a person is or is not suitably qualified to be employed as CEO.

WALGA is seeking to coordinate a sector response and seeks feedback from Member Local Governments on the Draft Regulation. Please provide any comments by **4pm Friday 13<sup>th</sup> November 2020** to [governance@walga.asn.au](mailto:governance@walga.asn.au).

**For further information please contact:**

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