NOTICE OF MEETING
ORDINARY COUNCIL

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

Tuesday 24 January 2017
at 5.30pm

MARK R NEWMAN
Chief Executive Officer
18 January 2017

AGENDA:

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ATTENDANCE AND APOLOGIES
Mayor Marina Vergone (on Leave of Absence).

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

4 ANSWERS TO QUESTIONS TAKEN ON NOTICE
Please refer to Attachment 4.1
5 PUBLIC QUESTION TIME

Public Question time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time, please telephone 9550 3706 or visit the City's website www.mandurah.wa.gov.au.

6 PUBLIC STATEMENT TIME

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

7 LEAVE OF ABSENCE REQUESTS

8 PETITIONS

9 PRESENTATIONS

9.1 Presentation by Ms Priest on Mandurah and Peel Tourism Organisation Inc.

10 DEPUTATIONS

Any person or group wishing to make a 5-minute Deputation to Council regarding a matter listed on this agenda for consideration must first complete an application form. For more information about making a deputation, or to obtain an application form, please telephone 9550 3706 or visit the City’s website www.mandurah.wa.gov.au.

NB: Persons who have made a deputation at the preceding Planning Committee will not be permitted to make a further deputation on the same matter to this Council meeting, unless it is demonstrated there is new, relevant material which may impact upon the Council's understanding of the facts of the matter.

11 CONFIRMATION OF MINUTES:

11.1 Ordinary Council Meeting: Tuesday 20 December 2016 (attached).

12 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

13 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS
14 QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)
   14.1 Questions of which due notice has been given
   14.2 Questions of which notice has not been given

15 BUSINESS LEFT OVER FROM PREVIOUS MEETING

16 RECOMMENDATIONS OF COMMITTEES

16.1 Adoption of Recommendations of Planning Committee Meeting: Tuesday 17 January 2017 (Green pages)

<table>
<thead>
<tr>
<th>Item No/Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>P. 7/01/17</td>
<td>Section 31 Reconsideration for Tavern</td>
</tr>
<tr>
<td>P. 8/01/17</td>
<td>Local Planning Scheme (Scheme 12) Adopt for Advertising</td>
</tr>
</tbody>
</table>

17 REPORTS (Yellow Pages):

<table>
<thead>
<tr>
<th>Item No/Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Rates Exemption - 10 Hungerford Avenue &amp; 7 Coolibah Avenue</td>
</tr>
<tr>
<td>3</td>
<td>Proposal – Use of former SES building on Park Road for new ‘Entrepreneurial Program Development for Unemployed Youth’</td>
</tr>
<tr>
<td>4</td>
<td>State Regional Arts Conference 2017</td>
</tr>
<tr>
<td>5</td>
<td>Road Closure &amp; Creation of New Reserve – Portion of Cooper Street Mandurah</td>
</tr>
<tr>
<td>6</td>
<td>Peel Chamber Commerce – Sub Lease Mandurah Transit Station</td>
</tr>
<tr>
<td>7</td>
<td>Red Road Masterplan</td>
</tr>
<tr>
<td>8</td>
<td>Beach Identification Program</td>
</tr>
<tr>
<td>9</td>
<td>Mandurah State Emergency Building – Project Completion Report</td>
</tr>
<tr>
<td>10</td>
<td>Standing Orders Local Law 2016</td>
</tr>
<tr>
<td>11</td>
<td>Waste Management Services RFT – Qualitative Criteria and Weightings</td>
</tr>
</tbody>
</table>

18 ADOPTION OF RECOMMENDATIONS NOT WITHDRAWN FOR FURTHER DISCUSSION
19 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

20 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

21 LATE AND URGENT BUSINESS ITEMS

22 CONFIDENTIAL ITEMS

23 CLOSE OF MEETING
Mr Gent asked the following seven questions:

1. Have all statements supplied by me been passed on to all Elected Members?
2. Will the City of Mandurah answer the previously asked question number 1 from 8 November, 2016?
3. Why is the finished level of Merrivale Street now referred to as the base course?
4. In reference to response to question 4, paragraph 2, is writer referring to Aaron Baxter?
5. In reference to response to question 4, paragraph 3, where did the writer get information from as no meeting occurred with Dr Hames?
6. Have all Elected Members received photographs supplied at meeting of 8 November, 2016?
7. Does City of Mandurah censor all ratepayers’ questions?

The City’s Chief Executive Officer requested to take all questions on notice.

**Response**

1. All information supplied has been forwarded to Elected Members.

2. Question 1 from questions raised on 8 November 2016 was responded to. The response is provided again:

   The City of Mandurah has discussed the alleged extra fill on Mr Gent’s property for many years. The City’s Corporate Lawyer advised staff to not remove any soil without Mr Gent’s approval. This approval has not been forthcoming.

   Uncovering any base courses under this soil is not considered relevant to the road levels. The feature survey undertaken prior to 2002 picked up the existing crossovers and road levels which were existing prior to any works taking place.

3. The finished level of Merrivale Street is the level the road has been constructed to.

4. Yes, the responder is referring to Aaron Baxter.

5. The Manager Technical Services’ diary shows that he and Dr Hames travelled to meet with Mr Gent at his property on Friday 11 July 2014 at 2pm. This meeting had been rescheduled from 3 July 2014. The meeting was to discuss the City’s proposals for Merrivale Street.
6. Photographs supplied have been distributed to all Elected Members.

7. The City modifies or rejects questions where they are considered inappropriate, not relevant or have been previously answered.
Elected Members requested clarification pertaining to various public facilities within the general location to which the Director Works and Services responded. The Director Works and Services took on notice the request for clarification on the number of anti-social incidents reported to the City pertaining to this location.

Response

The City has no record of anti-social incidents being reported to Council.
MINUTES OF COUNCIL MEETING
HELD ON
TUESDAY 20 DECEMBER 2016
AT 5.30PM
IN COUNCIL CHAMBERS
CIVIC CENTRE
MANDURAH TERRACE MANDURAH

PRESENT:

MAYOR
COUNCILLOR
COUNCILLOR
HON COUNCILLOR
COUNCILLOR
COUNCILLOR
COUNCILLOR
COUNCILLOR
COUNCILLOR
COUNCILLOR
M. VERGONE
D. LEE [DEPUTY MAYOR]
L. RODGERS
F. RIEBELING
S. LAWSON
T. JONES
R. WORTLEY
C. KNIGHT
P. JACKSON
D. SCHUMACHER
J. FIELD
P. ROGERS

CHIEF EXECUTIVE OFFICER
DIRECTOR WORKS & SERVICES
DIRECTOR SUSTAINABLE DEVELOPMENT
DIRECTOR PEOPLE & COMMUNITIES
CORPORATE LAWYER
EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
SENIOR GOVERNANCE OFFICE

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

The Mayor declared the meeting open at 5.30pm. In doing so, she acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid her respects to their Elders past and present.
APOLOGIES [AGENDA ITEM 2]

Nil.

DISCLAIMER [AGENDA ITEM 3]

G.1/12/16 DISCLAIMER

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

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

ANSWERS TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]

Officers provided responses to questions taken on notice at the Council meeting of Tuesday 8 November 2016.

PUBLIC QUESTION TIME [AGENDA ITEM 5] [5.31pm – 5.33pm]

G.2/12/16 MR R GENT – MERRIVALE STREET ROAD LEVELS

Mr Gent asked the following seven questions:

1. Have all statements supplied by me been passed on to all Elected Members?

2. Will the City of Mandurah answer the previously asked question number 1 from 8 November, 2016?

3. Why is the finished level of Merrivale Street now referred to as the base course?

4. In reference to response to question 4, paragraph 2, is the writer referring to Aaron Baxter?

5. In reference to response to question 4, paragraph 3, where did the writer get information from as no meeting occurred with Dr Hames?

6. Have all Elected Members received photographs supplied at meeting of 8 November, 2016?
7. Does City of Mandurah sensor all ratepayers’ questions?

The City’s Chief Executive Officer requested to take all questions on notice.

**PUBLIC STATEMENT TIME [AGENDA ITEM 6]**

Nil.

**LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 7]**

**G.3/12/16 LEAVE OF ABSENCE: COUNCILLOR PETER ROGERS 6 – 15 FEBRUARY, 2017 INCLUSIVE**

MOTION: F Riebeling / C Knight

That leave of absence be granted to Councillor Peter Rogers from 6 – 15 February, 2017, inclusive.

CARRIED UNANIMOUSLY: 12/0


MOTION: D Lee / T Jones


CARRIED UNANIMOUSLY: 12/0

**G.5/12/16 LEAVE OF ABSENCE: COUNCILLOR TAHLIA JONES 11 – 20 JANUARY, 2017 INCLUSIVE**

MOTION: L Rodgers / P Jackson


CARRIED UNANIMOUSLY: 12/0
G.6/12/16 LEAVE OF ABSENCE: COUNCILLOR PETER JACKSON 22 DECEMBER 2016 - 16 JANUARY, 2017 INCLUSIVE

MOTION: D Schumacher / T Jones


CARRIED UNANIMOUSLY: 12/0

PETITIONS [AGENDA ITEM 8]

Nil.

PRESENTATIONS [AGENDA ITEM 9]

Nil.

DEPUTATIONS [AGENDA ITEM 10]

G.7/12/16 MR T CRIBB: HALLS HEAD PRECINCT PLAN – MODIFICATION NO. 4

Mr Tristan Cribb represented the land owner Cape Bouvard in relation to the proposed modifications to the Halls Head Precinct Plan, encouraging Council to adopt the original recommendation and facilitate additional retail bulk goods. Mr Cribb spoke in relation to population density within catchment area, relevance of State planning policies, market demand, community feedback and creation of local employment opportunities.


Mr Williams acknowledged Council’s support for Make Place and projects it has delivered to date. Mr Williams gave an overview of Make Place’s aims, intentions and focus.

G.9/12/16 MR G PASCOTT: COX BAY FORESHORE – PROPOSED BARBEQUE INSTALLATION

Mr Pascott spoke to Council representing petitioners who are opposed to the barbeque installation. Mr Pascott cited the following objections:

- Late night noisy behaviour of attendees to the proposed facility
- Lack of supporting infrastructure such as shade, seating and ablutions
- Close proximity of similar existing facilities
- Inadequacy of parking within location
- Lack of rubbish receptacles
G.10/12/16  MR D CARTER: COX BAY FORESHORE – PROPOSED BARBEQUE INSTALLATION

Mr Carter represented himself and petitioners opposed to the barbeque installation. Mr Carter cited objections relating to:

• Lack of consultation with local residents
• Late night noisy behaviour of attendees to the proposed facility
• Lack of supporting infrastructure such as shade, seating, ablutions, parking and rubbish disposal
• Close proximity of similar existing facilities
• Perception of anti-social behaviour such as vandalism and graffiti

CONFIRMATION OF MINUTES [AGENDA ITEM 11]

G.11/12/16  CONFIRMATION OF COUNCIL MINUTES: TUESDAY 22 NOVEMBER 2016

MOTION:  D Schumacher / P Rogers

That the Minutes of Council Meeting of Tuesday 22 November 2016 be confirmed.

CARRIED UNANIMOUSLY:  12/0

ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 12]

Mayor Vergone presented Allan Claydon, Director of Works and Services, with a certificate for 25 years’ service at the City of Mandurah and Tony Free, Director Sustainable Development, a certificate for 20 years’ service.

Councillor Schumacher left the Chamber at 5.56pm.

DECLARATION OF INTERESTS [AGENDA ITEM 13]

• Mayor Vergone declared a financial interest in Minute 37/12/16 relating to confidential item 22.1 Sponsorship because of a business relationship with the requesting Club.

QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 14]

Questions of which due notice has been given

Nil.
Questions of which notice has not been given

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 15]

Nil.

RECOMMENDATIONS OF COMMITTEES [AGENDA ITEM 16]

NOTE: Council adopted en bloc (moved by Councillor Knight and seconded by Councillor Field), the recommendations of the Audit and Risk Committee meeting of Monday, 28 November 2016.

G.12/12/16 SERVICE REVIEWS UPDATE AND FUTURE DIRECTION (MN / GD)
(AR.3/11/16)

Since 2009, the City has used service reviews as a means of evaluating whether services offer value for money to the community and also to identify what improvements can be made to that service. This report provides background information on past reviews, progress of current reviews, proposed reviews for the next two financial years and the business improvement approach to be considered in the future.

Council is requested to note the progress of service reviews at the City and to adopt the service review program for 2016/17 and 2017/18.

MOTION: C Knight / J Field

That Council:

1. Notes the service review activity undertaken at the City
2. Endorses the proposed program of service reviews for 2016/17 and 2017/18
3. Receives a future report on the approach of embedding business improvement into everyday City activities and operations
4. Notes that a minor additional expenditure of $13,000 for a different vehicle and associated IT equipment to increase mobility of the development compliance team will be included in the mid-year budget review

Keeps the report confidential but makes the recommendations public

CARRIED UNANIMOUSLY: 11/0
(This item was adopted en bloc)
G.13/12/16 DIGITAL STRATEGY (GD / SC) (AR.4/11/16)

The City of Mandurah has developed a strategy to move the City’s internal operations and the services it offers to the community to a digital environment. This includes shifting the focus of workers from manual, paper-based transactions to wholly digital transactions where possible, and also increasing the self-service capabilities of the City to allow customers to interact with the City electronically.

This document sets out the key principles for a digital strategy as well as the challenges the City faces to move to digital working. It outlines the drivers (being the office of the future and future technologies) and spells out the initiatives being undertaken, or planned to be undertaken by the City. The digital strategy is shaped in accordance with the City’s customer service strategy where digital channels are one of the major channels in which the City interacts with and services its community along with face to face and telephone contact channels. All of these channels are equally important to the quality of service offered to the community.

Council is requested to endorse the digital strategy (Attachment 1) for ongoing implementation into the City’s operation and the digital services that will be progressively offered to the community.

MOTION: C Knight / J Field

That Council endorses the City’s Digital Strategy as the guiding document for the implementation of digital initiatives at the City.

CARRIED UNANIMOUSLY: 11/0
(This item was adopted en bloc)

G.14/12/16 2015 / 16 ANNUAL FINANCIAL REPORT (AR.5/11/16)

Copies of the Financial Statements for 2015/16, additional explanatory notes and a discussion paper submitted by the City’s auditor, Mr John Sibenaler, had been previously distributed by the Manager Financial Services for Elected Members attention.

MOTION: C Knight / J Field

That Council receives the Financial Statements for 2015/16 together with the report of the Auditor.

CARRIED UNANIMOUSLY: 11/0
(This item was adopted en bloc)

Councillor Schumacher returned to the Chamber at 5.59pm.

NOTE: Council adopted en bloc (moved by Councillor S Lawson and seconded by Councillor D Lee), the recommendations of the Planning Committee meeting of Tuesday 6 December 2016 with the exception of Items P.6/12/16 and P.8/12/216, which were dealt with separately.
Council is requested to consider modifications to the Halls Head Precinct Plan which have been proposed by the landowner of Lot 9000 Hungerford Avenue, Halls Head. The proposed modifications to the Precinct Plan include changes to facilitate development of additional bulky goods retail (‘showrooms’) in the precinct and a redesign of the remaining portion of the site.

The modified Precinct Plan has been advertised for a period of 28 days, with 10 submissions received (including 4 individual letters from residents, 5 from external stakeholders and a ‘proforma’ letter signed by 121 residents). The vast majority of submissions oppose the modification primarily due to the impacts that a bulky goods use would have on the area, increased traffic, noise and visual impact.

In addition, it is considered that proposed modifications to the Precinct Plan may be inconsistent with the provisions of State Planning Policy 4.2 – Activity Centres in Perth and Peel and the provisions of the Council’s Activity Centres Planning Strategy with regard to the introduction of further bulky goods retail in the precinct.

To address these concerns, the applicant has modified the plan, that subject to additional design provisions being included in the Precinct Text, address many of the City’s officers and residents key issues. It is recommended that Council provides this report and comments to the WAPC for the proposed modifications to the Precinct Plan.

Report Recommendation:

That:

Under Clause 36 and 45(2) of Planning and Development (Local Planning Schemes) Regulations 2015, Council provides this report to the Western Australian Planning Commission for the proposed modifications to the Halls Head Town Centre Precinct Plan (Plan Ref: 03/1159/002L), noting that the plan will be approved as the Halls Head Town Centre Activity Centre Plan, recommending that the proposed modifications be approved subject to the following:

1. The proponent being required to demonstrate that there is a lack of availability for the increased mixed business floor space within existing sites that are designated for such land uses within Mandurah, as required by State Planning Policy 4.2: Activity Centres for Peel and Perth, and noting the recommendations of the City of Mandurah’s Activity Centres Strategy to the Western Australian Planning Commission’s satisfaction;

2. The Indicative Development Plan be modified to ensure that:

   1.1 Pedestrian access is provided between the development area and Penola Way (at the end of the proposed cul-de-sac)

   1.2 General updates the legend and the plan to show the Shared Path Network and date being added to the plan.

3. The Precinct Plan Text be modified to ensure that:

   3.1 That additional built form design provisions be included for the ‘Mixed Business’ and ‘Mixed Use/Residential’ development areas, to address:

      (a) bulk and scale of proposed buildings;
(b) interfaces with adjacent streets;
(c) the scale of the fascia in comparison to any proposed signage;
(d) the extent and appropriate location of wall signage;
(e) the preclusion of pylon signage and
(f) maximum setbacks and heights;

3.2 An Acoustic Report and Noise Attenuation Measures are required with any development application for the ‘Mixed Business’ portions of the site adjoining proposed residential development;

3.3 The Car Parking Standards being updated to be consistent with the provisions of State Planning Policy 4.2: Activity Centres for Peel and Perth;

3.4 Any Local Development Plans required for future residential development address the interface with Old Coast Road; the proximity to new ‘Mixed Business’ development and the interface with Hungerford Avenue and the existing retirement village to the north-east .

4. Additional administrative changes are required to the Precinct Plan Text to reflect the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015 to reflect an Activity Centre Plan adopted under Part 5 of the Deemed Provisions for Local Planning Schemes.

Council Knight moved an alternate recommendation which was seconded by Hon. Councillor Riebeling.

MOTION: C Knight / F Riebeling

That:

Under Clause 36 and 45(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council provides the local government report dated 9 December 2015 to the Western Australian Planning Commission for the proposed Modification No 4 to the Halls Head Town Centre Precinct Plan (Submitted as Plan Ref PA1272/STP03 dated 17 June 2016 and modified in Plan Ref: 03/1159/002L), recommending that the plan should not be approved for the reasons set out in the report.

CARRIED UNANIMOUSLY: 12/0

G.16/12/16 AMENDMENT 135 TO TOWN PLANNING SCHEME NO 3 – PINJARRA ROAD / WANJEEP STREET, COODANUP – FINAL APPROVAL (P.7/12/16)

Council is requested to adopt for final approval Amendment 135 to the Town Planning Scheme No 3 (‘Scheme 3’) which proposes rezone a number of lots at the south-eastern corner of Pinjarra Road and Wanjeep Street, Coodanup from ‘Urban Development’ to ‘Residential R30’, ‘Residential R40’, ‘Service Commercial’ with ‘Additional Use’ zone .

A proposed Local Structure Plan has been prepared over the site, however due to the Planning and Development (Local Planning Schemes) Regulations 2015, the Structure Plan seeks to include provisions that amend the Scheme which is no longer provided for in a
Structure Plan. It is possible that should the Amendment be approved, then the progression of the Structure Plan may not be necessary.

In rezoning part of the site to Service Commercial, consistent with the Mandurah East Structure Plan, part of the proposal also includes an allowance for a ‘Fresh Food Market’ to be considered on the site with a maximum of 3500 square metres if combined with a larger development, or a maximum of 5000 square metres if it is the sole use. Requirements are proposed in the Scheme text to provide controls for the built form to be applied to future development assessment.

It is recommended that Council adopt Amendment 135 for final approval

MOTION:  S Lawson / D Lee

That:

1 In accordance with Regulation 50(3) of the Planning and Development (Local Planning Scheme) Regulations 2015, Council support to Amendment No 135 to Town Planning Scheme No 3 which proposes to:

(a) Rezone Lots 1, 27, 28, 31, 32 Pinjarra Road and Lot 26, Wanjeep Street, Coodanup from ‘Urban Development’ to ‘Service Commercial’;

(b) Rezone Lots 800 Pinjarra Road and Lot 113 Wanjeep Street from ‘Urban Development’ to ‘Residential R30 and R40’;

(c) Rezone Reserve 32083 Wanjeep Street from ‘Urban Development’ to ‘Community Purpose (Public Utility)’ Reservation; and

(d) Inserting Additional Use and associated provisions into Appendix 2 (Additional Uses) of the Scheme Text

Without modification.

2 The ‘Schedule of Submissions’ in relation to Amendment 135 to Town Planning Scheme No 3 (as attached) be endorsed.

3 Three copies of the Scheme Amendment documents for Amendment No 135 be signed and executed on behalf of Council and forwarded to the Western Australian Planning Commission seeking final approval by the Minister for Planning.

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

G.17/12/16 DEVELOPMENT APPLICATION 8547: CAR PARK (CAR HOLDING YARD) LOT 68-71 & (STAFF CAR PARK) LOT 88 ADANA STREET, MANDURAH (P.8/12/16)

Council is requested to consider a development application over Lots 68-71 and 88 Adana Street, Mandurah. The subject lots are currently being utilised to store new and used motor vehicles (Lots 68-71) and for staff parking (Lot 88) without formal development approval.
Following concerns raised by residents regarding the use of Adana Street for the unloading of motor vehicles, the City investigated the use of Lots 68-71 and 88 which appear to have been used since around 2007 and 2013 respectively. Essentially, a number of dealerships within the locality have their vehicles delivered to Lots 68-71, which are stored and then driven to their dealership individually as required.

The applicant proposes to construct a 1.8 metre solid brick wall along Adana Street and would be required to landscape the road verge to provide separation between the existing activity and residential properties on the south side of the road.

It is the applicant’s intention for delivery vehicles to continue to utilise the road reserve to the west of Lots 68-71 to unload and access the site. It is noted that the road is not constructed, whilst there is currently no plans to construct the road. The application was formally advertised to surrounding landowners between 7 June and 28 June 2016, with 6 submissions being received.

In order to consider this application, it is important to consider it holistically in terms of any existing approvals granted and compliance with imposed conditions, as well as the future of the site and surrounding area.

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

Report 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 a proposed Car Park (Holding Yard (Lots 68-71) and Staff Car Park (Lot 88) Adana Street, Mandurah (DA8547) subject to the following conditions:

1. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan (s) unless otherwise required or agreed in advance in writing by the City of Mandurah, including the following modifications illustrated in red ink:

   1.1 All existing structures and sea containers contained on Lot 68 Adana Street shall be removed (including all materials) within 30 days from the date of approval.

   1.2 All existing crossovers to Adana Street shall be removed and landscaped in accordance with Condition 2. All access to the site shall be via the existing un-named Road Reserve located to the west of Lot 71.

2. A landscape buffer shall be provided within the adjacent verge areas in order to provide a suitable interface with Adana Street, and shall be maintained thereafter to the satisfaction of the City of Mandurah The applicant / landowner shall prepare a detailed landscape and verge development plan within 30 days from the date of approval, which shall be submitted to the City for approval unless otherwise agreed in writing. The plan shall identify the location, species and quantity of plants, including the provision of street trees, and shall provide screening and a suitable interface with Adana Street to the satisfaction of the City of Mandurah.

   All landscaping shall be maintained thereafter in accordance with the approved landscape plan.
3. All parking areas shall be used for the parking of motor vehicles only, and shall not be used for general storage, display of motor vehicles for sale, servicing or any other purpose unless approved by the City of Mandurah.

4. The applicant / landowner shall rectify the encroachment into Crown Land, and shall reinstate the verge accordingly within 30 days from the date of approval.

5. All delivery vehicles must be located entirely on-site during the loading and unloading of vehicles and / or goods associated with the use of the site to the satisfaction of the City of Mandurah.

Advice Note:

1. The construction of a 1.8 metre high brick wall along the southern boundary, facing Adana Street, does not form part of this approval. The applicant / landowner shall ensure that the existing fence is screened through the use of landscaping.

2. The applicant is advised that all deliveries and parking of vehicles shall be undertaken in accordance with the Environmental Protection (Noise) Regulations 1997.

Hon Councillor Riebeling moved two alternate motions pertaining to this item which were seconded by Councillor Knight.

MOTION: F Riebeling / C Knight

MOTION ONE

That in accordance with Clause 68(2) of the Deemed Provisions for Local Planning Schemes, that Council grant development approval for a proposed Car Park (Holding Yard (Lots 68-71) and Staff Car Park (Lot 88) Adana Street, Mandurah (DA8547) subject to the following conditions:

6. The development shall be carried out and fully implemented in accordance with the details indicated on the stamped approved plan (s) unless otherwise required or agreed in advance in writing by the City of Mandurah, including the following modifications illustrated in red ink:

6.1 All existing structures and sea containers contained on Lot 68 Adana Street shall be removed (including all materials) within 30 days from the date of approval.

6.2 All existing crossovers to Adana Street shall be removed and landscaped in accordance with Condition 2. All access to the site shall be via the existing un-named Road Reserve located to the west of Lot 71.

7. A landscape buffer shall be provided within the adjacent verge areas in order to provide a suitable interface with Adana Street, and shall be maintained thereafter to the satisfaction of the City of Mandurah The applicant / landowner shall prepare a detailed landscape and verge development plan within 30 days from the date of approval, which shall be submitted to the City for approval unless otherwise agreed in writing. The plan shall identify the location, species and quantity of plants, including the provision of street trees, and shall provide screening and a suitable interface with Adana Street to the satisfaction of the City of Mandurah.
All landscaping shall be maintained thereafter in accordance with the approved landscape plan.

8. All parking areas shall be used for the parking of motor vehicles only, and shall not be used for general storage, display of motor vehicles for sale, servicing or any other purpose unless approved by the City of Mandurah.

9. The applicant / landowner shall rectify the encroachment into Crown Land, and shall reinstate the verge accordingly within 30 days from the date of approval.

10. All delivery vehicles must be located entirely on-site or in designated loading zones during the loading and unloading of vehicles and / or goods associated with the use of the site to the satisfaction of the City of Mandurah.

Advice Note:

3. The construction of a 1.8 metre high brick wall along the southern boundary, facing Adana Street, does not form part of this approval. The applicant / landowner shall ensure that the existing fence is screened through the use of landscaping.

4. The applicant is advised that all deliveries and parking of vehicles shall be undertaken in accordance with the Environmental Protection (Noise) Regulations 1997.

CARRIED UNANIMOUSLY: 12/0

MOTION - TWO

That Council

1. Notes the proposal to introduce no stopping restrictions on Adana Street Mandurah in accordance with the plan (Plan No 16/Pinjarra_adana)) subject to consultation with adjoining landowners and residents.

2. Considered the allocation of funds in the 2017/18 budget for the construction of the unmade road (between Pinjarra Road and Adana Street) subject to a suitable contribution from the owner of Lots 68-71 Adana Street, Mandurah.

CARRIED UNANIMOUSLY: 12/0

REPORTS [AGENDA ITEM 17]

NOTE: Council adopted en bloc (moved by Councillor Peter Rogers and seconded by Councillor D Lee), the recommendations of the Council Reports as presented in the agenda with the exception of Reports 4, 5, 10, 11, 14, 16, 17 and Confidential Report 1 which were dealt with separately.
The Financial Report for November 2016 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members’ consideration.

MOTION: P Rogers / D Lee

That Council:


2. Receives the Schedule of Accounts for November 2016 for the following amounts:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Municipal Fund</td>
<td>$8,654,281.00</td>
</tr>
<tr>
<td>Total Trust Fund</td>
<td>$64,616.90</td>
</tr>
<tr>
<td></td>
<td>$8,718,897.90</td>
</tr>
</tbody>
</table>

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

The City has received a request from Bethanie Housing Ltd (BHL) for non-rateable status for housing at 12-18 Harlequin Mews, Greenfields.

BHL meet the criteria for charitable use. Council is requested to approve non-rateable status for the land at 12-18 Harlequin Mews, Greenfields.

MOTION: P Rogers / D Lee

That Council approves non-rateable status for Bethanie Housing Ltd for land at 12-18 Harlequin Mews, Greenfields (Lot 216 D/P 21491).

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

For some time the City has been in dispute with the Royal Australian Air Force Association (RAAFA) regarding the rating of their retirement village in Erskine Grove. The issue revolved around whether or not RAAFA’s business model constituted the charitable use of land.

The matter was heard in the State Administrative Tribunal (SAT) which found in favour of RAAFA. Subsequently the City took the matter before the Court of Appeal which has now dismissed the City’s arguments.

Council is requested to confirm the non-rateability of RAAFA Erskine Grove and note that the City will continue to seek reform to the legislation governing exemption from rates for non-profit organisations which operate retirement villages.
MOTION: P Rogers / D Lee

That Council:

1. Approves the discontinuation of any action with regard to the rating of RAAFA Erskine, and notes that further appeals will not place.

2. Approves non-rateable status for the land at 1 Oakleigh Drive, Erskine comprising three lots:
   Lot 711 D/P 100512
   Lot 712 D/P 25071
   Lot 102 D/P 38803

3. Notes that efforts to engage with both State politicians and the Western Australian Local Government Association regarding reform of charitable exemptions will continue.

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

G.21/12/16 MURDOCH UNIVERSITY CHAIR IN SUSTAINABLE DOLPHIN TOURISM (MRN) (REPORT NO. 4)

In October 2015 Council resolved to support the request for funding for a Chair in Sustainable Tourism for four years and agreed to the funding of $30,000 for the first year of the proposal.

Murdoch University recently provided the City with details of the first year’s research and are now seeking confirmation of funding for the four year period 2016/17 to 2019/20 at $30,000 per year. Murdoch are also seeking a one off extra contribution of $20,000 this financial year towards the acquisition of vehicle to transport a research vessel.

Given the research that has been undertaken and the value of the dolphin to the City’s tourist industry, Council is requested to approve the requests

Hon Council Riebeling moved an amendment to the motion pertaining to the duration of funding to align with discussion between the parties. Funding was to be for a four year period concluding in 2018/19. The amended motion was seconded by Councillor Peter Rogers.

MOTION: F Riebeling / P Rogers

That Council:

1. Approve the allocation of $30,000 per year as its annual contribution for the financial years 2016/17 to 2018/19 toward the Peel Harvey Dolphin Research Project.

2. Approve the allocation of $20,000 in 2016/17 to enable the purchase of a vehicle to tow the projects vessel.

CARRIED UNANIMOUSLY: 12/0
G.22/12/16  2017 AUSTRALIAN COASTAL COUNCILS CONFERENCE 3 TO 5 MAY 2017, REDCLIFFE QUEENSLAND (MRN) (REPORT NO. 5)

Council is requested to approve the attendance of an Elected Member/s at the Australian Coastal Councils Conference to be held at Redcliffe in Queensland from Wednesday 3 May to Friday 5 May 2017. The conference is organised by the Australian Coastal Councils Association Inc. (of which the City of Mandurah is a member).

The annual Australian Coastal Councils Conference is a highlight of the year for representatives of Australia’s coastal councils, policy makers, researchers and others with a stake in the future of the Australian coast and its communities.

MOTION: D Schumacher / S Lawson

That Council approves the attendance of Councillor Caroline Knight who is an Australian Coastal Councils Association Inc Committee Member and Councillor Ron Wortley at the Australian Coastal Councils Conference to be held at Redcliffe in Queensland from Wednesday 3 May to Friday 5 May 2017.

CARRIED UNANIMOUSLY: 12/0

G.23/12/16  MANDURAH PERFORMING ARTS CENTRE – 20TH BIRTHDAY CELEBRATIONS (LW) (REPORT NO. 6)

The Mandurah Performing Arts Centre (MPAC) celebrates its 20th Birthday in 2017, having opened in 1997. It is anticipated that the celebrations will span a series of events that both showcase the centre as well as engaging the Mandurah community in a celebration of everything arts and culture.

The opening of the centre showcased a range of Mandurah talent and it is envisaged that this will occur in 2017. To support this a committee will be formed which will support the development of this community event.

The reports seeks Council support for the celebration, the appointment of Councillor Jane Field to the committee and notes the inclusion of $20,000 in the 2017/18 draft budget to support the celebrations.

MOTION: P Rogers / D Lee

That Council

1. Notes that 2017 is the 20th birthday of the opening of the Mandurah Performing Arts Centre

2. Notes the addition of Councillor Jane Field to the Mandurah Performing Arts Centre 20th Birthday Celebrations Committee.

3. Notes that $20,000 will be in the draft 2017/18 budget to support the activities of the birthday events.

CARRIED UNANIMOUSLY: 12/0
(This item was adopted en bloc)
G.24/12/16  AUSTRALIAN TOURISM AWARD ATTENDANCE – DARWIN 2017 (LW)  
(REPORT NO. 7)

On 12 November 2016 at the Western Australian Tourism Awards the City of Mandurah won the Gold Award in the Major Events and Festivals category for Crab Fest. The winners of each state award then go forward to be the nominations for the National Tourism Awards which are to be held in Darwin on the 24 February 2017.

Council is requested to acknowledge the winning of the award and note that the Mayor and Deputy Mayor will travel to Darwin for the awards ceremony in February 2017.

MOTION: P Rogers / D Lee

That Council

1. Notes the success of Crab Fest winning the Gold Award in the Major Festivals and Events category of the Western Australian Tourism Awards in November 2016

2. Notes the attendance of the Mayor and the Deputy Mayor at the National Tourism Awards in Darwin on 24 February 2017.

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

G.25/12/16  PROPOSED (SEABED) LEASE – PORTION RESERVE 48415 (LP/LR)  
(REPORT NO. 8)

In May 2016, Council support was obtained to advertise the disposal of a 805 square metre portion of Reserve 48415 via a seabed lease for a six year term with three five year option of renewals (maximum 21 years) to the adjoining landowners Strzelecki Holdings Pty Ltd (Strzelecki).

Strzelecki have advised that the initial floating jetty design was reviewed by a Marina consultant who recommended that the design be altered slightly for better functionality. This would enable the floating jetties to accommodate up to four 20 metre vessels, rather than the three which the original plan supported, and one 15 metre vessel, rather than two. This change in design equated to a requirement of a further 42 square metres of seabed to be included in their lease area bringing the total area to 847 square metres. The redesign also improved the disability access to the jetties which requires an abutment to the adjoining public recreation reserve 48589.

Council is therefore requested to support the advertising of and if no submissions are received, the disposal of 847 square metres of portion of Reserve 48415 to Strzelecki Holdings Pty Ltd for a term of six years with three, five year options of renewal (6+5+5+5 years) commencing after the Minister for Lands consent.

Granting of the lease remains subject to all statutory approvals for the construction and conditional upon the jetties being made available for use by the general public free of charge. An annual rental rate of $8,419.20 (exc GST) will apply which will attract annual CPI and market rent reviews at the end of the first term and every five year option of renewal. All the above is subject to the Minister for Lands approval.
MOTION: P Rogers / D Lee

That Council:

1. Approves the advertising and if no submissions are received during the advertising period, the disposal of 847 square metre portion of Reserve 48415 Mandurah Ocean marina via a lease agreement to Strzelecki Holdings Pty Ltd with the following conditions:

   1.1. A tenure period of six years with three five year option of renewals (6+5+5+5 years);
   1.2. Rent commencing at $8,419.20 per annum;
   1.3. Commencing after the Minister for Lands consent;
   1.4. Annual CPI to apply for the term;
   1.5. Market rent reviews at the end of the first term and every renewal term;
   1.6. The City of Mandurah’s Waterways and Marina Local Law 2010 to apply to the lease area;
   1.7. Jetties and berths to be made available free of cost to the general public;
   1.8. No mooring of vessels on the north western side of the jetty with signs to be installed at the lessees costs;
   1.9. All statutory approvals to be obtained;
   1.10. The Minister for Transport and Minister for Lands approval being granted.

2. All costs associated with the advertising, signage and preparation of the lease are to be borne by the lessee;

3. Authorises the Chief Executive Officer to finalise the conditions of the lease agreement.

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

G.26/12/16 ENVIRONMENTAL HEALTH OFFICER AUTHORISATIONS - PUBLIC HEALTH ACT 2016 (KF/BI) (REPORT NO. 9)

The new Public Health Act 2016 (the new Act) received Royal Assent on 25 July 2016 and will replace the Health Act 1911 (the current Act) over a 3-5 year period in 5 stages. The Department of Health has announced stage 3 will commence on 24 January 2017 which will require the local government to commence a number of administration changes to assist in the transition to the new regulatory framework. These initial changes, however will have minimal impact to general operational matters.
This report serves to inform Council of the commencement of the new Act and provides the Chief Executive Officer with the appropriate delegation to designate Environmental Health Officers as Authorised Officers under the new Act.

Under the provisions of the current Act, Environmental Health Officers employed by local governments are appointed by the Executive Director Public Health from the Department of Health. Under the provisions of Section 21 of the new Act, the local government which will be known as the ‘enforcement agency’ and has the power to delegate the duty conferred or imposed on it to the Chief Executive Officer of a local government.

MOTION: P Rogers / D Lee

That Council:


2. Approves the Delegation to come in affect upon stage three implementation of the Public Health Act 2016 on 24 January 2016.

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


Council is requested to continue its sponsorship arrangement with Make Place for a further two years, being 2016/17 and 2017/18. During 2015/16, the City sponsored Make Place to the value of $130,000.

Council has been an early and strong supporter of Make Place, which is continuing to evolve as The Makers experiment with what works. As part of this evolution Make Place has, as its vision, “An empowered, proud and aspirational Mandurah” with a particular focus on inspiring ideas and advancing action.

In July 2015 Council agreed to sponsor Make Place for 2015/16 with a two year option at Council’s discretion, subject to performance of agreed performance indicators. The indicators have been met during 2015/16, thus the recommendation is that Council exercise the option and sponsor Make Place for a further two years (2016/17 and 2017/18).

It is also recommended that officers undertake a review of similar co-working spaces/start up business centres across regional Australia to inform Council after June 2018 of the most appropriate business model and City involvement in such a facility in Mandurah.

MOTION: F Riebeling / D Schumacher

That Council:

1. Agrees to a two year 2016/17 and 2017/18 sponsorship arrangement with The Makers for Make Place

2. Approves the annual sponsorship of Make Place for 2016/17 and 2017/18 to the value of $130,000 annually (excluding GST) subject to:
2.1 Submitting quarterly reports on the progress against the Key Performance Indicators outlined below for the quarters ending 31 January, 30 April, 31 July and 31 October

2.2 Presenting an annual report to the City on the activities and achievements of Make Place, measured against the agreed Key Performance Indicators, with a report to be presented to Council

2.3 The submission of The Makers audited financial statements

2.4 Giving access to the City of the Make Place membership database for appropriate consultation and stakeholder engagement purposes

2.5 Acknowledging the City as Make Place’s principal sponsor

2.6 Using the City’s logo in Make Place marketing collateral, including on-line platforms

2.7 Inviting City of Mandurah employees and elected members to engage with Make Place member-based events and activities

2.8 The City receiving 100 hours of hire of Make Place facilities, free of charge.

Make Place annually hosting:

2.9 Four ‘big ideas’ forums: showcasing stories of successes and failures from across the local, national and international start-up scene to stimulate big picture thinking

2.10 Eleven morning glory events, with guest speakers: exploring stories of leadership, contribution and philanthropy

2.11 Twenty informal networking events: events aimed at providing opportunities for likeminded entrepreneurs and leaders to build Make Place ecosystem

2.12 Twenty Make Place activation initiatives (music, comedy, pop-up shops etc): providing opportunities for local creative entrepreneurs to test and trial their products in front of live audiences

2.13 Six TED events, showcasing inspiring TED talks: showcasing TED talks aiming to inspire big picture thinking and encouraging big picture thinking of local entrepreneurs and prospective leaders

Make Place annually:

2.14 Providing 200 hours of free space hire to local non-profits and innovative start-up initiatives that would benefit from the space but that don’t have the capacity to pay
2.15 Waiving fees of 20 annual co-working memberships to members of the community who would benefit from being involved but who don’t have the capacity to pay

2.16 Providing 50% subsidies to capacity building initiatives for 50 local people who would benefit from the opportunity but who don’t have the capacity to pay

2.17 Providing evidence of four business start-ups beginning and growing their businesses by their involvement in Make Place

2.18 Providing evidence of four young people’s development through their interaction with Make Place, the establishment of where they were at in terms of development, skills and employability

2.19 Providing six case studies of young people’s development

2.20 Providing evidence that the space is activating business start-ups or other initiatives which are leading to sustainable businesses or activities

3. The City sponsorship is to be made in four payments of $32,500 (excluding GST) in December (following receipt of annual report), February, May (following submission of audited financial statement), and August

4. Advises The Makers that Council’s sponsorship will be reviewed following the submission of Make Place annual report following the 2017/18 year

5. Requests that officers undertake a review of business models including financing and partnerships of co-working spaces/start up business centres across regional Australia and present to Council a suggested model for Mandurah.

CARRIED UNANIMOUSLY: 12/0

G.28/12/16 NORTHPORT BEACH PUBLIC ABLUTIONS (JS) (REPORT NO. 11)

The 2016/2017 budget of works made provisions for the construction of a public ablution facility at Northport Beach, Wannanup.

The public ablution facility is needed to support the popular swimming and recreation area which includes barbeques, playground and picnic shelters.

During recent inspections by Officers it was confirmed that some reserve users where using the existing trees and low lying bush to defecate in the reserve. This is unacceptable and the installation of a new public facility would be a timely resolution given the population growth in the residential precinct.

The proposed ablation design consists of an accessible unisex toilet with baby change table and an ambulant toilet. The external appearance is sympathetic to the surrounding architecture and mirrors the Mediterranean theme of the locality.
A concept plan has been provided to the residents. Feedback has been received which raised issues with the location and the possibility that it will promote anti-social behaviour.

The issues raised have been considered and officers are of the opinion that the proposed location is the most appropriate for the reserve and that antisocial behaviour can be effectively managed through after hours locking of the facility, security lighting and the high level of passive surveillance that will be available.

Council is requested to approve the proposed internal and external design along with location of the new toilet facility.

Report Recommendation

That Council:

1. Approves the proposed location of the ablution facility being adjacent to the existing barbeque and picnic facilities as shown on Plan MSC 2460/01 (Attachment 3).

2. Endorses the toilet facility design architecture promoting the Mediterranean theme of the locality as per Attachment 1.

Councillor Tahlia Jones moved the motion to defer consideration of this item which was seconded by Councillor Peter Rogers.

MOTION: T Jones / P Rogers

That Council defer consideration of this item to the 24 January 2017 Council meeting to enable additional community consultation.

CARRIED UNANIMOUSLY: 12/0

G.29/12/16 ESTUARY DREDGING: POSTPONEMENT OF 2016/2017 PROGRAM (NC) (REPORT NO. 12)

The City has planned to undertake dredging of the Novara Boat Ramp during the 2016/2017 financial year.

An opportunity has arisen for the City to avail itself of access to the State Government Contract for dredging which will result in considerable savings. Unfortunately, the dredging program earmarked for the Peel Harvey Estuary won’t occur until 2017/2018. However, there is much benefit in deferring the planned works until 2017/2018.

Council is requested to endorse the proposal to defer the dredging of Novara Boat Ramp from 2016/17 to avail itself of the State Government dredging contract which will result in reduced cost to the City.

MOTION: P Rogers / D Lee

That Council:

2. Endorses negotiations being undertaken with the Department of Transport to deliver the City's dredging program in the Peel Harvey Estuary in the 2017/2018 financial year.

3. Will consider the dredging of Novara and Dawesville boat ramp channels in its 2017/2018 budget approval process.

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

G.30/12/16 TENDER NUMBER 15-2016 – DESIGN AND CONSTRUCTION OF ST IVES BOARDWALK – SERPENTINE RIVER, GREENFIELDS (JS) (REPORT NO. 13)

As part of the 2016/2017 budget of works, council endorsed the construction of a 150m section of boardwalk adjacent to the Serpentine River known as the St Ives Boardwalk – Serpentine River, Greenfields, following the existing walking trail adjacent to “Reed Lagoon”.

An evaluation panel assessed tenders against weighted selection and compliance criteria and found that the submission of Walcon Marine Australasia Pty Ltd was the most advantageous tender.

Accordingly, Council approval is sought to select Walcon Marine Australasia Pty Ltd as the successful tenderer for the design and construction of the St Ives Boardwalk – Serpentine River, Greenfields.

MOTION: P Rogers / D Lee

That Council awards Walcon Marine Australasia Pty Ltd the contract under Tender 15-2016 for the Design and Construction of St Ives Boardwalk – Serpentine River, Greenfields, at the lump sum price of $166,866.00.

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

G.31/12/16 COX BAY FORESHORE: PROPOSED BARBEQUE INSTALLATION (JH) (REPORT NO. 14)

The 2016/2017 budget of works includes provision for the supply and installation of a single plate accessible barbeque in the foreshore reserve adjacent to Perseverance Boulevard (Cox Bay Foreshore).

The residential properties abutting the project site were contacted by letter advising of the project and inviting feedback on the location of the proposed barbeque. Subsequently the City received both resident support for and against the project. Of particular note, was a petition presented to Council on which included 35 signatories representing 19 properties in the immediate area requesting cancelation of the project.

Information is provided for Council’s consideration which provides the rationale for the project proposal which is based on meeting the needs for a broader community outside those residential properties who directly abut the public open space and foreshore. It is recognised
that the timing of the facility development in reserves is often a decision based on needs and community preferences at that point in time.

Council is requested to review the proposal to install a barbeque facility in the foreshore area.

Councillor Tahlia Jones moved the alternate motion which was seconded by Councillor Schumacher. Hon Councillor Riebeling foreshadowed his intention to move the report recommendation should the alternate motion fail.

Elected Members requested clarification pertaining to various public facilities within the general location to which the Director Works and Services responded. The Director Works and Services took on notice the request for clarification on the number of anti-social incidents reported to the City pertaining to this location.

MOTION: T Jones / D Schumacher

That Council:

1. Does not proceed with the proposed barbeque installation at Cox Bay.
2. Advises residents of the decision.

MOTION LOST: 5/7
FOR: Mayor Vergone, Councillors Tahlia Jones, D Schumacher, J Field, R Wortley
AGAINST: Hon Councillor Riebeling, Councillors S Lawson, D Lee, C Knight, P Jackson, Lynn Rodgers, Peter Rogers

Hon Councillor F Riebeling moved the report recommendation which was seconded by Councillor Lee.

MOTION: F Riebeling / D Lee

That Council:

1. Approve the construction of a barbeque on the irrigated grassed area of Cox Bay Foreshore.
2. Approve the barbeque to be located approximately 50 metres north of the main north south asphalt pathway and close to the existing seat.
3. Approves the allocation of account number 1632.750418 – Barbeque Construction in Coastal Ward to be used in conjunction with the approved budget to accommodate the revised location of the barbeque.
4. Advises residents of the decision.

MOTION CARRIED: 7/5
FOR: Hon Councillor Riebeling, Councillors S Lawson, D Lee, C Knight, P Jackson, Lynn Rodgers, Peter Rogers
AGAINST: Mayor Vergone, Councillors Tahlia Jones, D Schumacher, J Field, R Wortley
At its meeting on 19 May 2015 Council approved in principal the proposed upgrade of Pinjarra Road/Dower Street/Coolibah Avenue intersection design which provided provision of right turn pockets on both legs of Pinjarra Road together with a double diamond traffic signal phasing arrangement to improve the safety, efficiency and effectiveness of the intersection.

Since then, the Mandurah Forum Shopping Centre redevelopment has been approved and construction works are well underway. As part of the process for approval of the development, there was an examination of the traffic and transport impact on the adjacent network. The original approved intersection design has now undergone extensive review by internal, independent and Main Roads WA traffic engineers, resulting in a proposed amendment to the plan previously presented to Council. The amendment proposed is to include a left turn slip lane from Coolibah Avenue into Pinjarra Road.

Council is requested to consider and approve the revised intersection design noting that the land requirement for the slip lane is to be excised from a portion of Class A Reserve 22204.

MOTION: P Rogers / D Lee

That Council:

1. Approves in principal the proposed upgrade of Pinjarra Road/Dower Street/Coolibah Avenue intersection as per Plan RDS 224001 Rev 1.

2. Approves the excision of an approximate 315sqm portion of land from Reserve 22204 (303 Pinjarra Road, Mandurah), pursuant to Section 42 & Section 51 of the Land Administration Act 1997, for the purpose of road reserve, in accordance with the Land Acquisition Plan shown in RDS 245601

3. Requests the Minister for Lands to approve the dedication of a portion of Reserve 22204 (303 Pinjarra Road, Mandurah) as road reserve pursuant to Section 56 of the Land Administration Act 1997

4. Indemnifies the Minister for Lands against any claims for compensation in respect of the road land.

5. Acknowledges that the excision and dedication of approximately 315 square metre portion of Reserve 22204 is subject to the approval of the Western Australian Planning Commission and the Department of Lands.

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

Councillor Tahlia Jones left the Chamber at 6.54pm and did not return.
G.33/12/16  SUTTON STREET EXTENSION: PUBLIC ADVERTISING OF INTENDED WORKS (TB/DM) (REPORT NO. 16)

Council is requested to consider the public submissions for the Sutton Street extension which were received as a result of advertising the project under Section 3.51 of the Local Government Act 1995.

MOTION: C Knight / D Schumacher

That Council:

1. Acknowledges the submission made by the owners and occupiers of properties adjacent to the Sutton Street extension.

2. Reaffirms its approval of the current design and alignment of the Sutton Street extension.

CARRIED UNANIMOUSLY: 11/0

G.34/12/16  ANNUAL REPORT 2015/16 AND ANNUAL ELECTORS MEETING (GD) (REPORT NO. 17)

Council’s acknowledgement and receipt of the Annual Report for 2015/16 and the selection of a date during January 2017 for the Annual Electors’ Meeting is sought. Monday, 30 January 2017 at 7.00 pm in the Tuckey Room is the suggested date and venue for holding the Annual Electors meeting.

Report recommendation

That:


2. The final Annual Report be published on the City’s website and be made public once Council adopts the Annual Report and financial accounts for the 2015/16 financial year.

3. A meeting of Annual Electors to be convened on Monday, 30 January 2017, at 7.00 pm in the Tuckey Room.

Hon Councillor F Riebeling moved an alternate motion which was seconded by Councillor Lynn Rodgers.

MOTION: F Riebeling / L Rodgers

That Council:


2. Approves a general meeting of electors to be held on Monday 30 January 2017 at 7.00 p.m. in the Civic Centre Building, Tuckey Room.
MOTIONS OF WHICH NOTICE HAS BEEN GIVEN [AGENDA ITEM 19]

Nil.

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING [AGENDA ITEM 20]

Nil.

Councillor Jane Field left the Chamber at 6.57pm.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 21]

35/12/16 LATE AND URGENT ITEM: BUILDING BETTER REGIONAL FUNDING (BBRF) (MN)

MOTION: F Riebeling / R Wortley

That Council accept a late and urgent report in relation to Building Better Regional Funding (BBRF).

CARRIED UNANIMOUSLY: 10/0

G.36/12/16 BUILDING BETTER REGIONAL FUNDING (BBRF) (MN) (LATE AND URGENT REPORT)

Councillors will be aware that there has been considerable controversy over the ineligibility for the City of Mandurah and the western half of the Shire of Murray to apply for funding from the BBRF.

Somehow the Australian Government Minister for Infrastructure and Regional Development has come to the determination that the City of Mandurah is not regional, but part of Perth, despite being outside the metropolitan area, part of the Peel Region as determined by State Statute and represented by the Peel Regional Development Australia (RDA) at a Federal level.

The Council is asked to endorse continued lobbying on this crucial issue.

MOTION: F Riebeling / R Wortley

That Council

1 Notes the Fact Sheet in relation to the Building Better Regions Funding.
2. Continue its lobbying effort through the media, and our parliamentary representatives.

CARRIED UNANIMOUSLY: 10/0

CONFIDENTIAL ITEMS [AGENDA ITEM 22]

RESOLVED: D Lee / P Rogers

That the meeting proceeds with closed doors at 7.00pm in accordance with Section 5.23(2) of the Local Government Act 1995, in order to allow for the confidential discussion of items containing information regarding the personal affairs of any person; and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person and such other matters as may be prescribed.

CARRIED UNANIMOUSLY: 10/0

Members of the media, senior employees and persons in the public gallery left the meeting at this point. Members of the Executive, Manager Finance Services and Senior Governance Officer remained.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 7.00pm

Mayor Vergone left the Chamber at 7.00pm having declared an interest in minute number G.37/12/16 and did not return to the Chamber. Councillor Lee, Deputy Mayor assumed the chair.

Councillor Field returned to the Chamber at 7.02pm.

G.37/12/16 CONFIDENTIAL ITEM: SPONSORSHIP (DP) (CONFIDENTIAL REPORT NO. 1)

Confidential discussion ensued regarding this issue.

MOTION: D Schumacher / R Wortley

That Council:

1. Approves a further two year sponsorship arrangement with Peel Thunder Football Club Inc. and requests the Chief Executive Officer to finalise the details and agreement with the Club.

2. In lieu of a cash contribution, approves a debt write-off of $90,000 over two years as the City’s sponsorship commitment to Peel Thunder Football Club Inc. subject to the Club confirming its commitment to pay:

   a. $25,000 against the loan for solar panels by 30 June 2017.
b. $25,000 in 2017/18 to finalise the solar panel debt with the balance being applied to the building loan.

3. Notes that the Club is negotiating a sponsorship arrangement with the Mandurah & Peel Tourism Association for a cash payment subject to MAPTO Board approval.

4. Advises Peel Thunder Football Club Inc. that it reserves the right to instigate default action in the event that the Club is unable to maintain its financial commitments.

5. Keeps this report confidential but makes the recommendations public.

CARRIED UNANIMOUSLY: 10/0

G.38/12/16 CONFIDENTIAL ITEM: DERELICT HOUSE (KF) (CONFIDENTIAL REPORT NO. 2)
Confidential discussion ensued regarding this issue.

MOTION: P Rogers / D Lee

That:

1. Council approves the removal of the dwelling at number 55 Mistral Street, Falcon to be undertaken by a demolition company contracted and paid for by the City of Mandurah, under Section 140 of the Health Act 1911 (as amended).

2. Council approves the expenditure of approximately $20,000 of unbudgeted expenditure to finance the demolition costs and waste removal associated with the dwelling.

3. Council approves the referral of this matter to its solicitors to recover costs associated with carrying out the demolition of the dwelling under Section 371 of the Health Act 1911 (as amended) via the registration of a charge upon the land.

4. The report remains confidential until the finalisation of the matter and with the recommendation of Council being made public.

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

G.39/12/16 CONFIDENTIAL ITEM: FACILITY LEASE (TF) (CONFIDENTIAL REPORT NO. 3)
Confidential discussion ensued regarding this issue.

MOTION: P Rogers / D Lee

That Council keeps this report and resolutions confidential until 30 March, 2017.
CARRIED UNANIMOUSLY: 12/0
(This item was adopted en bloc)

MOTION: C Knight / D Schumacher

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 10/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 7.14pm

MOTION: P Rogers / F Riebeling

That Council endorses the resolution made behind closed doors.

CARRIED UNANIMOUSLY: 10/0

CLOSE OF MEETING [AGENDA ITEM 23]

There being no further business, the Deputy Mayor declared the meeting closed at 7.15pm

CONFIRMED ................................................................. (MAYOR)
MINUTES OF

PLANNING COMMITTEE

HELD ON

Tuesday 17 January 2017

AT 5.30 PM

IN COUNCIL CHAMBERS - 83 MANDURAH TERRACE MANDURAH

PRESENT:

COUNCILLOR P ROGERS [CHAIRMAN] TOWN WARD
COUNCILLOR L RODGERS EAST WARD
HON COUNCILLOR F RIEBELING COASTAL WARD
COUNCILLOR C KNIGHT NORTH WARD
COUNCILLOR P JACKSON NORTH WARD
COUNCILLOR J FIELD [Deputising] TOWN WARD

ELECTED MEMBERS OBSERVING:

Nil

OFFICERS IN ATTENDANCE:

MR M NEWMAN CHIEF EXECUTIVE OFFICER
MR T FREE DIRECTOR SUSTAINABLE DEVELOPMENT
MR W PEPPINCK CORPORATE LAWYER
MR G DAVIES EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR B DRECKOW MANAGER PLANNING & LAND SERVICES
MS D BUTTER EXECUTIVE SECRETARY, PEOPLE & COMMUNITIES
OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS [AGENDA ITEM 1]

The Chairman declared the meeting open at 5.30 pm.

APOLOGIES [AGENDA ITEM 2]

Councillors Ron Wortley and Tahlia Jones on leave of absence, Councillor Jane Field is deputising. Councillor Darren Lee is an apology.

DISCLAIMER [AGENDA ITEM 3]

P.1/01/17 DISCLAIMER

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the City of Mandurah unless specific delegation of authority has been granted by Council.

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Committee meeting.

ANSWERS TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]

Nil

PUBLIC QUESTION TIME [AGENDA ITEM 5] [OPEN 5.32PM – CLOSE 5.33PM]

P.2/01/17 Ms Jo Archibald

Ms Archibald asked if City of Mandurah’s conditions of no packaged beer and wine sales over-ride the licence for a Tavern licence.

Response

Manager Planning and Land Services responded that any conditions placed on a development approval may differ to those on a Liquor Licence governed by the Department of Racing, Gaming and Liquor. Whilst there may be uncertainty arising if the two approvals differ, if there was a breach of a condition placed on a development approval, action can be taken by the City of Mandurah under the Planning and Development Act.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 6]

Nil
DEPUTATIONS [AGENDA ITEM 7]

P. 3/01/17 MR CRAIG JOHNSTON: SECTION 31 RECONSIDERATION OF TAVERN

Mr Craig Johnston (representing himself) was in opposition of the recommendation 1.4.19 set out in the report.

Mr Johnston requested that the Council uphold the original decision to disallow the applicant to sell takeaway packaged beer and wine.

P. 4/01/17 MS JO ARCHIBALD: SECTION 31 RECONSIDERATION OF TAVERN

Ms Jo Archibald (representing herself) was in opposition of the recommendation 1.4.19 set out in the report.

Ms Archibald requested clarity around who is the legal owner of the property and who is able to legally authorise the change of land use. Ms Archibald also rejected the sales of packaged beer and wine.

The Chairman requested a two minute extension and this was moved by Hon Councillor Riebeling and seconded by Councillor C Knight.

CARRIED UNANIMOUSLY: 6/0

P. 5/01/17 MR BILL McWHIRTER: SECTION 31 RECONSIDERATION OF TAVERN

Mr Bill McWhirter (representing himself) was in opposition of the recommendation 1.4.19 set out in the report.

Mr McWhirter cited concerns about alcohol related domestic violence and referred to the recent decision by Racing, Gaming and Liquor to disallow Woolworths from having a liquor outlet at Miami due to domestic violence in the area and not in the best interest to have any further alcohol outlets in Falcon. Mr McWhirter rejected the sales of packaged beer and wine.

Hon Councillor Riebeling interjected on Point of Order during the deputation on the basis that aspersions were being cast on Council and Officers. Mr McWhirter apologised and continued.

CONFIRMATION OF MINUTES [AGENDA ITEM 8]

P.6/01/17 CONFIRMATION OF MINUTES

RESOLVED: C Knight / F Riebeling

That the Minutes of the Planning Committee meeting on Tuesday 6 December 2016 be confirmed.

CARRIED UNANIMOUSLY: 6/0
DECLARATION OF INTERESTS [AGENDA ITEM 9]

Nil

QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION [AGENDA ITEM 10]

Nil

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN

Nil

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil

REPORTS [AGENDA ITEM 12]

Councillor Knight moved to discuss Report 2 in the first instance, this was seconded by Hon Councillor Riebeling.

CARRIED UNANIMOUSLY: 6/0

P.7/01/17  SECTION 31 – RECONSIDERATION FOR TAVERN (REPORT 2) (BD)

In August 2016, Council resolved to grant development approval for a tavern at Strata Lot 5 (No 4) Port Quays, Wannanup subject to conditions. Subsequent to Council’s determination, the applicant pursued their right to appeal the decision with the State Administrative Tribunal (SAT) (DR 243/2016).

The applicant sought a review of conditions relating to:

(a) The prohibition of beer fermentation on site; and
(b) The prohibition of takeaway alcohol sales

SAT Mediation was held on 29 September 2016, however a mediated outcome could not be reached. The matter was progressed to a Hearing on 6 December 2016, which resulted in an adjournment until 30 January 2017 to allow the applicant to gather further information.

Following the Hearing, the applicant decided to withdraw their appeal of condition 1.2 which related to the prohibiting of the fermentation of beer on site.

The matter to be determined by the SAT now relates solely to condition 1.4.19, which states:

“No packaged beer or wine sales are permitted.”

Under Section 31 of the State Administration Tribunal Act 2005, the SAT has invited Council to reconsider this condition.

Councillor Knight moved the report recommendation noting SAT had requested Council to reconsider beer and wine sales.
Hon Councillor Riebeling supported the recommendation. He noted that the Liquor Licensing still needed to grant permission and reiterated that Council were requested to approve the three bottle limit of beer and wine sales.

Councillor Jackson questioned why the Council was called into task during one of the deputations and requested clarification on the validity of the planning application.

Councillor L Rodgers supported the recommendation noting that this was a planning approval not a social issue.

RESOLVED TO RECOMMEND: C Knight/ F Riebeling

That in relation to the development approval dated 12 August 2016 (ref: DA8432) for a Tavern at Strata Lot 5 on Strata Plan 48123 (located at No 4, Lot 1301 Port Quays, Wannanup), Council determines that under Section 31(1) of the State Administration Tribunal Act 2005, that that Condition 1.4.19 be reworded as follows:

“1.4.19 Packaged alcohol may be purchased for consumption off the premises in the following forms only:

- Beer sales in Growlers between the hours of 10.00am and 9.00pm, seven days a week;
- Wine sales during operating hours and limited to a maximum of three bottles per customer, subject to the customer consuming a substantial meal. Wine available for sale must be listed on the menu or shall be provided by suppliers during Wine Appreciation Dinners.

Advice Note:

A Growler is a reusable container sold to sell takeaway craft beer, generally with a capacity of 1 to 2 litres.”

CARRIED UNANIMOUSLY: 6/0

P.8/01/17 LOCAL PLANNING SCHEME (SCHEME 12) ADOPT FOR ADVERTISING (REPORT 1) (BD)

In July 2013, Council resolved to prepare a new local planning scheme (July 2013) and in March 2014 Council adopted a draft Scheme (under the heading ‘Mandurah Planning Scheme’).

Since this time, the Planning and Development (Local Planning Scheme) Regulations 2015 (‘LPS Regulations’) have been prepared, advertised and gazetted and have been operative since October 2015. The LPS Regulations have resulted in significant changes to the format and operation of local planning schemes requiring the draft Scheme to be rewritten and reformatted.

The new Scheme to be entitled City of Mandurah Local Planning Scheme No 12 (‘Scheme 12’) has been prepared for Council’s consideration and adoption. Scheme 12, upon gazetted, will replace the current Town Planning Scheme No 3 (Scheme 3) which has been in place in July 1999.
Whilst the Scheme 12 will replace Scheme 3, it is considered that the Scheme is a consolidation of Scheme 3 primarily by a removal of the administrative procedures and inclusion of zones and reserves from local structure plans for land that has been subdivided.

This is distinct from a complete Scheme review process whereby major changes to the zoning and development outcomes for land is proposed.

With respect to the Local Planning Strategy, Council has adopted a summary strategy in October 2013 together with topic specific strategies for the Western Australian Planning Commission’s endorsement over a number of years. The Local Planning Strategy requires reformatting so that one Strategy is endorsed by the WAPC.

It is recommended that Council adopt the draft Local Planning Scheme No 12 and acknowledges a revised Local Planning Strategy is being forwarded onto the Western Australian Planning Commission and Minister for Planning for consent to advertise.

The Manager Planning and Land Services gave a short presentation to the Planning Committee.

Councillor Rodgers supported the recommendation commenting on the innovation of the document.

Hon Councillor Riebeling noted the significant work undertaken to produce the report. He asked questions relating to regional road reserves and the City’s design and planning for these roads with Main Roads WA jurisdiction to which the Manager Planning and Land Services addressed in the context of a local planning scheme rather than care, control and maintenance of these roads.

Hon Cr Riebeling suggested provision of Brewery being listed under Licensed Premises and not being permitted in any zones except service commercial and light industry zones.

Councillor Knight thanked staff for comprehensive report and for public health issues being considered. Councillor Knight requested clarification around the tree preservation and Manager Planning and Land Services responded that the two key differences between Scheme 3 and Scheme 12 were zones not lot sizes and the tree register being referenced in Scheme Text with approval requirements. Councillor Knight also asked if the new Scheme would be communicated to residents. Manager Planning and Land Services responded that there would be two notices the first being the Scheme advertised in draft form and then at its completion should approval requirements for tree clearing differ for landowners.

Councillor Knight moved an alternative recommendation which was seconded by Hon Councillor Riebeling.

**Report Recommendation:**

1. In accordance with Section 72 of the Planning and Development Act 2005 and Regulation 21(1) of the Planning and Development (Local Planning Scheme) Regulations 2015, Council adopts the draft City of Mandurah Local Planning Scheme No 12 Scheme (Scheme Text and Scheme Maps dated January 2017) and forward to the Western Australian Planning Commission seeking consent to the advertise the Scheme.

2. In accordance with Section 81 of the Planning and Development Act 2005, the City of Mandurah Local Planning Scheme No 12 be forwarded to the Environmental Protection Authority for its assessment under the provisions of the Environmental Protection Act 1986.
3. Council notes and acknowledges that modifications and updates to the Mandurah Planning Strategy dated October 2013 are required to ensure consistency with the provisions and recommendations of Local Planning Scheme No 12 and updated to remove the need for and reference to the individual planning strategy as adopted by Council for forwarding of a Local Planning Strategy to the Western Australian Planning Commission under Regulation 12(1) of the Planning and Development (Local Planning Scheme) Regulations 2015:

- Activity Centres Planning Strategy (December 2013)
- Urban Form and Housing Strategy (June 2014)
- Biodiversity Strategy (Land Use Planning Components only) (November 2013)
- Tourism Planning Strategy (December 2009)
- Southern Mandurah Rural Structure Plan (March 2015)

RESOLVED TO RECOMMEND: C Knight / F Riebeling

That:

1. In accordance with Section 72 of the Planning and Development Act 2005 and Regulation 21(1) of the Planning and Development (Local Planning Scheme) Regulations 2015, Council adopts the draft City of Mandurah Local Planning Scheme No 12 Scheme (Scheme Text and Scheme Maps dated January 2017) and forward to the Western Australian Planning Commission seeking consent to the advertise the Scheme subject to the following modifications:

Table 3 – Zoning Table being modified as follows:

<table>
<thead>
<tr>
<th>Neighbourhood Centre</th>
<th>Local Centre</th>
<th>Service Commercial</th>
<th>Light Industry</th>
<th>Residential</th>
<th>Large Lot Residential</th>
<th>Rural Residential</th>
<th>Rural Small/holdings</th>
<th>Rural Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grouped Land Uses</td>
<td>X</td>
<td>X</td>
<td>D</td>
<td>D</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

2. In accordance with Section 81 of the Planning and Development Act 2005, the City of Mandurah Local Planning Scheme No 12 be forwarded to the Environmental Protection Authority for its assessment under the provisions of the Environmental Protection Act 1986.

3. Council notes and acknowledges that modifications and updates to the Mandurah Planning Strategy dated October 2013 are required to ensure consistency with the provisions and recommendations of Local Planning Scheme No 12 and updated to remove the need for and reference to the individual planning strategy as adopted by Council for forwarding of a Local Planning Strategy to the Western Australian Planning Commission under Regulation 12(1) of the Planning and Development (Local Planning Scheme) Regulations 2015:
• Activity Centres Planning Strategy (December 2013)
• Urban Form and Housing Strategy (June 2014)
• Biodiversity Strategy (Land Use Planning Components only) (November 2013)
• Tourism Planning Strategy (December 2009)
• Southern Mandurah Rural Structure Plan (March 2015)

CARRIED UNANIMOUSLY: 6/0

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 13]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 14].

Nil

CLOSE OF MEETING [AGENDA ITEM 15]

There being no further business the Chairman declared the meeting closed at 6.20pm

CONFIRMED: .................................................................[CHAIRMAN]
Summary

The Financial Report for December 2016 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

Nil

Comment

General

December 2016 Financial Statements

Summary financial statements are attached at Attachment 1.

The overall operating position for the City is shown below. For comparison purposes last year’s December results have been included alongside the 2015/16 summary.

<table>
<thead>
<tr>
<th></th>
<th>2016/2017 Year to Date - December</th>
<th>2016/2017 Total</th>
<th>2015/2016 Year to Date - December</th>
<th>2015/2016 Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating revenues</strong></td>
<td>(95,233) $'000's</td>
<td>(94,421) $'000's</td>
<td>1%</td>
<td>(95,233) $'000's</td>
</tr>
<tr>
<td><strong>Operating expenditure:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Direct Labour</td>
<td>19,650 $'000's</td>
<td>20,837 $'000's</td>
<td>-6%</td>
<td>19,650 $'000's</td>
</tr>
<tr>
<td>Employee Costs</td>
<td>2,610 $'000's</td>
<td>3,087 $'000's</td>
<td>-15%</td>
<td>2,647 $'000's</td>
</tr>
<tr>
<td>Allocations of admin expenses</td>
<td>(4,812) $'000's</td>
<td>(4,970) $'000's</td>
<td>-3%</td>
<td>(4,812) $'000's</td>
</tr>
<tr>
<td>Operating Costs</td>
<td>21,732 $'000's</td>
<td>25,961 $'000's</td>
<td>-16%</td>
<td>24,135 $'000's</td>
</tr>
<tr>
<td><strong>Total operating expenditure</strong></td>
<td>39,180 $'000's</td>
<td>44,916 $'000's</td>
<td>-13%</td>
<td>41,620 $'000's</td>
</tr>
<tr>
<td>Operating (surplus)/Deficit before Depreciation</td>
<td>(56,054) $'000's</td>
<td>(49,506) $'000's</td>
<td>13%</td>
<td>(53,613) $'000's</td>
</tr>
<tr>
<td>Depreciation</td>
<td>14,685 $'000's</td>
<td>14,679 $'000's</td>
<td>0%</td>
<td>14,685 $'000's</td>
</tr>
<tr>
<td>Operating (surplus)/Deficit</td>
<td>(41,369) $'000's</td>
<td>(34,826) $'000's</td>
<td>19%</td>
<td>(38,928) $'000's</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>22,542 $'000's</td>
<td>28,783 $'000's</td>
<td>-22%</td>
<td>29,818 $'000's</td>
</tr>
<tr>
<td>Capital Revenue</td>
<td>(7,244) $'000's</td>
<td>(18,381) $'000's</td>
<td>-61%</td>
<td>(7,255) $'000's</td>
</tr>
</tbody>
</table>

*CMT = Commitment costs – Value of orders raised but not yet paid.
Rates Collection:

At the time of distributing rates notices the City billed $71.8 million in rates, $10.3 million in refuse charges and $7.2 million in Emergency Service Levy (ESL) totalling $89.3 million. To date the City has received $62 million (69.0%) of this revenue. This is 10.2% less than last financial year where The City received 79.2%. This is due to a month’s lag in sending out rates notices.

<table>
<thead>
<tr>
<th>31-Dec-2016</th>
<th>31-Dec-2015</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates Collection</td>
<td>69.0%</td>
<td>79.2%</td>
</tr>
</tbody>
</table>

Profitability Ratio:

This is an annual ratio from July 2015 to June 2016.

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
<th>Variance</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating surplus</td>
<td>Operating revenue</td>
<td>25.0%</td>
<td>14.0%</td>
</tr>
</tbody>
</table>

The target indicates the point at which there is sufficient revenue to match the City’s expenditure needs and allows the full value of depreciation to fund asset management. The below target performance indicates this position has not yet been achieved. However, it is anticipated that this position will improve over the medium term.

This ratio indicates the extent to which local government’s operations are sustainable in the long-term. Ideally, this ratio will always be positive. Large and/or persistent underlying operating deficits December lead to sudden and large funding requirements that cannot be financed from operations.

Capital Expenditure

Capital expenditure including committed costs is approximately $29.8 million compared with a budget for the year of $57.6 million. The key reasons for this are:

<table>
<thead>
<tr>
<th>Asset Type</th>
<th>Actuals $,000’s</th>
<th>CMT* $,000’s</th>
<th>Actuals + CMT* $,000’s</th>
<th>Budget $,000’s</th>
<th>Variance %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>4</td>
<td>-</td>
<td>4</td>
<td>-</td>
<td>-34%</td>
</tr>
<tr>
<td>Buildings</td>
<td>8,522</td>
<td>3,767</td>
<td>12,289</td>
<td>18,616</td>
<td>-34%</td>
</tr>
<tr>
<td>Marina</td>
<td>1</td>
<td>5</td>
<td>6</td>
<td>220</td>
<td>-97%</td>
</tr>
<tr>
<td>Bridges</td>
<td>4,628</td>
<td>51</td>
<td>4,679</td>
<td>11,630</td>
<td>-60%</td>
</tr>
<tr>
<td>Parks</td>
<td>735</td>
<td>297</td>
<td>1,032</td>
<td>3,014</td>
<td>-66%</td>
</tr>
<tr>
<td>Roads</td>
<td>5,569</td>
<td>1,321</td>
<td>6,890</td>
<td>13,496</td>
<td>-49%</td>
</tr>
<tr>
<td>Drainage</td>
<td>311</td>
<td>63</td>
<td>374</td>
<td>1,520</td>
<td>-75%</td>
</tr>
<tr>
<td>Coastal &amp; Estuary</td>
<td>277</td>
<td>3</td>
<td>280</td>
<td>1,743</td>
<td>-84%</td>
</tr>
<tr>
<td>Equipment</td>
<td>25</td>
<td>1</td>
<td>27</td>
<td>199</td>
<td>-87%</td>
</tr>
<tr>
<td>Machinery</td>
<td>717</td>
<td>1,111</td>
<td>1,828</td>
<td>3,101</td>
<td>-41%</td>
</tr>
<tr>
<td>Other Infrastructure</td>
<td>1,753</td>
<td>657</td>
<td>2,410</td>
<td>4,026</td>
<td>-40%</td>
</tr>
<tr>
<td><strong>Total Capital Expenditure</strong></td>
<td><strong>22,542</strong></td>
<td><strong>7,277</strong></td>
<td><strong>29,818</strong></td>
<td><strong>57,565</strong></td>
<td><strong>-48%</strong></td>
</tr>
</tbody>
</table>

*CMT = Commitment costs – Value of orders raised but not yet paid.
Included in the capital expenditure are the following commitment costs:

- Buildings - $3 million for the construction of Stage 2 of the MARC redevelopment.

Major capital projects, along with commentary on their progress, are listed in Attachment 1.

Investments

Investments by The City are as follows:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Rating</th>
<th>Allocation %</th>
<th>Total Fund $,000’s</th>
<th>Muni Fund $,000’s</th>
<th>Bonds &amp; Deposits $,000’s</th>
<th>Reserves $,000’s</th>
<th>Monthly Return (annualised rate) %</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fixed Term:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bankwest</td>
<td>AA-</td>
<td>15.58%</td>
<td>8,892</td>
<td>-</td>
<td>81</td>
<td>8,812</td>
<td>2.50%</td>
</tr>
<tr>
<td>Bendigo &amp; Adelaide Bank</td>
<td>A-</td>
<td>1.71%</td>
<td>978</td>
<td>-</td>
<td>-</td>
<td>978</td>
<td>2.40%</td>
</tr>
<tr>
<td>Westpac</td>
<td>AA-</td>
<td>36.20%</td>
<td>20,666</td>
<td>11,235</td>
<td>3,134</td>
<td>6,297</td>
<td>2.57%</td>
</tr>
<tr>
<td>NAB</td>
<td>AA-</td>
<td>37.86%</td>
<td>21,616</td>
<td>2,136</td>
<td>-</td>
<td>19,480</td>
<td>2.68%</td>
</tr>
<tr>
<td>ANZ</td>
<td>AA-</td>
<td>0.05%</td>
<td>28</td>
<td>28</td>
<td>-</td>
<td>-</td>
<td>1.80%</td>
</tr>
<tr>
<td><strong>At Call:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WA Treasury Corporation</td>
<td>AA+</td>
<td>8.12%</td>
<td>4,634</td>
<td>-</td>
<td>-</td>
<td>4,634</td>
<td>1.45%</td>
</tr>
<tr>
<td>Westpac</td>
<td>AA-</td>
<td>0.48%</td>
<td>275</td>
<td>273</td>
<td>2</td>
<td>-</td>
<td>0.70%</td>
</tr>
<tr>
<td><strong>Total investments</strong></td>
<td></td>
<td></td>
<td>100.00%</td>
<td>57,088</td>
<td>13,671</td>
<td>3,216</td>
<td>40,201</td>
</tr>
</tbody>
</table>

The trend of investments is as follows:
Total reserves in December 2016 are lower than in December 2015 due to use of reserve funds to finance completion of MARC Aquatic Centre and also the City’s contribution to Mandurah Traffic Bridge.

An analysis of investments gives the following results:

The City’s unrestricted investments are $13.67 million, bonds and deposits $3.22 million and reserve fund balances of $40.20 million at the 31 December 2016. This total of $57.09 million is lower than the comparable time last year when $73.2 million was held on investment due to decreases in reserve balances and a later rates collection date.

**Interest Earned**

Interest earned to date together with a comparison of yields with the interest rate benchmark is as follows:

<table>
<thead>
<tr>
<th></th>
<th>Earned to 30-Dec-2016</th>
<th>Annual Budget</th>
<th>Forecast to 30-Jun-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reserve</td>
<td>351,558</td>
<td>950,000</td>
<td>950,000</td>
</tr>
<tr>
<td>Municipal and other funds:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal investments</td>
<td>174,783</td>
<td>750,000</td>
<td>750,000</td>
</tr>
<tr>
<td>Other interest (note 1)</td>
<td>121,550</td>
<td>180,000</td>
<td>180,000</td>
</tr>
<tr>
<td>Subtotal – municipal &amp; other funds</td>
<td>296,333</td>
<td>930,000</td>
<td>930,000</td>
</tr>
<tr>
<td>Total</td>
<td>647,891</td>
<td>1,880,000</td>
<td>1,880,000</td>
</tr>
</tbody>
</table>

(1) Other interest includes trading bank accounts, bonds & deposits, deferred rates.
Interest earned compared with the benchmark UBS Australian Bank Bill Index is as follows:

### Interest Rate Yields per Annum

<table>
<thead>
<tr>
<th></th>
<th>Jul</th>
<th>Aug</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average earned rate</td>
<td>1.92%</td>
<td>2.26%</td>
<td>2.35%</td>
<td>2.43%</td>
<td>2.50%</td>
<td>2.50%</td>
</tr>
<tr>
<td>UBS Australian Bank Bill Index</td>
<td>1.86%</td>
<td>1.73%</td>
<td>1.74%</td>
<td>1.74%</td>
<td>1.76%</td>
<td>1.81%</td>
</tr>
</tbody>
</table>

The trend of interest rates earned compared with the benchmark index is as follows:

![Interest rate compared with benchmark index](image)

Yields on bank term deposits remain above the benchmark index as the major Australian banks continue to offer rates between 2.5% and 2.7% for terms within a range of 3 to 12 months.

Return on Investment Ratio:

<table>
<thead>
<tr>
<th></th>
<th>Target</th>
<th>Actual</th>
<th>Variance</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Revenue Average Investment</td>
<td>1.76%</td>
<td>2.50%</td>
<td>0.74%</td>
<td>Rate achieved by reducing exposure to low interest rate investments.</td>
</tr>
</tbody>
</table>

This ratio indicates the average return on unutilised cash and investment balances. To indicate performance, it can be compared with an appropriate, risk free reference rate applicable to the average term to maturity of the investments. It is expected this ratio will improve as the bulk of rates revenue is invested.

**Balance Sheet information:**

<table>
<thead>
<tr>
<th></th>
<th>31 December 2016</th>
<th>31 December 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Debtors</td>
<td>$ 1,088,608</td>
<td>$ 1,165,434</td>
</tr>
<tr>
<td>Debtors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Debtors*</td>
<td>$ 1,789,534</td>
<td>$ 1,815,862</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 2,878,142</strong></td>
<td><strong>$ 2,981,295</strong></td>
</tr>
<tr>
<td>*Includes Grants &amp; Contributions, Marina &amp; ATO.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rates Debtors – All*</td>
<td>$ 23,908,054</td>
<td>$ 19,249,324</td>
</tr>
<tr>
<td>Deferred Pensioner Rates</td>
<td>$ (942,829)</td>
<td>$ (844,580)</td>
</tr>
<tr>
<td><strong>Net rates collectible</strong></td>
<td><strong>$ 22,965,225</strong></td>
<td><strong>$ 18,404,744</strong></td>
</tr>
</tbody>
</table>
* Debtor value includes rubbish collection, ESL charges & debt recovery legal costs. The outstanding rates figure is due to lag in rates billing.

Credits

|                | $ 982,168 | $ 629,451 |

Bank Accounts

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>City's Current account</td>
<td>$ 6,435,005</td>
<td>$ 2,790,661</td>
</tr>
<tr>
<td>Bonds &amp; Deposits</td>
<td>$ 399,694</td>
<td>$ 318,148</td>
</tr>
<tr>
<td>Visitors Centre</td>
<td>$ 48,819</td>
<td>$ 73,884</td>
</tr>
<tr>
<td>Marina</td>
<td>$ 206,890</td>
<td>$ 253,475</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 7,090,408</strong></td>
<td><strong>$ 3,436,168</strong></td>
</tr>
</tbody>
</table>

Rates Debt Recovery ratio:

This is an annual ratio from July 2015 to June 2016.

<table>
<thead>
<tr>
<th>Outstanding rate debtors</th>
<th>Target</th>
<th>Actual</th>
<th>Variance</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rate Revenue</td>
<td>3.0%</td>
<td>3.0%</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

This ratio indicates how efficiently the City’s rates are converted into cash.

Schedule of accounts

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

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Municipal Fund</td>
<td>$ 18,808,542.71</td>
</tr>
<tr>
<td>Total Trust Fund</td>
<td>$ 101,761.30</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 18,910,304.01</strong></td>
</tr>
</tbody>
</table>

Included in the Municipal fund total are payments (Inc. GST) made to:

- Main Roads Western Australia
  *Old Mandurah Replacement Bridge*
  $ 4,840,000.00

- Department of Fire & Emergency Services
  *ESL quarterly payment*
  $ 2,169,164.19

- Western Australian Treasury Corporation
  *Loan repayments*
  $ 2,035,501.03

- Perkins (WA) Pty Ltd
  *Progress payment 13 MARC Dry Centre*
  $ 1,530,102.11

- Cleanaway – Mandurah
  *Waste collection service*
  $ 1,088,220.97

- Australian Taxation Office
  *Payroll Deductions*
  $ 650,308.35
Buy Local Report

<table>
<thead>
<tr>
<th>Category</th>
<th>December, 2016 $,000's</th>
<th>Year to Date $,000's</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities</td>
<td>346</td>
<td>2,314</td>
<td>6.36%</td>
</tr>
<tr>
<td>Peel</td>
<td>28</td>
<td>426</td>
<td>1.17%</td>
</tr>
<tr>
<td>Rockingham</td>
<td>67</td>
<td>389</td>
<td>1.07%</td>
</tr>
<tr>
<td>Other WA*</td>
<td>3,831</td>
<td>21,762</td>
<td>59.83%</td>
</tr>
<tr>
<td>Interstate</td>
<td>621</td>
<td>3,385</td>
<td>9.31%</td>
</tr>
<tr>
<td>Mandurah</td>
<td>1,504</td>
<td>607</td>
<td>1.67%</td>
</tr>
<tr>
<td>Mandurah Based</td>
<td>1,246</td>
<td>7,490</td>
<td>20.59%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7,643</strong></td>
<td><strong>36,373</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

Statutory Environment

*Local Government Act 1995 Section 6.4 Financial Report*

Policy Implications

Nil

Economic Implications

Nil

Strategic Implications

The following strategy from the *City of Mandurah Strategic Community Plan 2013 – 2033* is relevant to this report:

Organisational Excellence:

- Deliver excellent governance and financial management.

NOTE:

- Refer *Attachment 1 Financial Report*

RECOMMENDATION

That Council:


2. Receives the Schedule of Accounts for December 2016 for the following amounts:

   - Total Municipal Fund $18,808,542.71
   - Total Trust Fund $101,761.30
   - $18,910,304.01
### Business Unit Descriptions

#### Chief Executive Office

<table>
<thead>
<tr>
<th>Business Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executives Office</td>
<td>Elected Members, stakeholders, State/Federal government relationships, lobbying, strategy, executive management.</td>
</tr>
<tr>
<td>Legal Services</td>
<td>Provision of legal services and advice, Elections, local laws, general governance &amp; compliance.</td>
</tr>
<tr>
<td>Elected Members</td>
<td>Mayoral and councillor staff support, fees and allowances, elected member development and training, conferences, donations.</td>
</tr>
<tr>
<td>Civic Events &amp; Functions</td>
<td>Citizenship and other official ceremonies and functions, catering and catering officer.</td>
</tr>
<tr>
<td>General Purpose Funding</td>
<td>Includes grants received from the WAGC for untied grants, (general purpose funding and local roads funding)</td>
</tr>
<tr>
<td>Rates</td>
<td>Revenue for Rating Services includes interest and fees on instalments, interest on arrears and government subsidy for rates deferred by entitled pensioners. Expenditures to include all costs of administration and maintenance of rate records, property services, street numbering, debt recovery, pensioners, exemptions and concessions.</td>
</tr>
<tr>
<td>Finance</td>
<td>General accounting, accounts receivable, accounts payable, payroll services, trust accounting, financial reporting (monthly &amp; annual), financial planning and modelling, insurance, budgeting, financial advice, project evaluation, capital planning, chart of accounts, taxation, investments, loan management. Tender process, purchasing compliance, contract management</td>
</tr>
</tbody>
</table>

#### Strategy & Business Performance

<table>
<thead>
<tr>
<th>Business Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy &amp; Business Performance</td>
<td>Executive manager costs, risk management and audit.</td>
</tr>
<tr>
<td>Organisational Development</td>
<td>Organisational cultural development, staff relationships and Human Resources function.</td>
</tr>
<tr>
<td>Systems &amp; Technology</td>
<td>Business systems management and implementation, organisational IT support, communications systems management, GIS.</td>
</tr>
<tr>
<td>General Administration</td>
<td>Research and analysis, policy development</td>
</tr>
<tr>
<td>Marketing</td>
<td>Media relations, advertising, corporate marketing, events marketing, corporate branding.</td>
</tr>
<tr>
<td>Visitors Centre</td>
<td>Operation of the Visitors’ centre including bookings for accommodation and tours.</td>
</tr>
<tr>
<td>Customer Services</td>
<td>The costs of the customer services team (front counter and switchboard operations) including call centre costs. Also includes Information Management (records).</td>
</tr>
</tbody>
</table>

#### Sustainable Development

<table>
<thead>
<tr>
<th>Business Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIR Sustainable Development</td>
<td>Director and executive secretary. Responsible for the areas of planning and projects, Eco services, building, development compliance and land administration.</td>
</tr>
<tr>
<td>Economic Development</td>
<td>Planning and development of key aspects of Mandurah's economy including southern City strategy. Evaluation of economic development opportunities and proposals.</td>
</tr>
<tr>
<td>City Centre</td>
<td>Management of stakeholder relationships in the City Centre, promotions and events.</td>
</tr>
</tbody>
</table>
# Business Unit Descriptions

## Planning Services
Statutory and strategic planning and land administration (land management, acquisitions and disposals, leases, general property matters).

## Rangers
Management of local laws, off road vehicles, beach patrols, animal control and dog pound, emergency services, emergency management, fire control, parking.

## Environmental Health Services
Administration, inspection and operations of programmes concerned with the general health of the community, food sampling, uninhabitable premises, licensing of premises, management of contaminated sites, noise control issues, mosquito control.

## Eco Services/Climate Change
Climate change monitoring, management of climate risk assessment, environmental projects including bushland and coastal management plans, cost care, waterways support for environmental research and management.

## Building Services
Building licence approval and compliance with building regulations of the built environment. Compliance inspections for building sites and developments.

### People and Communities

<table>
<thead>
<tr>
<th>DIR People and Communities</th>
<th>Director and executive secretary. Strategy and planning, management of directorate.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation Services</td>
<td>Assisting and advising local sporting groups. Organises community sport events such as Island Challenge. Designates sportsground usage to clubs for winter and summer season sports. Co-ordinates the hall hire of all halls within the council. Recreation master planning, grant applications, facilities management.</td>
</tr>
<tr>
<td>MARC Operations</td>
<td>Mandurah Aquatic &amp; Recreation Centre. Includes Crèche, health &amp; fitness, kiosk, aquatic, swim school, dry activities.</td>
</tr>
<tr>
<td>HHCRC Operations</td>
<td>Halls Head Community Recreation Centre. Shared facility with Department of education. Dry activities only.</td>
</tr>
<tr>
<td>Community and Social Development</td>
<td>Community development planning, community projects (e.g. community safety), disability access planning and monitoring.</td>
</tr>
<tr>
<td>Youth Services</td>
<td>Administration, support and operation of drop-in centres, programmes for youth at risk. Includes Billy Dower Youth centre.</td>
</tr>
<tr>
<td>Seniors</td>
<td>Administration, support and operation of the senior citizens centre. Includes services such as the provision hairdressing, podiatry, entertainment and social activities.</td>
</tr>
<tr>
<td>Festivals &amp; Events</td>
<td>Organisation and delivery of events such as Crabfest, Christmas pageant, New Years Eve, Little Nippers and Australia Day.</td>
</tr>
<tr>
<td>Libraries &amp; Learning</td>
<td>Administration, provision and operation of libraries. Includes books, tapes, records, audio-visual aids, internet and other facilities and services in delivering library services (book mobile).</td>
</tr>
<tr>
<td>Museum</td>
<td>Administration and operation of Mandurah Museum, projects (e.g. oral history).</td>
</tr>
<tr>
<td>Cultural Development</td>
<td>The administration, provision and operation of cultural activities for creative and performing arts. Includes the Stretch Festival and INQB8.</td>
</tr>
</tbody>
</table>

### Works and Services

<table>
<thead>
<tr>
<th>DIR Works &amp; Services</th>
<th>Director &amp; executive Secretary. Responsible for the areas of engineering, infrastructure, operations &amp; marina/waterways.</th>
</tr>
</thead>
<tbody>
<tr>
<td>City build</td>
<td>Maintenance of buildings, ablutions, public halls and pavilions, barbeques and miscellaneous structures.</td>
</tr>
<tr>
<td>Business Unit Description</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Waste Management Services</td>
<td></td>
</tr>
<tr>
<td>Management of waste disposal contracted operations, public education programmes, Regional Council relationships.</td>
<td></td>
</tr>
<tr>
<td>Infrastructure Management</td>
<td></td>
</tr>
<tr>
<td>Manager of infrastructure management and project management team (management of construction projects).</td>
<td></td>
</tr>
<tr>
<td>Cityfleet</td>
<td></td>
</tr>
<tr>
<td>Operating costs of all pant &amp; equipment as well as light vehicles. Fleet management, vehicle purchasing and disposal.</td>
<td></td>
</tr>
<tr>
<td>Cityparks</td>
<td></td>
</tr>
<tr>
<td>Maintenance of parks and gardens, cemeteries, sportsgrounds, verges and street trees, beaches and bushland</td>
<td></td>
</tr>
<tr>
<td>Cityworks</td>
<td></td>
</tr>
<tr>
<td>Maintenance of roads, stormwater and drainage, street cleaning, signage, car parks, roundabouts, footpaths as well as private works</td>
<td></td>
</tr>
<tr>
<td>Operations Centre</td>
<td></td>
</tr>
<tr>
<td>Operation of the Operations Centre workforce of Cityworks and Cityparks. Collection and entering of time sheets, workforce supervising, business support services (finance &amp; purchasing).</td>
<td></td>
</tr>
<tr>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Management and maintenance of the Mandurah Ocean Marina, boat pens, Mary Street lagoon pens, and the Marina Chalets budget accommodation.</td>
<td></td>
</tr>
<tr>
<td>Waterways</td>
<td></td>
</tr>
<tr>
<td>Includes the maintenance of seawalls, beach renourishment, pontoon maintenance, ocean entrance sand bypassing, administration bay cleaning and boat ramp maintenance.</td>
<td></td>
</tr>
<tr>
<td>Technical Services</td>
<td></td>
</tr>
<tr>
<td>Manager of Technical Services, landscape services &amp; design, asset management, survey and design</td>
<td></td>
</tr>
<tr>
<td>Total City of Mandurah</td>
<td>2016/2017</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>Year to Date - December</td>
</tr>
<tr>
<td></td>
<td>Actuals '000's</td>
</tr>
<tr>
<td>Operating revenues</td>
<td>(95,233)</td>
</tr>
<tr>
<td>Operating expenditure</td>
<td></td>
</tr>
<tr>
<td>Direct labour</td>
<td>19,650</td>
</tr>
<tr>
<td></td>
<td>19,114</td>
</tr>
<tr>
<td>Employee costs</td>
<td>2,610</td>
</tr>
<tr>
<td></td>
<td>3,065</td>
</tr>
<tr>
<td>Allocation of administration expenses</td>
<td>(4,812)</td>
</tr>
<tr>
<td></td>
<td>(4,745)</td>
</tr>
<tr>
<td>Operating costs</td>
<td>21,732</td>
</tr>
<tr>
<td></td>
<td>22,701</td>
</tr>
<tr>
<td>Total operating expenditure</td>
<td>39,180</td>
</tr>
<tr>
<td></td>
<td>40,135</td>
</tr>
<tr>
<td>Operating (surplus)/deficit before Dpr’n</td>
<td>(56,054)</td>
</tr>
<tr>
<td></td>
<td>(53,167)</td>
</tr>
<tr>
<td>Depreciation</td>
<td>14,685</td>
</tr>
<tr>
<td></td>
<td>10,088</td>
</tr>
<tr>
<td>Operating (surplus)/deficit</td>
<td>(41,369)</td>
</tr>
<tr>
<td></td>
<td>(43,079)</td>
</tr>
<tr>
<td>Capital expenditure</td>
<td>22,542</td>
</tr>
<tr>
<td></td>
<td>21,614</td>
</tr>
<tr>
<td>Capital revenue</td>
<td>(7,244)</td>
</tr>
<tr>
<td></td>
<td>(7,662)</td>
</tr>
</tbody>
</table>

*CMT = Commitment costs- Value of orders raised but not yet paid.
### Capital Summary 2016/2017

<table>
<thead>
<tr>
<th>Work in Progress</th>
<th>Actuals 000's</th>
<th>CMT* 000's</th>
<th>Actuals + CMT* 000's</th>
<th>Budget 000's</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land</td>
<td>4,007</td>
<td>-</td>
<td>4,007</td>
<td>-</td>
<td>-48%</td>
</tr>
<tr>
<td>Buildings</td>
<td>8,521,529</td>
<td>3,767,465</td>
<td>12,288,994</td>
<td>18,615,912</td>
<td>-34%</td>
</tr>
<tr>
<td>Marina</td>
<td>1,207</td>
<td>4,500</td>
<td>5,707</td>
<td>219,862</td>
<td>-97%</td>
</tr>
<tr>
<td>Bridges</td>
<td>4,627,668</td>
<td>51,010</td>
<td>4,678,678</td>
<td>11,630,002</td>
<td>-60%</td>
</tr>
<tr>
<td>Parks</td>
<td>734,616</td>
<td>297,269</td>
<td>1,031,885</td>
<td>3,014,429</td>
<td>-66%</td>
</tr>
<tr>
<td>Roads</td>
<td>5,569,278</td>
<td>1,320,900</td>
<td>6,890,178</td>
<td>13,496,002</td>
<td>-49%</td>
</tr>
<tr>
<td>Drainage</td>
<td>311,152</td>
<td>62,813</td>
<td>373,965</td>
<td>1,520,236</td>
<td>-75%</td>
</tr>
<tr>
<td>Coastal &amp; Estuary</td>
<td>276,773</td>
<td>2,994</td>
<td>279,768</td>
<td>1,743,433</td>
<td>-84%</td>
</tr>
<tr>
<td>Equipment</td>
<td>25,244</td>
<td>1,338</td>
<td>26,582</td>
<td>198,703</td>
<td>-87%</td>
</tr>
<tr>
<td>Machinery</td>
<td>716,993</td>
<td>1,111,231</td>
<td>1,828,224</td>
<td>3,100,607</td>
<td>-41%</td>
</tr>
<tr>
<td>Other Infrastructure</td>
<td>1,753,381</td>
<td>657,002</td>
<td>2,410,383</td>
<td>4,025,946</td>
<td>-40%</td>
</tr>
<tr>
<td><strong>Total Capital Expenditure</strong></td>
<td><strong>22,542</strong></td>
<td><strong>7,277</strong></td>
<td><strong>29,818</strong></td>
<td><strong>57,565</strong></td>
<td><strong>-48%</strong></td>
</tr>
</tbody>
</table>

*CMT = Commitment costs- Value of orders raised but not yet paid.

See Key Projects and Carryovers for detail on major projects.
| Key Projects                  | 2016/2017 |  |  |  |  | Comments                                                                 |
|------------------------------|----------|----------|----------|----------|-------------------------------------------------------------------------------------------------|
| **Land**                     |          |          |          |          |                                                                                                 |
| Sub Total                    |          |          |          |          |                                                                                                 |
| **Buildings**                |          |          |          |          |                                                                                                 |
| MPAC RVIF Equipment Upgrade  | -        | -        | -        | -        | 500,000                                           -100%                                                 |
| Ocean Road Reserve - Sports Grnd Lights | 14,251 | 91,920   | 106,171  | 1,170,047 | -91% Following appointment Holton Connor as the Architect and meeting to discuss detail design, tender for flood lighting has been advertised with a closing date in late January 2017. |
| WMC Install Walking Floor Main Shed | -   | -        | -        | 1,055,868 | -100% Report advising proposed works and seeking approval to prepare the tender and advertise to go to council in February 2017. |
| Sub Total                    | 14,251   | 91,920   | 106,171  | 2,725,915 | -96%                                                                                             |
| **Bridges**                  |          |          |          |          |                                                                                                 |
| Old Mandurah Bridge          | 4,525,827| 51,010   | 4,576,837| 11,500,000| -60% Incremental launching is ongoing. Pile caps complete and piers 4 & 5 under construction.   |
| Sub Total                    | 4,525,827| 51,010   | 4,576,837| 11,500,000| -60%                                                                                             |
| **Parks**                    |          |          |          |          |                                                                                                 |
| Renew MPAC Forecourt Paving  | -        | 11,100   | 11,100   | 542,776   | -98% Geotechnical work commencing mid January before Stage 1 of the works is scheduled. Stage 1 includes landscaping, paving opposite MPAC entrance, underground services, supply and installation multi purpose light poles including footings. |
| Novara Foreshore Stage 1 Master Plan | -   | 113,203  | 113,203  | 534,221   | -79% Works to be scheduled for early 2017. Stage 1 will include the installation of playground equipment and an adventure playground. Applying for $300,000 Peel Regional Grants Scheme. |
| Sub Total                    | -        | 124,303  | 124,303  | 1,076,997 | -88%                                                                                             |
| **Roads**                    |          |          |          |          |                                                                                                 |
| NEW Dower St - Reconstruct/Widen | 51,592 | 540      | 52,132   | 792,865   | -93% Works to commence after utilities have been relocated. Complete                              |
| NEW Lakes Rd - Construct,Primerseal | 948,115 | 9,295    | 957,410  | 792,865   | 21%                                                                                              |
| NEW Madora Bay Fire Brigade Track | -      | -        | -        | 211,431   | -100% Possible have been identified. To be finalised by Executive Leadership Team in January.    |
| REHAB Glencoe Pde Stage 3 of 5 | 21,819  | 74,742   | 96,561   | 301,289   | -68% Construction commenced in January 2017 and completion planned for February 2017.    |
| REHAB McLarty - Calypso to Admiralty | 14,920 | -        | 14,920   | 317,146   | -95% Scheduled to commence February 2017 and completion planned for March 2017.                  |
| CP MARC Stage 2 includes Lighting | 19,584 | 1,612    | 21,196   | 317,146   | -93% Construction works scheduled to commence in February 2017.                                 |
| CP MARC Stage 3               | -        | -        | -        | 317,146   | -100% Scheduled to commence after completion of MARC Stage 2.                                     |
| Sub Total                    | 1,036,446| 84,577   | 1,121,023| 2,415,596 | -54%                                                                                             |
| **Waterways**                |          |          |          |          |                                                                                                 |
| C&E - Falcon Bay Seawall     | 33,212   | 2,994    | 36,206   | 865,581   | -96% Tender documentation being finalised.                                                        |
| Sub Total                    | 33,212   | 2,994    | 36,206   | 865,581   | -96%                                                                                             |
| **Plant & Machinery**        |          |          |          |          |                                                                                                 |
| Replacement Light Passenger Vehicles | 154,261 | 31,411   | 185,671  | 562,509   | -67% Replacement program commenced.                                                              |
| Replacement Light Commercial Vehicles | 251,963 | 389,454  | 641,416  | 833,875   | -23% Replacement program commenced.                                                              |
| Trucks and Buses             | -        | 252,681  | 252,681  | 613,934   | -59% Order for three trucks placed. Tender for Vac Unit under review.                              |
| Sub Total                    | 406,223  | 673,546  | 1,079,769| 2,010,318 | -46%                                                                                             |

*CMT = Commitment costs- Value of orders raised but not yet paid.*
### Carryover Projects

<table>
<thead>
<tr>
<th>Buildings</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS - MARC</td>
<td>-</td>
<td>192,354</td>
<td>192,354</td>
<td>135,000</td>
<td>42%</td>
<td>Building management systems, pumps and filtration defects liability period extended to 8 March 2017.</td>
</tr>
<tr>
<td>Mandurah Library - Counter &amp; Carpets</td>
<td>16,460</td>
<td>9,748</td>
<td>26,208</td>
<td>20,000</td>
<td>31%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Thomson St Netball - Toilet Upgrade</td>
<td>1,500</td>
<td>-</td>
<td>1,500</td>
<td>114,000</td>
<td>-99%</td>
<td>Request for quotation to upgrade ablation interior to go out in February 2016.</td>
</tr>
<tr>
<td>Abution Dawesville Foreshore Reserve</td>
<td>71,880</td>
<td>16,741</td>
<td>88,621</td>
<td>40,390</td>
<td>119%</td>
<td>Complete.</td>
</tr>
<tr>
<td>SES Facility &amp; Amenities Bldg</td>
<td>76,373</td>
<td>9,300</td>
<td>85,673</td>
<td>20,000</td>
<td>32%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Darwin Tce Structure surface treatment</td>
<td>-</td>
<td>36,300</td>
<td>36,300</td>
<td>35,019</td>
<td>4%</td>
<td>Works to be scheduled.</td>
</tr>
<tr>
<td>Mandurah Yacht Club - Storage Upgrade</td>
<td>1,089</td>
<td>-</td>
<td>1,089</td>
<td>3,000</td>
<td>-64%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Mandurah Yacht Club - Ext Acc Toilet</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>3,000</td>
<td>-100%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Ron Christian Hall, Madora - Main Entran</td>
<td>2,230</td>
<td>-</td>
<td>2,230</td>
<td>9,827</td>
<td>-77%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Regional Venues Improvement Fund</td>
<td>239,944</td>
<td>-</td>
<td>239,944</td>
<td>337,545</td>
<td>-29%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Solar Plan phase III PV Systems</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>50,000</td>
<td>-100%</td>
<td>Project not proceeding. To be amended at budget review.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 8,148,205 | 3,328,499 | 11,476,704 | 11,680,689 | -2% |

<table>
<thead>
<tr>
<th>Bridges</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Citizens Footbridge</td>
<td>64,886</td>
<td>-</td>
<td>64,886</td>
<td>45,001</td>
<td>44%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Mandurah Ocean Marina Footbridge</td>
<td>36,955</td>
<td>-</td>
<td>36,955</td>
<td>85,001</td>
<td>-57%</td>
<td>Complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 101,841 | - | 101,841 | 130,002 | -22% |

<table>
<thead>
<tr>
<th>Parks</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tims Thicket Monitoring Bores</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>20,403</td>
<td>-100%</td>
<td>To be scheduled as part of the Tims Thicket Septage ponds upgrade.</td>
</tr>
<tr>
<td>Milgar Reserve - Caterpillar Playground</td>
<td>76,616</td>
<td>-</td>
<td>76,616</td>
<td>77,001</td>
<td>0%</td>
<td>Complete.</td>
</tr>
<tr>
<td>MPAC Forecourt Paving Replacement</td>
<td>13,979</td>
<td>-</td>
<td>13,979</td>
<td>16,864</td>
<td>-17%</td>
<td>Complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 90,595 | - | 90,595 | 114,268 | -21% |

<table>
<thead>
<tr>
<th>Roads</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>NEW Lakes Rd Continue north-south access</td>
<td>489,452</td>
<td>785</td>
<td>490,237</td>
<td>550,000</td>
<td>-11%</td>
<td>Complete.</td>
</tr>
<tr>
<td>New Peel St Forrest St to Mandurah Tce</td>
<td>344,268</td>
<td>-</td>
<td>344,268</td>
<td>350,000</td>
<td>-2%</td>
<td>Complete.</td>
</tr>
<tr>
<td>NEW Dower St North-South Access</td>
<td>19,194</td>
<td>43,686</td>
<td>62,879</td>
<td>379,666</td>
<td>-83%</td>
<td>Working with Western Power and other service providers to relocate services for Dower Street and Pinjarra Road intersection works.</td>
</tr>
<tr>
<td>TM Old Coast Road Traffic Control Signal</td>
<td>177,050</td>
<td>236,886</td>
<td>453,937</td>
<td>487,851</td>
<td>-7%</td>
<td>Complete.</td>
</tr>
<tr>
<td>TM Alkurt St/Dower St Traffic Signals</td>
<td>-</td>
<td>18,100</td>
<td>18,100</td>
<td>88,226</td>
<td>-79%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Wayfinding Signage &amp; Posts Citywide</td>
<td>5,250</td>
<td>-</td>
<td>5,250</td>
<td>34,211</td>
<td>-85%</td>
<td>Waiting on confirmation of design.</td>
</tr>
<tr>
<td>SP Mandurah Rd Catalina to Broadstone</td>
<td>3,600</td>
<td>-</td>
<td>3,600</td>
<td>20,944</td>
<td>-83%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Dower Street Carpark</td>
<td>33,545</td>
<td>-</td>
<td>33,545</td>
<td>20,000</td>
<td>68%</td>
<td>Complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 1,072,359 | 339,487 | 1,411,816 | 1,930,898 | -27% |

<table>
<thead>
<tr>
<th>Drainage</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>SD Clyde Pl Pump Stn &amp; Pressure Main</td>
<td>119,458</td>
<td>-</td>
<td>119,458</td>
<td>64,280</td>
<td>86%</td>
<td>Complete.</td>
</tr>
<tr>
<td>SD Maywood Way from No. 50/Buckingham Dr</td>
<td>27,490</td>
<td>-</td>
<td>27,490</td>
<td>17,000</td>
<td>62%</td>
<td>Complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 146,948 | - | 146,948 | 81,280 | 81% |

<table>
<thead>
<tr>
<th>Coastal &amp; Estuary</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>BFS - Dawesville Ramp Replacement</td>
<td>54,341</td>
<td>-</td>
<td>54,341</td>
<td>48,357</td>
<td>12%</td>
<td>Complete.</td>
</tr>
<tr>
<td>Boardwalk Renewal 1/20th</td>
<td>189,220</td>
<td>-</td>
<td>189,220</td>
<td>171,011</td>
<td>11%</td>
<td>Complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 243,561 | - | 243,561 | 219,368 | 11% |

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civica &amp; Pinforce Integration</td>
<td>11,953</td>
<td>-</td>
<td>11,953</td>
<td>28,725</td>
<td>-58%</td>
<td>Project 60% complete.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 11,953 | - | 11,953 | 28,725 | -58% |

<table>
<thead>
<tr>
<th>Other Infrastructure</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>MRC Geothermal</td>
<td>861,867</td>
<td>3,225</td>
<td>865,092</td>
<td>800,000</td>
<td>8%</td>
<td>Pump test complete. Issue of practical completion to the Contractor by The City to be carried out. Waiting DER approval.</td>
</tr>
<tr>
<td>Tims Thicket Septage Ponds upgrade</td>
<td>1,000</td>
<td>-</td>
<td>1,000</td>
<td>380,946</td>
<td>-100%</td>
<td></td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 884,867 | 3,225 | 886,092 | 1,180,946 | -27% |

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Actuals</th>
<th>CMT*</th>
<th>Actuals + CMT</th>
<th>Budget</th>
<th>Variance on Actuals + CMT</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Foreshore Seawall &amp; Footpath Replacement</td>
<td>884,975</td>
<td>653,777</td>
<td>1,538,751</td>
<td>2,645,000</td>
<td>-42%</td>
<td>Seawall complete. Preparation for footpath is progressing. Project completion expected March 2017.</td>
</tr>
</tbody>
</table>

#### Sub Total

| Sub Total | 884,975 | 653,777 | 1,538,751 | 2,645,000 | -42% |

*CMT = Commitment costs- Value of orders raised but not yet paid.
### Directorate Variances

<table>
<thead>
<tr>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actuals</td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td>Budget</td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actuals + CMT</td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td>Budget</td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Chief Executive Office</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>Strategy &amp; Business Performance</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>Sustainable Development</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>People and Communities</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>Works and Services</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
</tbody>
</table>

**Note:** CMT = Commitments are not used for revenue. Therefore 'Actuals' = 'Actuals + CMT'

**Total - Detail Business Units**

<table>
<thead>
<tr>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(95,233,256)</td>
<td>(94,421,216)</td>
<td>1%</td>
</tr>
<tr>
<td>Budget</td>
<td>(95,233,256)</td>
<td>(94,421,216)</td>
<td>1%</td>
</tr>
<tr>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Chief Executive Office</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>Strategy &amp; Business Performance</strong></td>
<td>(75,032,287)</td>
<td>(75,450,098)</td>
<td>-1%</td>
</tr>
<tr>
<td></td>
<td>(92,390)</td>
<td>(99,216)</td>
<td>-7%</td>
</tr>
<tr>
<td><strong>Sustainable Development</strong></td>
<td>(1,889,542)</td>
<td>(1,740,085)</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>(2,777,703)</td>
<td>(2,448,338)</td>
<td>13%</td>
</tr>
<tr>
<td><strong>People and Communities</strong></td>
<td>(1,889,542)</td>
<td>(1,740,085)</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>(2,777,703)</td>
<td>(2,448,338)</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Works and Services</strong></td>
<td>(1,889,542)</td>
<td>(1,740,085)</td>
<td>9%</td>
</tr>
<tr>
<td></td>
<td>(2,777,703)</td>
<td>(2,448,338)</td>
<td>13%</td>
</tr>
</tbody>
</table>

**Note:** CMT = Commitments are not used for revenue. Therefore 'Actuals' = 'Actuals + CMT'

**Total - Detail Business Units**

<table>
<thead>
<tr>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
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</tr>
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<tbody>
<tr>
<td></td>
<td>(95,233,256)</td>
<td>(94,421,216)</td>
<td>1%</td>
</tr>
<tr>
<td>Budget</td>
<td>(95,233,256)</td>
<td>(94,421,216)</td>
<td>1%</td>
</tr>
<tr>
<td>Variance</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Key**

- Less than -10% |
- See notes for commentary on variance |
- More than 10% |
- Variance will be monitored |
- Between -10% and 10% |
- Acceptable variance |
### Budget Variance

<table>
<thead>
<tr>
<th>Section</th>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Actual + CMT*</th>
<th>Budget 2016/17</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Chief Executive Office</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>1,657,298</td>
<td>1,764,000</td>
<td>-6%</td>
<td>1,657,298</td>
<td>3,528,012</td>
<td>47%</td>
</tr>
<tr>
<td>Budget</td>
<td>2,103,326</td>
<td>2,313,322</td>
<td>-9%</td>
<td>2,103,326</td>
<td>4,626,665</td>
<td>45%</td>
</tr>
<tr>
<td>Legal Services</td>
<td>192,250</td>
<td>242,412</td>
<td>-21%</td>
<td>192,250</td>
<td>484,837</td>
<td>40%</td>
</tr>
<tr>
<td>Elected Members</td>
<td>111,584</td>
<td>106,370</td>
<td>5%</td>
<td>111,584</td>
<td>212,732</td>
<td>52%</td>
</tr>
<tr>
<td>Civic Events &amp; Functions</td>
<td>23,456</td>
<td>22,915</td>
<td>2%</td>
<td>23,456</td>
<td>45,830</td>
<td>51%</td>
</tr>
<tr>
<td>Economic Development</td>
<td>203,829</td>
<td>213,101</td>
<td>-4%</td>
<td>203,829</td>
<td>426,194</td>
<td>48%</td>
</tr>
<tr>
<td>City Centre</td>
<td>48,385</td>
<td>47,302</td>
<td>-2%</td>
<td>48,385</td>
<td>94,608</td>
<td>51%</td>
</tr>
<tr>
<td>General Purpose Funding Rates</td>
<td>204,379</td>
<td>211,025</td>
<td>-3%</td>
<td>204,379</td>
<td>422,043</td>
<td>48%</td>
</tr>
<tr>
<td>Finance</td>
<td>663,078</td>
<td>689,543</td>
<td>-4%</td>
<td>663,078</td>
<td>1,379,098</td>
<td>48%</td>
</tr>
<tr>
<td><strong>Strategy &amp; Business Performance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>2,310,943</td>
<td>2,490,315</td>
<td>-7%</td>
<td>2,310,943</td>
<td>4,980,663</td>
<td>46%</td>
</tr>
<tr>
<td>Budget</td>
<td>247,094</td>
<td>238,676</td>
<td>4%</td>
<td>247,094</td>
<td>477,349</td>
<td>52%</td>
</tr>
<tr>
<td>Organisational Development</td>
<td>452,629</td>
<td>539,264</td>
<td>-16%</td>
<td>452,629</td>
<td>1,078,544</td>
<td>42%</td>
</tr>
<tr>
<td>Systems &amp; Technology</td>
<td>554,781</td>
<td>605,569</td>
<td>-8%</td>
<td>554,781</td>
<td>1,211,144</td>
<td>46%</td>
</tr>
<tr>
<td>Marketing</td>
<td>301,773</td>
<td>316,959</td>
<td>-5%</td>
<td>301,773</td>
<td>633,871</td>
<td>48%</td>
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<tr>
<td>Visitors Centre</td>
<td>179,691</td>
<td>202,526</td>
<td>-11%</td>
<td>179,691</td>
<td>405,076</td>
<td>44%</td>
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<tr>
<td>Customer Services</td>
<td>574,974</td>
<td>587,321</td>
<td>-2%</td>
<td>574,974</td>
<td>1,174,679</td>
<td>49%</td>
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<tr>
<td><strong>Sustainable Development</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>2,644,848</td>
<td>2,905,807</td>
<td>-9%</td>
<td>2,644,848</td>
<td>5,811,779</td>
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</tr>
<tr>
<td>Budget</td>
<td>135,388</td>
<td>143,994</td>
<td>-6%</td>
<td>135,388</td>
<td>287,991</td>
<td>47%</td>
</tr>
<tr>
<td>Planning Services</td>
<td>488,049</td>
<td>627,087</td>
<td>-22%</td>
<td>488,049</td>
<td>1,254,324</td>
<td>39%</td>
</tr>
<tr>
<td>Rangers</td>
<td>677,627</td>
<td>698,083</td>
<td>-3%</td>
<td>677,627</td>
<td>1,396,180</td>
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<td>Environmental Health Services</td>
<td>431,017</td>
<td>451,632</td>
<td>-5%</td>
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<td>903,264</td>
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<tr>
<td>Eco Services/Climate Change</td>
<td>347,682</td>
<td>360,197</td>
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<td>347,682</td>
<td>720,388</td>
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<td>Building Services</td>
<td>565,085</td>
<td>624,814</td>
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<td>1,249,632</td>
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<tr>
<td><strong>People and Communities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Actual</td>
<td>4,648,022</td>
<td>4,823,363</td>
<td>-4%</td>
<td>4,648,022</td>
<td>9,790,058</td>
<td>47%</td>
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<tr>
<td>Budget</td>
<td>146,893</td>
<td>149,213</td>
<td>-2%</td>
<td>146,893</td>
<td>298,416</td>
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<tr>
<td>Recreation Services</td>
<td>310,835</td>
<td>328,553</td>
<td>-5%</td>
<td>310,835</td>
<td>657,117</td>
<td>47%</td>
</tr>
<tr>
<td>MARC Operations</td>
<td>1,723,295</td>
<td>1,808,784</td>
<td>-5%</td>
<td>1,723,295</td>
<td>3,751,732</td>
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<tr>
<td>HHCRC Operations</td>
<td>486,323</td>
<td>535,769</td>
<td>-9%</td>
<td>486,323</td>
<td>1,080,705</td>
<td>49%</td>
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<tr>
<td>Community and Social Development</td>
<td>432,294</td>
<td>416,048</td>
<td>4%</td>
<td>432,294</td>
<td>832,089</td>
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<tr>
<td>12 Youth Services</td>
<td>264,206</td>
<td>245,785</td>
<td>7%</td>
<td>264,206</td>
<td>491,565</td>
<td>54%</td>
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<tr>
<td>Libraries &amp; Learning</td>
<td>735,435</td>
<td>740,070</td>
<td>-1%</td>
<td>735,435</td>
<td>1,480,500</td>
<td>50%</td>
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<tr>
<td>Museum</td>
<td>64,117</td>
<td>67,649</td>
<td>-5%</td>
<td>64,117</td>
<td>135,301</td>
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<tr>
<td>Cultural Development</td>
<td>131,271</td>
<td>126,726</td>
<td>-4%</td>
<td>131,271</td>
<td>255,455</td>
<td>52%</td>
</tr>
<tr>
<td><strong>Works and Services</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual</td>
<td>8,388,771</td>
<td>8,853,464</td>
<td>-5%</td>
<td>8,388,771</td>
<td>17,707,304</td>
<td>47%</td>
</tr>
<tr>
<td>Budget</td>
<td>213,929</td>
<td>220,675</td>
<td>-6%</td>
<td>213,929</td>
<td>453,345</td>
<td>47%</td>
</tr>
<tr>
<td>Waste Management Services</td>
<td>859,397</td>
<td>952,322</td>
<td>-10%</td>
<td>859,397</td>
<td>1,904,885</td>
<td>45%</td>
</tr>
<tr>
<td>13 Infrastructure Management</td>
<td>1,095,546</td>
<td>1,059,554</td>
<td>-7%</td>
<td>1,095,546</td>
<td>2,119,111</td>
<td>46%</td>
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<tr>
<td>CityFleet</td>
<td>239,043</td>
<td>237,639</td>
<td>1%</td>
<td>239,043</td>
<td>475,280</td>
<td>50%</td>
</tr>
<tr>
<td>Cityparks</td>
<td>3,945,248</td>
<td>3,710,476</td>
<td>-6%</td>
<td>3,945,248</td>
<td>7,421,027</td>
<td>47%</td>
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<tr>
<td>CityWorks</td>
<td>1,369,697</td>
<td>1,448,755</td>
<td>-5%</td>
<td>1,369,697</td>
<td>2,897,009</td>
<td>47%</td>
</tr>
<tr>
<td>Operations Centre</td>
<td>288,346</td>
<td>320,503</td>
<td>-10%</td>
<td>288,346</td>
<td>641,009</td>
<td>49%</td>
</tr>
<tr>
<td>Marina</td>
<td>299,507</td>
<td>313,519</td>
<td>-4%</td>
<td>299,507</td>
<td>627,046</td>
<td>48%</td>
</tr>
<tr>
<td>Waterways</td>
<td>91,337</td>
<td>131,375</td>
<td>-30%</td>
<td>91,337</td>
<td>262,752</td>
<td>35%</td>
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<tr>
<td>Technical Services</td>
<td>1,157,652</td>
<td>1,143,151</td>
<td>1%</td>
<td>1,157,652</td>
<td>2,286,330</td>
<td>51%</td>
</tr>
</tbody>
</table>

**Key**
- More than 5% See notes for commentary on variance
- Less than -5% Variance will be monitored
- Between -5% and 5% Acceptable variance
### Directorate Variances

<table>
<thead>
<tr>
<th>Directorate</th>
<th>Year to Date - Actuals</th>
<th>Year to Date - Budget</th>
<th>Year to Date - Variance</th>
<th>Decemeber - Actuals</th>
<th>December - Budget</th>
<th>December - Variance</th>
<th>Total - Actuals</th>
<th>Total - Budget</th>
<th>Total - Variance</th>
<th>Budget 2016/17 Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chief Executive Office</td>
<td>237,219</td>
<td>304,813</td>
<td>-22%</td>
<td>238,700</td>
<td>609,755</td>
<td>-61%</td>
<td>238,700</td>
<td>609,755</td>
<td>-61%</td>
<td></td>
</tr>
<tr>
<td>Strategy &amp; Business Performance</td>
<td>413,869</td>
<td>469,845</td>
<td>-12%</td>
<td>425,368</td>
<td>939,929</td>
<td>-55%</td>
<td>425,368</td>
<td>939,929</td>
<td>-55%</td>
<td></td>
</tr>
<tr>
<td>Sustainable Development</td>
<td>395,704</td>
<td>487,507</td>
<td>-19%</td>
<td>397,845</td>
<td>975,260</td>
<td>-59%</td>
<td>397,845</td>
<td>975,260</td>
<td>-59%</td>
<td></td>
</tr>
<tr>
<td>People and Communities</td>
<td>561,963</td>
<td>618,088</td>
<td>-9%</td>
<td>568,063</td>
<td>1,236,508</td>
<td>-54%</td>
<td>568,063</td>
<td>1,236,508</td>
<td>-54%</td>
<td></td>
</tr>
<tr>
<td>Works and Services</td>
<td>1,000,913</td>
<td>1,206,803</td>
<td>-17%</td>
<td>1,017,341</td>
<td>2,413,012</td>
<td>-58%</td>
<td>1,017,341</td>
<td>2,413,012</td>
<td>-58%</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>2,609,667</td>
<td>3,087,056</td>
<td>-15%</td>
<td>2,647,317</td>
<td>6,174,464</td>
<td>-57%</td>
<td>2,647,317</td>
<td>6,174,464</td>
<td>-57%</td>
<td></td>
</tr>
</tbody>
</table>

*CMT = Commitment costs - Value of orders raised but not yet paid.

### Key
- More than 10%: See notes for commentary on variance
- Less than -10%: Variance will be monitored
- Between -10% and 10%: Acceptable variance
<table>
<thead>
<tr>
<th>Directorate Variances</th>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Budget 2016/17</th>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Budget 2016/17</th>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Budget 2016/17</th>
<th>Year to Date -</th>
<th>December</th>
<th>Total</th>
<th>Budget 2016/17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Operating Costs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Executive Office</td>
<td>2,086,132</td>
<td>2,461,146</td>
<td>-15%</td>
<td>2,147,108</td>
<td>4,341,146</td>
<td>-51%</td>
<td>2,147,108</td>
<td>4,341,146</td>
<td>-51%</td>
<td>2,147,108</td>
<td>4,341,146</td>
<td>-51%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>People and Communities</td>
<td>1,713,379</td>
<td>2,389,417</td>
<td>-28%</td>
<td>2,035,467</td>
<td>5,434,153</td>
<td>-63%</td>
<td>2,035,467</td>
<td>5,434,153</td>
<td>-63%</td>
<td>2,035,467</td>
<td>5,434,153</td>
<td>-63%</td>
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<td></td>
</tr>
<tr>
<td>Works and Services</td>
<td>15,218,691</td>
<td>18,364,709</td>
<td>-17%</td>
<td>16,788,969</td>
<td>36,744,540</td>
<td>-54%</td>
<td>16,788,969</td>
<td>36,744,540</td>
<td>-54%</td>
<td>16,788,969</td>
<td>36,744,540</td>
<td>-54%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*CMT = Commitment costs - Value of orders raised but not yet paid.

**Key**
- **More than 10%** See notes for commentary on variance
- **Less than -10%** Variance will be monitored
- **Between -10% and 10%** Acceptable variance
<table>
<thead>
<tr>
<th>Type</th>
<th>Note</th>
<th>Directorate</th>
<th>Business Unit</th>
<th>Variance</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1</td>
<td></td>
<td>Chief Executive Office</td>
<td>Chief Executives Office</td>
<td>$ 22,283.86</td>
<td>-95% Reimbursements yet to be received.</td>
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<tr>
<td>2</td>
<td></td>
<td>General Purpose Funding</td>
<td></td>
<td>$ 267,176.94</td>
<td>-10% Variance due to low interest rate environment and will be addressed as part of budget review process.</td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>Strategy &amp; Business Performance</td>
<td>Strategy &amp; Business Performance</td>
<td>$ 14,472.06</td>
<td>-100% Contributions and donations not yet received.</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Systems &amp; Technology</td>
<td></td>
<td>$ 294.95</td>
<td>-15% Minor variance</td>
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<tr>
<td>5</td>
<td></td>
<td>Customer Services</td>
<td></td>
<td>$ 8,320.05</td>
<td>-25% Variance not significant.</td>
</tr>
<tr>
<td>6</td>
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<td>Sustainable Development</td>
<td>Planning Services</td>
<td>$ 140,860.84</td>
<td>-50% Variance due to town planning applications revenue and will be monitored as year progresses.</td>
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<tr>
<td>7</td>
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<td>Building Services</td>
<td></td>
<td>$ 80,858.75</td>
<td>-13% Variance due to building permit applications revenue and will be monitored as year progresses.</td>
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<tr>
<td>8</td>
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<td>People and Communities</td>
<td>Libraries &amp; Learning</td>
<td>$ 20,893.43</td>
<td>22% Brush with Art revenue expected to increase in the coming months. $20,000 revenue in Mandurah Library’s other income to be removed at budget review due to budget error.</td>
</tr>
<tr>
<td>9</td>
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<td>Works and Services</td>
<td>DIR Works &amp; Services</td>
<td>$ 135.99</td>
<td>-14% Minor Variance.</td>
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<td>10</td>
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<td>Cityfleet</td>
<td></td>
<td>$ 63,938.08</td>
<td>-70% Profits on sale of assets not yet generated.</td>
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<tr>
<td>11</td>
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<td>Operations Centre</td>
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<td>$ 750.00</td>
<td>-100% Minor Variance.</td>
</tr>
<tr>
<td><strong>Labour</strong></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td>People and Communities</td>
<td>Youth Services</td>
<td>$ 18,420.69</td>
<td>7% Variance due to project labour which is budgeted under materials, to be rectified at budget review.</td>
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<tr>
<td>13</td>
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<td>Works and Services</td>
<td>Infrastructure Management</td>
<td>$ 13,527.29</td>
<td>5% Variance due to temporary projects management labour to meet Citybuild projects demands. Overall projects cost will absorb this variance.</td>
</tr>
<tr>
<td><strong>Other Employee Costs</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td>Chief Executive Office</td>
<td>Civic Events &amp; Functions</td>
<td>$ 1,460.03</td>
<td>11% Variance due to superannuation caused by extra hours worked in this business unit.</td>
</tr>
<tr>
<td>15</td>
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<td>People and Communities</td>
<td>HHCRC Operations</td>
<td>$ 11,078.00</td>
<td>77% Variance due to superannuation contribution.</td>
</tr>
<tr>
<td>16</td>
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<td>Works and Services</td>
<td>DIR Works &amp; Services</td>
<td>$ 5,948.07</td>
<td>17% Variance due to superannuation for casual labour.</td>
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<tr>
<td><strong>Operating Costs</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
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<td>17</td>
<td></td>
<td>Chief Executive Office</td>
<td>Chief Executives Office</td>
<td>$ 18,939.21</td>
<td>11% Variance due to consultancy fees for Operations Centre review.</td>
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<tr>
<td>18</td>
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<td>Finance</td>
<td></td>
<td>$ 17,342.40</td>
<td>13% Variance due to year end valuations and grants audits, expected to come under annual budget.</td>
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<tr>
<td>19</td>
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<td>Strategy &amp; Business Performance</td>
<td>Strategy &amp; Business Performance</td>
<td>$ 31,893.68</td>
<td>77% Variance due to projects expenditure which is still under annual budget.</td>
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<tr>
<td>20</td>
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<td>Systems &amp; Technology</td>
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<td>$ 408,975.75</td>
<td>38% Software licencing and leasing costs being paid early in the year.</td>
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<tr>
<td>21</td>
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<td>Marketing</td>
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<td>$ 23,410.14</td>
<td>23% Variance caused by temporary agency staff due to vacancies and projects.</td>
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<tr>
<td>22</td>
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<td>Sustainable Development</td>
<td>Rangers</td>
<td>$ 44,939.09</td>
<td>15% Variance due to expenditure on firebreaks. Costs to be recovered through invoicing.</td>
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<tr>
<td>23</td>
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<td>Building Services</td>
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<td>$ 3,260.01</td>
<td>11% Payments to Royal Life Saving Society for Pool Inspections</td>
</tr>
<tr>
<td>Type</td>
<td>Note</td>
<td>Directorate</td>
<td>Business Unit</td>
<td>Variance</td>
<td>Comment</td>
</tr>
<tr>
<td>--------</td>
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<td></td>
<td>24</td>
<td>People and Communities</td>
<td>Recreation Services</td>
<td>$32,169.29</td>
<td>12% Variance due to Kidsport and should reduce to annual budget over time.</td>
</tr>
</tbody>
</table>
02 SUBJECT: Rates Exemption – 10 Hungerford Avenue & 7 Coolibah Avenue
CONTACT OFFICER/S: David Prattent
AUTHOR: David Prattent
FILE NO:

Summary

The City has received a request from Masonic Care WA for exemptions for two retirement villages at 10 Hungerford Avenue, Halls Head and 7 Coolibah Avenue, Dudley Park. Until June 2016 these villages were owned by a commercial operator.

Masonic Care meet the requirements for assessing the use of land for charitable purposes. Council is requested to approve non-rateable status for these properties.

Disclosure of Interest

None

Location

10 Hungerford Avenue, Halls Head (Title information : SL: 1 SP: 11160)

7 Coolibah Avenue, Dudley Park (Title information SL: 1 SP: 11160)
Previous Relevant Documentation

None

Background

Both retirement villages were previously owned by Aevum Pty Ltd, a commercial operator. They have now been sold to Masonic Care WA, a charitable provider. 10 Hungerford Avenue consists of 19 independent units and 7 Coolibah Avenue has 23 units together with some internal residents’ facilities such as a hall.

Comment

Masonic Care have provided the City with documentation to support their claim, including their constitution and charitable registration. Their claim for exemption is based on both meeting the needs of the aged and their status as a charitable organisation. On the basis of current legislation, this is a valid claim for non-rateable status.

Until this point, Aevum Pty Ltd have paid rates for these properties. The total value of rates lost for both these properties is $44,417 based on the 2016/17 rates.

Consultation

None

Statutory Environment

Local Government Act 1995 S 6.26 (2)(g)

Policy Implications

None

Economic Implications

The previously-reported value of rates foregone for charitable exemptions is adjusted to approximately $1,011,000.

Strategic Implications

The following strategy from the City of Mandurah Strategic Community Plan 2013 – 2033 is relevant to this report:

Organisational Excellence:
• Deliver excellent governance and financial management.

Conclusion

Masonic Care have requested non-rateable status for their land in Hungerford Avenue, Halls Head and Coolibah Avenue, Greenfields. The criteria for defining charitable use are, at best, vague and BHL fit within the current definitions. Both land holdings are eligible for non-rateable status.

RECOMMENDATION

That Council approves non-rateable status for 10 Hungerford Avenue, Halls Head (SL: 1 SP: 11160), and 7 Coolibah Avenue, Dudley Park (SL: 23 SP: 18937)
03 SUBJECT: Proposal – Use of former SES building on Park Road for new ‘Entrepreneurial Program Development for Unemployed Youth’

CONTACT OFFICER/S: Adam Denniss

AUTHOR: Natasa Perovec

FILE NO: 

Summary

Council is requested to grant the use of former SES building on Park Road for the next 24 months from March to run the ‘Entrepreneurial Program Development for Unemployed Youth’. Use of the SES building would support the project implementation and would help the new start-up business project to succeed. The use of the building will minimise project costs so the focus could be on delivering the project, rather than having to rent a separate premises.

Disclosure of Interest

Nil

Previous Relevant Documentation

Nil

Background

The ‘Entrepreneurial Program Development for Unemployed Youth’ is a development and implementation of 16-week workshops teaching groups of unemployed people aged 17 -28 entrepreneurial and business skills through the process of product development. The first two pilot products as an example are:
- Creative glass recycling (how to create art products from recycled glass)
- T shirt with a story (how to add social value to every-day product).

Glass for recycling will be sourced directly from local hotels, pubs and coffee shops which generate a lot of glass waste. If additional sources are required, the City will obtain it from the local recycling centre. The project will be promoted through social media and we will encourage local residents to bring glass waste (bottles, jars) directly to the workshop premises and support the project.

T-shirts will be sourced from an Australian vendor.

At the end of the program an exhibition of artwork/products created by participants will be organised to raise awareness and promote alternative employment opportunities and an opportunity to create a job/income with small projects.

Previously it has been identified that the former SES building would be removed, to improve circulation at the City’s Operations Centre and thus improve the safety of the Operations Centre. Other options exist for the Operations Centre and while an exit point in the location of the current SES building would be an improvement, the safety risks at the Operations Centre can be mitigated with risk treatments.

The SES operations will have fully transitioned to their new facility by the end of January.

Comment

The aim of the project ‘Entrepreneurial Program Development for Unemployed Youth’ age 17-28 is to:
- Engage unemployed youth between the ages of 17 and 28 who are looking for alternative employment opportunities
- Teach participants entrepreneurial skills through the process of product development (T-shirts, creative glass recycling)
- Deliver an innovative pilot program by ‘learning by doing’ methodology
- Development of the business model which could be replicated and shared for future programs.

The program will be delivered through weekly four hour sessions (16).

The participants will learn:
- Strategies to understand consumers in order to identify opportunities in the market
- Creating a marketing system that attracts the ideal customer
- Business finance and how to develop an effective and replicable sales model
- How to develop an effective online strategy and marketing and sales processes
- About product development cycles
- How to build an enterprise with significant social value (with an example of storytelling added to T-shirt).

The project has three distinct phases.
1. Training of unemployed young people and testing the entrepreneurial program.
2. Development of the business model which could be replicated and shared for future programs.
3. Product Development and selling T-shirts and glass products created during the program.

In this entrepreneurial program, participants will be exposed to a form of ‘design-entrepreneurship’ which puts emphasis on ‘ideas’ and ‘making’ to create a brand and launch products – glass art and decorative products and T-shirts.

Outcomes:
1. Engage unemployed youth (17 – 28 age group) who are looking for alternative employment opportunities.
2. Teach participants entrepreneurial skills through the process of product development (T-shirt with a story, creative glass recycling)
3. Teach unemployed youth business skills through the process of sourcing, planning, producing, pricing, marketing and selling of recycled glass art and T-shirts.
4. Deliver an innovative program using ‘learning by doing’ methodology.
5. Raise awareness of possibilities and opportunities to create a job/income with small recycling projects.
6. Teach unemployed people to use recycled glass as a medium for art projects.
7. Create glass art and decorative glass products using recycled glass.
8. Add social value to T-shirts using storytelling
9. Educate community of the possibilities of upcycling glass.
10. Document and promote the progress of the project and showcase art products via Social media.
11. Showcase the finished products to the public at an exhibition and raise awareness about possibilities of income generation with art products.

Statutory Environment

Nil

Policy Implications

Nil

Economic Implications

Impact on Community:
1. Unemployed people get engaged in skill development activities and learn about alternative paths of employment.
2. Unemployed people gain glass recycling, creative art, entrepreneurial and business skills.
3. Raise awareness about possibilities of income generation with art products.
It is estimated that we could engage 80 - 100 unemployed youth age 17+ in the next two years.

**Economic Impact:**

It is estimated that 10 full time jobs could be created. The estimation is based on the previous results from implementing entrepreneurial programs.

The program is currently budgeted for, however additional funds are being sort via the Peel Development Commission which will assist with the sustainability of the program, as will the use of the former SES building thus removing additional rental costs.

**Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2013 – 2033* are relevant to this report:

**Social:**
- Provide employment and educational opportunities, services and activities that engage the City’s young people.

**Economic:**
- Increase the level of regional employment.
- Increase local education and training opportunities.

**Organisational Excellence:**
- Develop a strong brand of leading local government that meets community expectations.

**Conclusion**

In addition to established and well received Entrepreneurial 101 programs (Mumpreneur 101, Artpreneur 101, Migrant Women Entrepreneurial Program, Power Up, Be Your Own Boss) the City is preparing to introduce new social enterprise and entrepreneurial programs that will foster a proactive community of entrepreneurs and help unemployed people to gain new skills. Entrepreneurs will gain skills, business support, mentoring and networking opportunities in the presence of their peers and mentors.

As the new ‘Entrepreneurial Program Development for Unemployed Youth’ will be based on ‘learning by doing’ methodology and participants will be exposed to a new form of ‘design-entrepreneurship’ which puts emphasis on ‘ideas’ and ‘making’ to create brand and launch products – the design and production space is a requirement.

Use of the SES building would support the project implementation and would help the new start-up business project to succeed. The use of the building will minimise project costs so the focus could be on delivering the project, rather than having to rent a separate premises.

**RECOMMENDATION**

That Council endorse the use of the former SES building on Park Road as the base for the ‘Entrepreneurial Program Development for Unemployed Youth’ until March 2019.
Summary

The City of Mandurah has been invited to jointly host Country Arts WA’s State Regional Arts Conference in October 2017, with Mandurah Performing Arts Centre and Regional Development Australia Peel. The conference is presented every four years and attracts between 200 and 300 delegates, including representatives from major stakeholders such as the Department of Culture and the Arts, the Department for Regional Development and Tourism WA.

Through the development of its Arts, Heritage and Culture Strategy, the City has become a local government leader in cultural planning and City officers have been invited to present on the success of the strategy to state and national government representatives.

To maintain our profile in this sector and to encourage greater investment in the Peel region, it is important we embrace opportunities such as the Country Arts Conference, which showcase our city as a key cultural destination.

This report seeks endorsement to enter into a Memorandum of Understanding with Country Arts WA to present the conference locally next year and provide cash to the value of $25,000 and in-kind contributions to support the conference.

Disclosure of Interest

Nil

Location

Mandurah Performing Arts Centre.

Previous Relevant Documentation

Nil

Background

Under the National Arts and Culture Accord, local governments have an important role to play in infrastructural development, cultural support and providing opportunities for participation in arts and cultural activities.

By adopting culture as our fourth pillar (alongside social, economic and environment), Mandurah is diversifying its social and economic worth, recognising the value of its community as individuals and as a collective.

In 2014/15, Mandurah’s employment in Arts and Recreation Services constituted almost 20 per cent of regional WA’s contribution in this sector (National Institute of Economic and Industry Research). Despite this, we are significantly under-represented and invested in at a state level.

Country Arts WA is a trusted advocate for regional arts and culture and manages funds on behalf of the State and Federal governments. By partnering with Country Arts WA, we will strengthen our position as a cultural leader in regional Western Australia and encourage further investment in the region at a time when competition for government funding is greater than ever, due to diminishing arts financing.
Comment

Mandurah is home to an outstanding array of regional artists and organisations. The City has solid relationships with the artistic and local Aboriginal communities, and a first class venue, Mandurah Performing Arts Centre, which will be celebrating its twentieth anniversary in 2017. In addition, the City has forged strong partnerships with all levels of government and community organisations and it has been identified as a model of best practice in the development of its Arts, Culture and Heritage Strategy.

Collaboration is a focus of many funders. The Country Arts WA Conference will illustrate the close relationship between the City and MPAC and our successful development of a cultural precinct. Demonstrating the solid foundation we can jointly provide for regional arts and cultural development will aid future negotiations for funding, particularly for a regional ‘A’ class gallery.

The three partners in the Conference, MPAC, Country Arts WA and the City of Mandurah have funding applications of $145,000 pending. All three partners will invest significant staff time in the project and MPAC will contribute theatre and foyer space. Officers are requesting $25,000 from the City to contribute to the cost of programming the event and it is envisaged that one of our Arts Officers work to include our local arts community in the Conference. RDA Peel have more of a supporting role and will help us leverage funding.

Economic Impact

Event Impact Summary

<table>
<thead>
<tr>
<th>City of Mandurah - State Regional Arts Conference 2017 - Modelling the effect of $132,000 from a Arts and Heritage event with Local significance</th>
<th>Output ($)</th>
<th>Value-added ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct impact</td>
<td>113,520</td>
<td>56,099</td>
</tr>
<tr>
<td>Industrial impact</td>
<td>45,760</td>
<td>25,183</td>
</tr>
<tr>
<td>Consumption impact</td>
<td>18,996</td>
<td>10,150</td>
</tr>
<tr>
<td><strong>Total impact on City of Mandurah economy</strong></td>
<td><strong>178,276</strong></td>
<td><strong>91,432</strong></td>
</tr>
</tbody>
</table>

Source: National Institute of Economic and Industry Research (NIEIR) ©2016. Compiled and presented in economy.id by id, the population experts.

Note: All $ values are expressed in 2013-14 base year dollar terms.

The proposed State Regional Arts Conference 2017 event is planned to start on the 12/10/2017 and run for four days. It is an event of local significance and is estimated to attract 300 visitors per day over the four days, with an average spend per person per day of $110. This equals a total visitor spend of $132,000 attributed to this event. Assuming the event will be held in the City of Mandurah, it is calculated to have the following potential impact:

Impact on Output

The total visitor spend of $132,000 attributed to staging the State Regional Arts Conference 2017 would lead to a direct impact on output of $113,520. This additional direct output from the economy would also lead to an increase in indirect demand for intermediate goods and services across related industry sectors. These indirect industrial impacts (Type 1) are estimated to be an additional $45,760 in output.

There would be an additional contribution to the City of Mandurah economy through consumption effects as correspondingly more wages and salaries are spent in the local economy. It is estimated that this would result in a further increase in output of $18,996.

The combination of all direct, industrial and consumption effects would result in total estimated rise in output of $178,276 in the City of Mandurah economy.
Impact on Value add and GRP
The impact of an additional of $132,000 spend to the local economy as a result of running State Regional Arts Conference 2017 in the City of Mandurah would lead to a corresponding direct increase in value-added of $56,099. A further $25,183 in value-added would be generated from related intermediate industries.

There would be an additional contribution to the City of Mandurah economy through consumption effects as correspondingly more wages and salaries are spent in the local economy. It is estimated that this would result in a further increase in value-added of $10,150.

The combination of all direct, industrial and consumption effects would result in an estimated addition in value-added of $91,432 in the City of Mandurah economy.

Value-added by industry represents the industry component of Gross Regional Product (GRP). The impact on the City of Mandurah’s GRP as a result of staging this event is directly equivalent to the change in value-added outlined above.

In summary, GRP in the City of Mandurah is estimated to increase by $91,432.

Note
Daily spend is calculated on the base of:

- 100 overnights participants - spending $200 per day
- 200 daily (commuting) participants – spending $80 per day

= average spending $110 per day for 300 participants

Consultation
- Guy Boyce, MPAC
- Paul MacPhail, Country Arts WA
- John Lambrecht, Regional Development Australia Peel

Policy Implications
Nil

Economic Implications
Using modelling the impact of a total visitor spend of $132,000 will generate a rise in output across the City of $178,276, with a value add of $91,432.

Strategic Implications
The following strategies from the City of Mandurah Strategic Community Plan 2013 – 2033 are relevant to this report:

Identity:
- Promote Mandurah’s identity as a unique regional city, based on its waterways, history, heritage and future vision.
- Become known as a city and destination for events, arts, heritage and culture.

Leadership:
- Demonstrate leadership on major regional, state and national issues.
Organisational Excellence:
• Develop a strong brand of leading local government that meets community expectations.

The following strategies from the City of Mandurah Arts, Heritage and Culture Strategy 2014-2020 are relevant to this report:

Creative Excellence:
• Continue to support and develop MPAC in its ambition to build its position as a regional theatre, presenting a variety of high quality contemporary performing and visual arts programs.

Creative Economy:
• Work with our regional partners to create a collaborative vision that will build a business case and advocate for a stronger arts, heritage and cultural presence in the Peel region.

Conclusion
Hosting the State Regional Arts Conference in 2017 provides the City with the opportunity to showcase its leadership role in arts, culture and heritage and to champion the need for an ‘A’ class regional art gallery in the City. The conference also offers prospects for partnership development in the government and NGO sector, and opportunities to work together to advance common agendas.

Additionally our modelling shows the boost to the local economy that will accrue with these new visitors to our City. The City’s investment in art and culture and our partnerships with other agencies can certainly help to reinforce Mandurah’s place as a tourist destination.

RECOMMENDATION

That Council approves:

1. That $25,000 will be included in the draft budget for the 2017 Country Arts’ State Regional Arts Conference

2. A similar in-kind contribution for conference administration/coordination provided by the City’s Arts and Cultural Development Officer.
05 SUBJECT: Road Closure & Creation of new Reserve – Portion of Cooper Street, Mandurah
CONTACT OFFICER/S: Ben Dreckow
AUTHOR: Lesley Petchell/Vicki Kelly
FILE NO: TH4/002

Summary

An approximate 3860 square metre portion of Cooper Street, Mandurah, which is not utilised as ‘road’ and extends east of Dower Street into Rushton Park, houses the Rushton Park North Sports Pavilion and the southern-most portion of the Rushton Park northern oval. Amendments to the land tenure of this road reserve are required to facilitate any future extensions to the clubhouse that occupies the site.

The status of the land impedes gaining the relevant statutory approvals required to complete any alterations or future extensions to the facility. As a result, an approximate 2000 square metre section of the road reserve is proposed to be closed, being the section that is occupied by the pavilion and the adjoining section of oval area extending to the eastern boundary of the road reserve.

In accordance with Section 58 of the Land Administration Act 1997 (LAA), Council is therefore requested to approve the application to the Minister for Lands for the closure of an approximate 2000 square metre portion of Cooper Street, Mandurah to be created as a new Crown reserve with a purpose of ‘Recreation & Community Purpose’ with the power to lease or licence for any term not exceeding 21 years.

Disclosure of Interest

Nil

Location
Previous Relevant Documentation

Nil

Background

‘Ruston Park’ in its entirety is made up of a number of parcels of land as shown on Attachment 1 and described as follows:

- Reserve 19312
  Occupied by Billy Dower Youth Centre, Main Oval and Thomson Street Netball Courts and Pavilion
- Reserve 28164
  Occupied by Rushton Park Function Centre
- Lots 101, Lot 501 and Cooper Street Road Reserve
  Occupied by Northern Ovals, Tennis Club, Croquet Club and Mandurah Indoor Sports Centre

In 1999, the Ministry of Sport & Recreation approved a grant for the construction of the Rushton Park North Sports Pavilion, with construction finalised in approximately July 2000.

The pavilion was built to provide an additional social space for clubs and incorporates change rooms, a canteen, function room and open verandah viewing area and is currently constructed on land designated as a road reserve.

In 2009, the Peel AFL Masters Football Club and the Mandurah Centrals Junior Football Club (‘The Clubs’) completed the construction of a function room addition to the pavilion which they fully funded to the value of approximately $70,000. At the time, Officers identified the need to enter into a formal lease agreement with them to protect their investment, but were unable to do so due to the status of the land.

Instead, the City entered into a 10 year agreement with The Clubs, for a period commencing June 2010 to June 2020, to acknowledge their financial contribution, give them priority usage of the function room, and to allow the City to hire out the room to the community. The Clubs currently pay seasonal ground hire fees as per the City’s Schedule of Fees and Charges for the pavilion and oval, with the function room free of charge.

Comment

Officers have considered a number of options available to change the status of the land to meet the current circumstances.

The first, and preferred option, identified was to purchase the road land in freehold from the Crown at a nominal cost (based upon the community benefit) and amalgamate it into the adjoining City owned freehold Lot 101, 87 Dower Street Mandurah to the immediate north which encompasses the northern Rushton Park oval.

The Department of Lands have advised that they are only prepared to sell land to the City in freehold at its current unimproved market value and not at a nominal cost which is considered cost prohibitive.

An alternate option was to amalgamate all/part of the road land that crosses into Rushton Park (maximum approximately 3860 square metres) into the adjoining Reserve 19312 to the immediate south, which is occupied by the Rushton Park Sporting Complex. This Reserve is under management of the City, is designated for the purpose of ‘Public Recreation and Community Purposes’ and grants the City the power to lease or licence for any term not exceeding 21 years.
However, after internal discussions, it was determined that this could be problematic for two reasons; one being the difficulty in separating out the utility costs incurred by the current Rushton Park southern sporting complex and those incurred by the northern pavilion; and another being that upgrades to services are much more cost effective if there is a road reserve within close proximity to feed services through.

Therefore, the preferred option is just close the approximate 2000 square metre section of road reserve that houses the northern pavilion and creating a new reserve. This will allow service providers to create a separate account for services utilised by the northern pavilion and, should future upgrades to servicing of the Rushton Park complex be required, provide more cost effective options.

As a requirement under the LAA, officers have completed the necessary public consultation process for a road closure. The proposal was advertised in the Mandurah Mail on Thursday 23 June 2016 with 35 days allowed for the receipt of submissions, upon which no submissions were received. All service providers and the Department of Planning have been consulted with no objections received to the proposal.

In accordance with Section 58 of the LAA, Council is therefore requested to approve the application to the Minister for Lands for the closure of an approximate 2000 square metre portion of Cooper Street, Mandurah to be created as a new Crown reserve with a purpose of ‘Recreation & Community Purpose’ with the power to lease or licence for any term not exceeding 21 years.

Consultation

Department of Lands – in principle consent
Department of Planning – No objections
NBN – No objections
Optus – No objections
Western Power – No objections
Telstra – No objections
Water Corporation – No objections
Atco – No objections

Statutory Environment

Closure of Roads – Section 58 of the Land Administration Act 1997 (LAA)
Where a local government wishes a road in its district to be closed permanently, the local government may request the Minister to close the road.

Reservation of Crown Land – Section 41 of the Land Administration Act 1997 (LAA)
The Minister may by order reserve Crown Land to the Crown for one or more purposes in the public interest.

Policy Implications

Nil

Economic Implications

Survey works for lodgement of the deposited plan for the new reserve – approximately $5500.

Strategic Implications

The following strategy from the City of Mandurah Strategic Community Plan 2013 – 2033 is relevant to this report:

Infrastructure:
- Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.

Conclusion

An approximate 3861 square metre section of Cooper Street, Mandurah, which extends at the east of Dower Street into Rushton Park, is designated as road reserve but has never been constructed as road. However, it has the Rushton Park North Sports Pavilion (RPNSP) and a portion of the Rushton Park northern oval built upon the land.

Officers are proposing to close this portion of land which equates to approximately 2000 square metres section of road reserve and request the Minister for Lands create a new reserve for the purpose of ‘Recreation & Community Purpose’ with the power to lease or licence for any term not exceeding 21 years.

In accordance with Section 58 of the Land Administration Act 1997 (LAA), Council is therefore requested to approve the application to the Minister for Lands for the closure of an approximate 2000 square metre portion of Cooper Street, Mandurah to be created as a new Crown reserve with a purpose of ‘Recreation & Community Purpose’ with the power to lease or licence for any term not exceeding 21 years.

NOTE:

- Refer Attachment 1 Rushton Park Site Plan

RECOMMENDATION

That Council:

1. Requests the Minister for Lands to approve the closure of the approximate 2000 square metre portion of Cooper Street, Mandurah pursuant to Section 58 of the Land Administration Act 1997.

2. Requests the Minister for Lands to create a new reserve for the approximately 2000 square metre portion of Cooper Street, Mandurah, under management of the City of Mandurah for the purpose of ‘Recreation & Community Purpose’ with the power to lease or licence for any term not exceeding 21 years.

3. Indemnifies the Minister for Lands against any claims for compensation in respect of the road closure.
Summary

The City holds a 20 year head lease, which expires on 30 November 2027, with the Public Transport Authority (PTA) for 100 square metres of office space at the Mandurah Transit Station on Galgoyl Road Mandurah.

In January 2012, the City entered into a sub-lease of the space with the Peel Chamber of Commerce & Industry (PCCI) for a term of three years with a two year option of renewal, which is due to expire on 29 January 2017. The PCCI have formally requested a five year renewal as they wish to continue their occupancy of the site due to its prominent location.

Officers have determined that the City has no requirement to utilize the site in the foreseeable future and are supportive of entering into a new sub-lease arrangement with the PCCI for similar terms and conditions as the current sub-lease agreement.

Officers have contacted the PTA, as Head Lessor, and obtained their consent to the renewal of the sub-lease for the terms and conditions as outlined within the report.

Council is, therefore, requested to approve a further sub-lease to the Peel Chamber of Commerce & Industry, for a term of three years with a two year option of renewal (3+2 years) commencing 30 January 2017 and expiring 29 January 2020, with renewal for a two year option with final expiry on 29 January 2022, subject to approval of the Public Transport Authority. The rent is to be in accordance with the City’s Schedule of Fees and charges for sporting and community groups.

Disclosure of Interest

Nil

Location
Previous Relevant Documentation

- G.39/11/11 22 November 2011 Council approves a sub-lease to Peel Chamber of Commerce and Industry commencing in January 2012 for a term of three years, with an option of a further two year renewal (3+2 years).

Background

The Public Transport Authority (PTA) holds a Management Order over the State of Western Australia owned land (12.6367 ha) which is occupied by the Mandurah Transit Station at Galgoyl Road, Mandurah.

On 1 December 2007, the City entered into a 20 year agreement, which expires on 30 November 2027, with the PTA to lease 100 square metres of office space which is located upon this site, for the purpose of operating a Welcome (Visitor’s) Centre.

In early 2011, the City relocated the Welcome Centre to its current location on the Mandurah foreshore and on 30 January 2012, the City entered into a five year sub-lease agreement with PCCI over the space.

In conjunction with the sub-lease, the City has also leased two car bays from the PTA, for exclusive use by the PCCI, for which the City charges the cost to the PCCI. The car parking agreement is for a 5 year term and expires on the 30 November 2017. Renewal of a further car parking agreement will be conditional upon PCCI requirements for ongoing exclusive parking, and will be subject to a further report to Council once this is determined later in 2017.

Established in the Peel Region in 1960, the PCCI is a not-for-profit organisation whose purpose is to support local businesses and professional organisations, providing a range of support services, promoting members and lobbying on behalf of business interests.

The sub-lease agreement with the PCCI is due to expire on the 29 January 2017 and it is therefore necessary to either enter into a new sub-lease arrangement with the PCCI or find an alternative use for the facility.

Comment

The PCCI have formally advised they wish to enter into a new sub-lease agreement.

However they have advised, whilst they wish to retain the site due to its prominent location, there are restrictions with the office as it does not provide sufficient space for meetings and appointments with visitors attending the office. There are also challenges with the limited parking made available at the Transit Station.

So although PCCI wish to retain the current office space, officers are working with the PCCI in an attempt to identify a second office location which would meet the growing needs of the group.

Officers confirm that all of the PCCI rental and outgoings payments are up to date for the site and are being paid in a timely manner. As is the current arrangement, the PCCI will continue to reimburse the City for car parking costs as incurred annually from PTA; current annual rent equates to $1,460.00.

Council is therefore requested to approve a further sub-lease to the Peel Chamber of Commerce & Industry, for a term of three years with a two year option of renewal (3+2 years) commencing 30 January 2017 and expiring 29 January 2022, subject to approval of the Public Transport Authority. The rent is to be in accordance with the City’s Schedule of Fees and Charges for sporting and community groups.

Consultation

Peel Chamber of Commerce
Public Transport Authority
Statutory Environment

*Local Government Act 1995 – Section 3.58*
Exemption on Disposition of Property – Section 30 Local Government (Functions and General) Regulations 1996.

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; and the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions.

As the PCCI is a not-for-profit business, provisions of Section 3.58 do not apply.

Policy Implications

Nil

Economic Implications

An annual rental in line with the City’s Schedule of Fees and Charges for sporting and community groups will apply, with the current rate for 2016/17 being $950.00 per annum. A fee of $580 for preparation of the sublease in accordance with the City’s Fees and Charges Schedule 2016/17 will also apply.

Reimbursement of car parking fees as determined annually by PTA; current fee is $1,460.00.

Strategic Implications

The following strategies from the *City of Mandurah Strategic Community Plan 2013 – 2033* are relevant to this report:

**Identity:**
- Encourage active community participation and engagement.

Conclusion

The Peel Chamber of Commerce and Industry is seeking a new sub-lease agreement over 100 square metres of office space located at the Mandurah Transit Station, Galgoyl Road, Mandurah. The City is the sub-lessor of the space under a 20 year lease agreement with the Public Transport Authority, which is due to expire on the 30 November 2027.

Council, therefore, requested to approve a further sub-lease to the Peel Chamber of Commerce & Industry, for a term of three years with a two year option of renewal (3+2 years) commencing 30 January 2017 and expiring 29 January 2020, with renewal for a two year option with final expiry on 29 January 2022, subject to approval of the Public Transport Authority. The rent is to be in accordance with the City’s Schedule of Fees and Charges for sporting and community groups.

**RECOMMENDATION**

That Council:

1. Approves a sub-lease to the Peel Chamber of Commerce & Industry for a term of three years, with one two year option of renewal (3+2 years), commencing 30 January 2017 and expiring 29 January 2020, with one two year renewal option expiring 29 January 2022, subject to approval of the Public Transport Authority;
2. Approves the application of the City’s Schedule of Fees and Charges to the annual rent for the term of the sub-lease; and preparation of the sub-lease document.

3. Authorises the Chief Executive Officer to finalise the conditions of the sub-lease agreement.

4. Acknowledges that the Peel Chamber of Commerce & Industry will reimburse the City for the two car parking bays leased from the Public Transport Authority.
Summary

In September 2016 Council resolved to advertise a draft Red Road Master Plan. The plan provides a long term vision for the site that will assist in initial revegetation and weed management initiatives. In the longer term the plan will provide guidance on future use and long term capital considerations.

It is requested that Council endorse the Red Road Master Plan, noting the importance of security and access considerations during the detailed design stage and allocation of potential users. Following endorsement the City will commence further weed management and revegetation activities.

Disclosure of Interest

Nil

Location

Previous Relevant Documentation

- G.42/9/10 Contaminated Site - 35 Red Road.
- G.11/9/16 Red Road Master Plan.
Background

For a number of years, the City has been undertaking site investigations into the land at 35 Red Road, Parklands and 35A Red Road, Parklands. This follows historic filling over the site that led to the site being reported to the Department of Environment Regulation in 2007 as a potentially contaminated site with the site receiving a classification under the Contaminated Sites Act 2003 on 22 February 2011 as Possibly contaminated - investigation required.

In developing future remediation plans for the site an important step in planning works is to have clear direction of its intended future use and design. The proposal, it is hoped, will provide some direction to nearby residents for the future use of the site.

Following Council support for advertising of the draft Red Road Master Plan, a concept plan was provided to residents within the Parklands area and was also advertised via the City’s Have Your Say Website. The plan proposed a range of features including neighbourhood recreation space, shared pathways and trails, vegetation enhancements and nature play elements. The design is intended to make use of the natural elements of the site.

Comment

The Red Road site has long been degraded and has undergone extensive environmental investigation following uncontrolled filling. The proposed Master Plan will provide direction to the future remediation of the site with regard to revegetation, weed management in the short term and proposed capital improvements in the longer term.

Submissions were supportive with key comments being:

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional information requested about the potential sporting uses.</td>
<td>The grassed area indicated is the standard multisport template used by the Recreation Services team and provides options for round oval and square pitch sports. Further information could be provided once the likely sports were identified.</td>
</tr>
<tr>
<td>Afterhours access could be a detriment to the area.</td>
<td>Given the isolated location of the site any after-hours access will need to be carefully assessed considerate of users and the detailed design.</td>
</tr>
<tr>
<td>Concerns about security and safety for the areas.</td>
<td>Security measures would need to be considered in the selection of users and detailed design.</td>
</tr>
<tr>
<td>Safety concerns about the intersections of Red Road and Manna Road.</td>
<td>This intersection could be assessed at the detailed design stage.</td>
</tr>
<tr>
<td>Request for a smooth path around the outside.</td>
<td>Could be considered in line with fire mitigation actions. Care would need to be taken to prevent privacy impacts.</td>
</tr>
<tr>
<td>Request for a fenced area for dog exercise.</td>
<td>Noted for detailed design. Noise and amenity considerations would need to be assessed.</td>
</tr>
<tr>
<td>Concerns about the amount of water required.</td>
<td>The city is committed to an overall reduction in water usage. Waste water reuse for the site could be a consideration given the proximity of the Gordon Road Water Corporation Waste Water Treatment Plant.</td>
</tr>
</tbody>
</table>
It is important to note that full implementation of this plan is not budgeted for but with the additional direction provided, progress with regard to weed management, fencing and revegetation will be able to be made in the short term to improve the site.

It is important to note that until the site is developed and public access is determined and supported the site will remain fully fenced.

**Consultation**

The City held a community meeting with local residents in July 2016 to seek input regarding the development of the Red Road Master Plan. Following this meeting the draft Master Plan was developed and the plan sent to residents within Parklands on 19 October 2016 with a comment period to 15 November. The Plan was also advertised via the City’s Have Your Say Website.

**Statutory Environment**

The *Contaminated Sites Act 2003* sets the required criteria for the investigation and remediation of sites. This work will not change the classification of the site but improved clarity around future use allows more focused assessment and reporting to see a permanent change to the sites current contaminated site status.

**Policy Implications**

Nil.

**Economic Implications**

Further site management will be required within the 2016/17 year and $50,000 has been allocated to provide improved fencing, weed management and revegetation.

Further capital works will be required to be included within the City’s long term capital plan.

**Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2013 – 2033* are relevant to this report:

**Environment:**
- Protect and ensure the health of the natural environment and waterways.
- Become a leader in proactive and innovative environmental management.

**Social:**
- Provide a range of social, retail, recreational and entertainment experiences for the City’s residents and visitors.

**Infrastructure:**
- Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.

**Identity:**
- Encourage active community participation and engagement.

**Leadership:**
- Ensure that the City as an organisation behaves as a model corporate citizen.
Conclusion

The Master Plan in Attachment 1 will provide clarity around the future use of the site support planning for site management and remediation particularly revegetation and weed management.

NOTE:

- Refer Attachment 1 Red Road Master Plan.

RECOMMENDATION

That Council adopts the Red Road Master Plan as detailed in Attachment 1 to guide future weed and revegetation actions on the site.
Summary

City Officers have been in contact with a range of agencies to progress improvements in beach identification that can assist beach users and emergency agencies.

There is a variety of information and programs that support emergency responders in locating those who need assistance including official names, GPS coordinates, coding, street names and nearest cross streets.

This report identifies required actions relating to naming, sign design and collection of an agreed data set covering key information that may be of assistance to stakeholders. The report also recommends the implementation of a marketing plan for the promotion of the Emergency + App and other shark alert applications including Shark Smart App, Surf Lifesaving WA Twitter feed.

The City will provide the information obtained to relevant agencies and other local governments in an effort to encourage a consistent approach.

Disclosure of Interest

Nil

Previous Relevant Documentation

G. 47/7/16 Notice of Motion: Beach Emergency Codes

Background

Following a tragic shark attack at Gearies in May 2016, it was noted emergency agencies had difficulty in correctly locating the incident. This situation led to a deeper assessment as to the adequacy of the beach identification information available and review of additional steps that could be made to assist emergency responders in their critical role.

Information was sought from a range of sources including Victoria where a well-established Emergency Marker system has been in place for some time. This arrangement is operated by ESTA with local governments applying for the recording of markers on the GIS system.

In addition to enquiries made with ESTA (Emergency Services Telecommunications Authority) Victoria as part of the consultation, City officers have engaged a range of agencies including:

- Landgate (Including Western Australia Land Information Service)
- Surf Lifesaving WA
- St Johns Ambulance
- Department of Fisheries
- Department of Fire and Emergency Services
- State Emergency Management Committee
- Department for Parks and Wildlife
- Department of Premier and Cabinet
- Coastal Local Governments
- WALGA
- WA Police
From these discussions a range of useful information was gained that has greatly assisted in developing an approach.

- That Landgate hold an essential role in the maintenance of location data and for correct naming conventions.
- That many locations along the coast are not officially named with Landgate and do not present in the GIS system of emergency responders.
- That a beach coding system currently exists in a number of local governments. These codes are used by St John's Ambulance and Surf Life Saving WA though its application is inconsistent.
- A number of local governments have examples of signs that are very effective in providing information and can be reversed to provide beach closures in the event of a shark sighting or other emergency.
- That remote beaches are of concern in locating people and that phone reception can be problematic.
- That there are extensive portions of Department of Parks and Wildlife land along the coast. These extensive areas require careful consideration by DPAW before committing to any coding strategy with regard to installation costs and maintenance.
- That the Department of Fisheries have a project seeking local names to assist in their advice regarding shark alerts.
- That street names and nearest intersections remain very important to emergency response agencies particularly Police and the Department of Fire and Emergency Services and that this should be given consideration.
- That it is acknowledged by most stakeholders that there are currently locations that are not adequately defined to direct emergency responders.
- That signage is not possible everywhere and the promotion of products such as the Emergency + App can assist in providing useful data to emergency responders.
- That the use of the Shark Smart App, Dorsal App and Surf Life Saving WA Twitter Feed should be encouraged as widely as possible.

The City has sought support from a range of agencies and local governments to assist in the delivery and to maximise consistency. It will be very difficult to guarantee consistency given the varying stages local governments are at with their signage infrastructure however there has been support for the development of a mode that can followed in the future.

Comment

The following actions represent opportunities for the City to improve beach identification and with the support of other local governments and emergency response agencies improve the ability to locate people in need of assistance.

Official Naming

The City has recognised that there are a number of locations that have not been officially named that should be formally recognised with Landgate. Extensive work on official naming is required across the City however there are some well used beach locations that are not recognised within the Landgate system. Examples of these beaches include Melros Beach, Town Beach, Avalon Point and Gearies. A report will be returned to Council to officially name key sites following the completion of the necessary assessment criteria sought by Landgate.

Where locations are officially named it is possible to store local names on the data set to assist in the circumstance where a caller does not know the official name and refers to the local name. This adds important information for emergency responders. Meetings with the local community are planned over the coming weeks to add to local name data.
Signage

In providing additional support to our local community the City will incorporate new and upgraded signage at locations that it believes will benefit from signage to assist in an emergency. These locations are identified as being popular beach locations through swimming, surfing or fishing.

There is extensive existing signage across the City some of which already has some coding. An audit has now been undertaken of existing signage recognising 55 existing coded signs = . These signs have now been assessed and GIS located.

Where this signage already exists and is in a suitable condition, the coding and additional information will be added to the top of the existing sign. This will assist in making the coding more pronounced and allow additional information to be provided without adding excessive additional infrastructure.

A sample of the additional information for the sign is located below. The detailed design of these signs will be finalised covering where they stand alone and where they are added to existing surf lifesaving advisory signage which is located across the City.

The new signage will be housed in an aluminium frame and will be able to be reversed to then advise of a beach closure should this be necessary. This is modelled on systems used by the City of Fremantle and allows more efficient response by Ranger to enact beach closures.
Data Set

A data set template has been created that covers the following information, and will be provided to all emergency response agencies for their utilisation once finalised. This data set is modelled on information collected as part of the Emergency Marker system used in Victoria and provides a range of local information that can assist emergency responders.

The most prevalent emergency responder St John Ambulance have been provided with a template of the proposed data set that is to include.

- Landgate Feature (if available)
- Common Names
- Marker ID (MH XXX)
- Street Name / Address / Suburb
- Nearest Intersection
- Latitude and Longitude

This information will be forwarded to all relevant departments including emergency agencies for incorporation into their GIS systems. There are varying requirements across agencies but the CSV format is commonly used and it is believed information will provide benefit to those agencies. It cannot be guaranteed that all data will be fully utilised by various agencies however with the breadth of information it will provide more complete information than has previously been the case.

Communications

The City is finalising a communications plan to promote through their networks the Emergency + App produced by the national Triple Zero Awareness Work Group and is endorsed by the Commonwealth Department of the Attorney General. The City has completed required approvals from the creator Fire and Rescue NSW and has received all appropriate documentation and style guides to promote the Emergency + App.

This App assists in the contacting of the correct emergency services number and also provides location information that will assist in an emergency. The Plan will set out a process to increase the communities awareness of the technology which is will assist in a range of situation.

The App does have some limitations in that it is only as effective as the GPS capability of the phone it is being used on. However in many situations the product will provide the caller with accurate information about their location beyond beach usage.

In addition to the use of the Emergency + App it is important that the community are utilising available apps such as the Shark Smart App, Dorsal and the Surf Lifesaving WA Twitter feed. The City will seek to support the alerts posted by these agencies using its own social media networks.

The City is seeking to complete the implementation of the actions listed in accordance with the following timeframes.
### Action

<table>
<thead>
<tr>
<th>Action</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naming of high use beaches and landmarks that are likely to be accepted by Landgate</td>
<td>30 June 2017</td>
</tr>
<tr>
<td>Review and obtain listings of local names for key beaches</td>
<td>31 March 2017</td>
</tr>
<tr>
<td>Audit existing signs for state of repair and usability and review all coding for signage.</td>
<td>Completed</td>
</tr>
<tr>
<td>Finalise sign designs for add on to existing signage and new signs including Beach Closed Provisions and Aluminium Framing.</td>
<td>1 February 2017</td>
</tr>
<tr>
<td>Mark and locate positions for all new signs</td>
<td>1 February 2017</td>
</tr>
<tr>
<td>Arrange for the manufacture of signage</td>
<td>28 February 2017</td>
</tr>
<tr>
<td>Arrange installation of all required signage</td>
<td>31 March 2017</td>
</tr>
<tr>
<td>Update Spreadsheet with coding, GPS, data, street, nearest intersections and local names</td>
<td>28 February 2017</td>
</tr>
<tr>
<td>Provide all data to emergency agencies</td>
<td>31 March 2017</td>
</tr>
<tr>
<td>Commence Marketing Campaign for Emergency + App and other relevant applications.</td>
<td>31 March 2017</td>
</tr>
</tbody>
</table>

### Consultation

In proposing the actions that have been proposed the following agencies have been contacted for their input:

- Landgate (Western Australia Land Information Service)
- Surf Lifesaving WA
- St Johns Ambulance
- Department of Fisheries
- Department of Fire and Emergency Services
- State Emergency Management Committee
- Coastal Local Governments
- WA Police
- Shire of Denmark
- Shire of Augusta Margaret River
- City of Busselton
- Shire of Capel
- Shire of Waroona
- City of Rockingham
- City of Cockburn
- City of Fremantle
- Town of Mosman Park
- City of Cambridge
- City of Stirling
- City of Joondalup
- City of Wanneroo
Internal Consultation

The City's Landscape Services, Emergency Management, Marketing and Communications, City Works, Information Technology, Land Management and Ranger Services have been involved in the development of actions to assist in the project.

Statutory Environment

Nil

Policy Implications

Nil

Economic Implications

In order to implement the required signage infrastructure the estimated cost is $50,000. This will include the estimated costs of sign survey, materials and labour.

The City has sought to engage with other local government and state government agencies. This work has been accommodated within existing labour budgets.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2013 – 2033 are relevant to this report:

Social:
- Help build the community’s confidence in Mandurah as a safe and secure City.

Economic:
- Develop a strong and sustainable tourism industry.

Leadership:
- Demonstrate leadership on major regional, state and national issues.

Conclusion

Improved beach identification information will assist those in emergency situations to be able to assist emergency agencies to respond as quickly as possible. The elements that are included are expanded official naming, signage, provision of a data set that includes key information and also a communications plan to support the uptake of technologies that can assist with identifying the callers location.
RECOMMENDATION

That Council:

1. Notes the actions that are proposed to support Beach Identification within the City of Mandurah;

2. Support the progression of official naming of key beach sites with Landgate;

3. Approve unbudgeted expenditure of $50,000 for the installation of additional beach identification signage;

4. Acknowledges that the installation of signage and provision of data to Emergency Services agencies is expected to be completed by 31 March 2017;

5. Supports the implementation of a communications plan to promote the Emergency + App, Shark Smart App, Dorsal App and the Surf Lifesaving WA Twitter Feed.

*ABSOLUTE MAJORITY REQUIRED*
Report from Director Works and Services to Council Meeting of 24 January 2017

SUBJECT: Mandurah State Emergency Building-Project Completion Report
CONTACT OFFICER/S: Allan Claydon / Simon Hudson
AUTHOR: Jonathan Spain
FILE NO:

Summary

At its Ordinary Council meeting held on 24 March 2015, Council awarded CPD Group Pty Ltd a contract for the Construction of the New State Emergency Service Building. Funding for the project consisted of $1,391,030 from Department of Fire Emergency Services (DFES) and $422,000 from the City of Mandurah.

Prior to the completion of works, the building contractor went into administration. Arrangements were subsequently made to procure an alternative building contractor to complete the project. The building is now complete and occupied.

Additional works were required to enable the works to be completed which included the lowering of a water main to accommodate site levels, rectification of the failure of the carpark surfacing and an additional small retaining wall constructed on the western side of the site.

A total project cost of $1,899,690 has been expended against the initial $1,813,030 project budget. The City has expended $510,146 against its contribution of $422,000.00. City officers are seeking approval to reallocate $88,146 from the Building Reserve to fund the project overspend.

Disclosure of Interest

Nil

Previous Relevant Documentation

- Gl.16/3/15 Tuesday 17 March 2015
  That Council awards CPD Group Pty Ltd the contract under Tender 22-2014 for the Construction of New State Emergency Services Building – Mandurah at the alternative price of $1,364,363.30.

- G.37/2/13 Tuesday 26 February 2013
  Supports officers applying for a 2013/14 Department of Fire and Emergency Services Facilities Grant.

  Approves the spending of unbudgeted funds of $72,000 from the 2012/13 Budget to be funded from the Building Reserve. Costs relate to architectural fees.

  Approves the inclusion of the site and construction works costs in the 2013/14 Budget (estimated to be in the order of $1.8 to $2.0 million).

Background

Council at its meeting on 24 March 2015, awarded CPD Group (WA) Pty Ltd the contract for the construction of New State Emergency Services Building for a lump sum price of $1,364,363.30.

In June 2015 CPD Group were granted possession of site and commenced works. The works were progressing well, however in May 2016 CPD Group went into administration, leaving the building approximately 85% complete. City Officers were notified in writing by the Administrators that the CPD Group were no longer trading and would not be returning to site to complete the works.
Comment

Following the main building contractor going into administration, City officers scoped the unfinished works and undertook competitive procurement processes to obtain suitable contractors to complete the remaining building, electrical, mechanical, electrical and fencing services. All works have been completed and an occupancy permit provided in early September 2016.

In addition to the building contractor being placed in the hands of the Administrator, there were additional works identified as being required during the construction phase. These included the lowering of a water main to accommodate site levels, rectification of the failure of the new carpark surfacing and an additional small retaining wall to be constructed on the western side of the site.

Funding contributions by the City of Mandurah and the Department of Fire and Emergency Services were provided for specific scopes of work. The City’s scope included preparation of the site, providing site services, construction of a carpark, installation of paving and site fencing. DFES’s scope included the construction of the building. A review of the project expenditure can be seen in Table 1 below:

<table>
<thead>
<tr>
<th>Scope of Work</th>
<th>Actual Cost</th>
<th>Previously Committed Funding</th>
<th>Additional Funding Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF MANDURAH</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Original Scope</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site preparation, provision of site services, construction of carpark, installation of paving and site fencing</td>
<td>$440,560</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Works (including lowering of water main &amp; carpark resurfacing)</td>
<td>$69,586</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal City of Mandurah</td>
<td>$510,146</td>
<td>$422,000</td>
<td>$88,146</td>
</tr>
<tr>
<td>DFES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Original Scope</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CPD Group Pty Ltd contract</td>
<td>$1,109,496</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retention monies held on CPD Group</td>
<td>$68,218</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Architect Fees</td>
<td>$99,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Works (including building works by other contractors and retaining wall)</td>
<td>$112,830</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Subtotal DFES</td>
<td>$1,389,544</td>
<td>$1,391,030</td>
<td>($1,486)</td>
</tr>
<tr>
<td>TOTAL PROJECT</td>
<td>$1,899,690</td>
<td>$1,813,030</td>
<td>$86,660</td>
</tr>
</tbody>
</table>

Table 1 Summary of project costs

Consultation

Nil

Statutory Environment

The requirements of Part 4 of the Local Government (Functions & General) Regulations 1996 have been complied with.
Policy Implications

Policy POL-CPM 02 – Purchasing of Goods or Services has been complied with.

Economic Implications

The final figures for the SES shows that total expenditure for the project sits at $1,899,690. This is split between $510,146 from City of Mandurah and $1,389,544 from Department Fire Emergency Services DFES are funding part of this project with the use of a self-supporting loan form the City of Mandurah for $1,391,000. This is being repaid over five years.

Finalisation of the retention monies is required by the Administrator before it can determined if further monies will be available for any additional works or budget reconciliation.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2013 – 2033 are relevant to this report:

Infrastructure:
- Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.

Organisational Excellence:
- Ensure the City has the capacity and capability to deliver services and facilities that meet community expectations.
- Deliver excellent governance and financial management.

Conclusion

The City of Mandurah has delivered a new SES building, which has been occupied by Officers from Department of Fire and Emergency Services from 1 January 2017. Additional works, including the lowering of a water main and resurfacing of the new carpark, has led to a minor overspend. The City requests a further allocation of $88,146 from the Building Reserve to reconcile the budget overspend.

RECOMMENDATION

That Council approves the allocation of $88,146 from the Building Reserve to fund the project overspend.

*ABSOLUTE MAJORITY REQUIRED*
Summary

As part of the continuing process of updating and implementing new local laws Council adopted the Proposed Standing Orders Local Law at its meeting of 11 October 2016.

The proposed local law was advertised state-wide and locally for a period of 7 weeks. A copy of the proposed local law was also sent to the Minister for Local Government for review.

The only submission received during the 7 week public consultation period was from the Department of Local Government (DLG). The DLG have made minor amendment suggestions, as outlined further in this report for consideration.

As is required by s3.12(2) of the Local Government Act 1995 (‘the Act’), the purpose and effect of the Standing Orders Local Law 2016 is outlined below:

Purpose: The purpose of these standing orders is to provide for the orderly conduct of the proceedings and business of the Council, and for the safe custody and use of the Council’s common seal.

Effect: The effect of these standing orders is that all Council meetings, committee meetings, and other meetings as described in the Act, and the use of Council’s common seal, shall be governed by these standing orders unless otherwise provided in the Act, regulations or other written law.

As is required by s.3.12(4) of the Act, Council is requested to resolve to adopt the Standing Orders Local Law 2016 in its final form and therefore repeal the current City of Mandurah Standing Orders Local Law 2008.

Disclosure of Interest

Nil.

Previous Relevant Documentation

- G.35/2/09 17 February 2009 Standing Orders Local Law 2008
- G.22/5/08 22 May 2008 Proposed Standing Orders Local Law
- G.63/11/00 21 November 2000 Final adoption by Council of the Consolidated Local Laws and the new Standing Orders Local Laws

Background

A comprehensive review of the Standing Orders Local Law was conducted in 2008 with the current Standing Orders Local Law 2008 being adopted by Council at its meeting of 17 February 2009.

This local law has been working well and no significant issues have been raised with the provisions of this law.

At its meeting of October 2016 Council resolved to adopt the proposed Standing Orders Local Law for advertising.
Advertising of the proposed local law was undertaken between the months of October and December 2016. One submission was received from the DLG and the changes proposed in their submission have been summarised within this report.

The *Standing Orders Local Law 2016* is now awaiting consideration and final adoption by Council.

**Comment**

The DLG suggested a number of minor amendments to the proposed Standing Orders Local Law; where considered relevant, these amendments have been incorporated into the final version of the local law, as shown at Attachment 1.

All amendments made to the proposed Standing Orders Local Law since it was last adopted by Council in October 2016 are outlined below:

**Clause 1.1 - Citation**

- A very minor administrative amendment has been made as outlined below:

  Delete subclause (2) in clause 1.1 and instead replace all instances of “The Standing Orders” with “this local law” throughout the local law.

  The following subclause has been deleted:

  “(2) In the clauses to follow, this Local Law is referred to as “the Standing Orders”.”

- Additional definition added to assist readers and reduce the possibility of misinterpretation.

  “District” means the district of the City of Mandurah.

**Clause 3.4 – Public Statement Time**

- The following clause added to prevent the issue of identical statements being presented at successive meetings:

  “(4) The Presiding member may decide that a statement is out of order where the statement –

  (a) is the same or similar in content to a statement made at a previous meeting;
  (b) a response was provided or council action was taken; and
  (c) the person is directed to the minutes of the meeting at which the response was provided or the action was determined.

**Clause 3.5 – Petitions**

- Paragraphs (b) and (c) in subclause (1) have been deleted because the items are covered under the *Local Government (Constitution) Regulations 1998* and are therefore not required to be addressed in the local law.

  The following subclauses have been deleted:

  “3.5(1):

  (b) a proposal to create a new district or the boundaries of the local government;
  (c) a request for a poll on a recommended amalgamation;”
Part 5 – Disclosure of interest

- The issue of disclosures of interest is dealt with in full in the Act and is therefore not required to be addressed in the local law. Accordingly the content of Part 5 has been deleted and replaced with:

  “Disclosure of interests is dealt with in the Act”.

Clause 7.7 – Continued Irrelevance

- The term ‘decorum’ is vague and open to interpretation and clause 7.7(1)(a)(i) already provides wide coverage to address what is deemed to be irrelevance.

Thus in clause 7.7(1)(a)(ii) the term ‘or decorum’ was deleted.

Clause 7.8 – Recording of proceedings

- Council may recall that the original Proposed Standing Orders Local Law 2016 presented to Council in October 2016 included the following at subclause (3):

  “(3) Subclause (1) does not apply if the recording is taken at the direction of the CEO.”

However Council determined to amend the above subclause to remove the word ‘not’ so upon adoption of the proposed local law the subclause read:

  “(3) Subclause (1) does apply if the recording is taken at the direction of CEO”.

Subclause 7.8(3) has since been deleted as a result of advice from the DLG. The subclause is superfluous because subclause (1) already requires the permission of Council prior to any recording at a Council meeting.

Subclause 7.8(3):

“(1) A person must not use any electronic, visual or audit recording device or instrument to record the proceedings of the Council without the permission of the Council.

(2) If the Council gives permission under subclause (1), the Presiding Member must advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

Note: The following subclause has been deleted:

(3) Subclause (1) does apply if the recording is taken at the direction of the CEO.”

Clause 8.7 – Questions during debate or points of clarification

- The Joint Standing Committee on Delegated Legislation has previously found issue with this clause on the basis that it potentially denies elected members the opportunity to fully participate in Council meetings, and confers on the presiding person a subjective power to deem when members’ questions are “not relevant, vexatious or repetitive”, with the consequence that they may not be permitted to speak on the matter again. The Committee will more than likely request an undertaking to have the clause removed if it is not deleted prior to adoption.

The following subclause has been deleted:

“The presiding member shall have the discretion to reject any question which he or she considers not relevant to the matter then under discussion, vexatious or repetitive and may refuse to permit the member to ask any further question during debate of the matter then under discussion.”
Clause 17.3 – Enforcement

- The Joint Standing Committee on Delegated Legislation has previously found issue with any local government trying to impose penalty rates for offences under its Standing Orders Local Laws higher than $1,000 with a daily penalty of $100 for continuing offences.

Accordingly penalties within the local law have been reduced from $5,000 with a daily penalty rate of $500 for continuing offences to $1,000 with a daily penalty rate of $100 for continuing offences.

The penalty rates have been $5,000 with a daily penalty rate of $500 for continuing offences since the City of Mandurah Standing Orders Local Law 2008 was adopted.

A small number of very minor administrative amendments have also been made.

Consultation

As is required by s.3.12 of the Act following adoption of the proposed local law by Council at its meeting of 11 October 2016 the proposed local law was advertised state-wide and locally for seven weeks.

In addition to the statutory advertisements that were placed in the West Australian, Mandurah Mail and on the City’s public notice boards the proposed local law was also forwarded to the Minister for Local Government and made available through the City’s website, Administration building and Libraries.

Statutory Environment

Section 3.16 of the Act states that a Local Government must conduct a review of each Local Law within an eight-year period, from when the Local Law commenced or was adopted, to determine whether or not it should be repealed or amended.

Advice from the Department of Local Government and Communities is that as the City intends to repeal and replace its Standing Orders Local Law the process under 3.12 of the Act is to be commenced in place of the review process outlined under s.3.16 of the Act.

Policy Implications

Relevant policies will be updated where necessary.

Economic Implications

Advertising expenses for the final adoption of the local law have been provided for in the 2016/17 budget.

Strategic Implications

The following strategy from the City of Mandurah Strategic Community Plan 2013 – 2033 is relevant to this report:

Organisational Excellence:
- Deliver excellent governance and financial management.

Conclusion

At its meeting of October 2016 Council resolved to adopt the proposed Standing Orders Local Law for advertising.
The revised set of Standing Orders will assist in better decision making by Council, the orderly and efficient conduct of meetings dealing with Council business and greater community understanding of the business of the Council by providing an open and accountable local government.

Advertising of the proposed local law is now complete. Council is requested to consider submissions received and adopt the Standing Orders Local Law 2016 as shown at Attachment 1.

If adopted by Council in its final form the Local Law will repeal the current Standing Orders Local Law 2008 and in accordance with section 3.14 of the Act the local law will come into operation on the 14th day after the day on which it is published in the Government Gazette.

NOTE:

- Refer Attachment 1 Standing Orders Local Law 2016

RECOMMENDATION

That Council:

1. Adopt the City of Mandurah Standing Orders Local Law 2016;

2. Advertise the City of Mandurah Standing Orders Local Law 2016 in the Government Gazette;

3. Provide a copy of the City of Mandurah Standing Orders Local Law 2016 and notice to relevant Ministers;

4. Give local public notice:
   4.1 stating the title of the local law;
   4.2 summarizing the purpose and effect of the local law;
   4.3 specifying the date the local law will come into force; and
   4.4 advising where copies of the local law may be inspected or obtained.

*ABSOLUTE MAJORITY REQUIRED*
Local Government Act 1995

STANDING ORDERS
LOCAL LAW
2016

Published in Government Gazette
Insert details
LOCAL GOVERNMENT ACT 1995

CITY OF MANDURAH

Standing Orders Local Law 2016

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Mandurah resolved on [insert date] to make the following local law.

PART 1  PRELIMINARY

1.1 Citation

This Local Law may be cited as the City of Mandurah Standing Orders Local Law 2016.

(1) In the clauses to follow, this Local Law is referred to as “the Standing Orders”.

1.2 Definitions

(1) In these Standing Orders this local law unless the context requires otherwise –

“Act” means the Local Government Act 1995;

“CEO” means the Chief Executive Officer or Acting Chief Executive Officer for the time being of the City of Mandurah;

“Committee” means any Committee or Sub-Committee appointed in accordance with the Act;

“committee member” means an Elected Member and/or any other person serving on a Committee;

“Council” means the Council of the City of Mandurah;

“District” means the district of the City of Mandurah;

“Elected Member” means a person who holds the office of Mayor or Councillor on the Council;

“Meeting Room” means the room in which a Committee or Council meeting is being conducted;

“officer” means an employed member of the staff of the City of Mandurah;

“presiding member” means the person presiding at the meeting of the Council or a Committee, as prescribed by the Act;

“Regulations” means the Local Government (Administration) Regulations 1996;

“simple majority” is more than 50% of the members present and voting; and

“substantive motion” means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.
(2) Unless otherwise defined herein the terms and expressions used in the Standing Orders this local law are to have the meaning given to them in the Act and Regulations.

1.3 Repeal

The City of Mandurah Standing Orders Local Laws 2008 published in the Government Gazette on 19 March 2009 are repealed.

1.4 Application

All meetings of the Council or a Committee and other matters as prescribed are to be conducted in accordance with the Act, the Regulations and these Standing Orders this local law.

1.5 Commencement

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

1.6 Intent

The Standing Orders this local law are intended to result in –

(a) better decision making by the Council;
(b) orderly conduct of meetings dealing with Council business;
(c) community understanding of the process of conducting meetings dealing with Council business; and
(d) more efficient and effective use of time at meetings.

1.7 Local Government (Rules of Conduct) Regulations 2007

To the extent that the Standing Orders this local law is inconsistent with the Local Government (Rules of Conduct) Regulations 2007, the Local Government (Rules of Conduct) Regulations 2007 prevail to the extent of that inconsistency.

1.8 Reference to Time

Any reference to time in the Standing Orders this local law means western standard time or western daylight time if western daylight time is enforced on that day in the state of Western Australia.

PART 2 CALLING MEETINGS

2.1 Calling Committee Meetings

(1) A meeting of a Committee is to be held –
(a) if called for in a verbal or written request to the CEO by the presiding member of the Committee, setting out the date and purpose of the proposed meeting;
(b) if called for by at least 1/3 of the committee members in a notice to the CEO, setting out the date and purpose of the proposed meeting; or
(c) if so decided by the Committee or the Council.

2.2 Notice of Special Council Meetings

(1) Subject to subclause 2.2(2), the CEO is to convene a special meeting of the Council by giving each Elected Member at least 72 hours’ notice of the date, time, place and purpose of the meeting.

(2) Where there is a need to meet urgently, in the opinion of the Mayor, the CEO may give a lesser period of notice of a special meeting than mentioned in subclause 2.2(1).

2.3 Notice of Ordinary and Special Committee Meetings

(1) The CEO is to convene an Ordinary Meeting of a Committee pursuant to clause 2.1 by giving each committee member at least 72 hours’ notice of the date, time and place of the meeting and an agenda for the meeting.

(2) The CEO is to convene a Special Meeting of a Committee by giving each committee member at least 72 hours’ notice of the date, time, place and purpose of the meeting.

(3) The CEO is to give notice of meetings referred to in subclauses 2.3(1) and 2.3(2) to every Elected Member.

PART 3 BUSINESS OF THE MEETING

3.1 Business to be Specified on Notice Paper

(1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.

(2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

(3) No business is to be transacted at a Committee meeting other than that specified in the agenda or given in the notice as the purpose of the meeting, without the approval of the presiding member or a decision of the Committee.

(4) No business is to be transacted at an adjourned meeting of the Council or a Committee other than that –
(a) specified in the notice of the meeting which had been adjourned; and
(b) which remains unresolved;

except in the case of an adjournment to the next ordinary meeting of the Council or the Committee, when the business unresolved at the adjourned meeting is to have precedence at that ordinary meeting.

3.2 Order of Business

(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows –

(a) Opening and Announcement of Visitors
(b) Welcome to Country
(c) Attendance and Apologies
(d) Answers to Questions Which Were Taken on Notice
(e) Public Question Time
(f) Public Statement Time
(g) Leave of Absence
(h) Petitions, Presentations and Deputations
   (i) Petitions
   (ii) Presentations
   (iii) Deputations
(i) Confirmation of Minutes
(j) Announcements by the Presiding Member without Discussion
(k) Declarations of Interest (Financial, Proximity, Impartiality – both real and perceived)
(l) Elected Members’ Questions of Which Due Notice Has Been Given Without Discussion
(m) Elected Members’ Questions of Which Notice Has Not Been Given Without Discussion
(n) Any Business Left Over From Previous Meeting
(o) Recommendations of Committees
(p) Adoption of Recommendations Contained in Items Withdrawn
(q) Reports
(r) Motions of Which Previous Notice Has Been Given
(s) Notice of Motions For Consideration at the Following Meeting if Given During the Meeting
(t) Late and Urgent Business
(u) Confidential Items
(v) Close of Meeting

(2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a Committee meeting is to be the order in which that business stands in the agenda of the meeting.

(3) Notwithstanding subclause (1), the CEO may include on the agenda of a Council or Committee meeting in an appropriate place within the order of business any matter which must be decided, or which the CEO considers is appropriately decided, by that meeting.

3.3 Public Question Time

(1) A member of the public who raises a question during question time is to state his or her name and address.

(2) A question may be taken on notice by the Council or Committee for later response.

(3) When a question is taken on notice under subclause (2) a response is to be given to the member of the public in writing by the CEO, and a copy is to be included in the agenda of the next meeting of the Council or Committee as the case requires.

(4) Questions asked by members of the public and answers -
   (a) are to be brief and concise; and
   (b) are not to be accompanied by -
       (i) any argument, expression of opinion or statement of facts, except so far as may be necessary to explain the question or answer; or
       (ii) any statement reflecting adversely on the integrity of any member, officer or other party; or
       (iii) any discussion.

3.4 Public Statement Time

(1) Any person or group wishing to be received as a public statement by the Council at an ordinary meeting of the Council shall send to the CEO an application setting out the subject matter, which must be a matter concerning local government, for their statement in sufficient detail to enable a general understanding of the purpose of the statement.

(2) Where the CEO receives the request in terms of the preceding clause the CEO shall refer it to the presiding member.

(3) Public statements shall not –
   (a) involve any language considered offensive by the presiding member;
(b) contain any statement reflecting adversely on the integrity of any elected member, officer or other; and
(c) exceed 2 minutes.

(4) The Presiding member may determine that a statement is out of order where
the statement—
(a) is the same or similar in content to a statement made at a previous meeting;
(b) a response was provided or council action was taken; and
(c) the person is directed to the minutes of the meeting at which the response was provided or the action was determined.

3.5 Petitions

(1) A petition in the form prescribed by the Act and Local Government (Constitution) Regulations 1998 for—
(a) a proposal to change the method of filling the office of Mayor;
(b) a proposal to create a new district or the boundaries of the Local Government;
(c) a request for a poll on a recommended amalgamation;
(b) a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward,
in order to be effective, is to—
(i) be a formal written request;
(ii) be signed by not less than three people;
(iii) be addressed to the Mayor;
(iv) be made by electors of the district;
(v) state the request on each page of the petition;
(vi) contain the names, addresses and signatures of the electors of the City making the request, and the date each elector signed;
(vii) contain a summary of the reasons for the request; and
(viii) state the name of the person upon whom, and an address at which, notice to the petitioners can be given.

(2) Any other petition, in order to be effective, is to—
(a) be a formal written request;
(b) be signed by not less than three people;
(c) state the request on each page of the petition;
(d) contain the names, addresses and signatures of persons making the request, and the date each person signed;
(e) contain a summary of the reasons for the request; and
(f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given.

(3) The only question which shall be considered by the Council on the presentation of any petition shall be (a Motion to the effect) that the petition be received and forwarded to officers for further action.

3.6 Presentations and Announcements

(1) At any meeting of Council or Committee the presiding member may announce or raise any matter of interest or relevance to the Council or the Committee as the case may be.

(2) The presiding member may allow in his or her absolute discretion a presentation or announcement to the Council or Committee by an Elected Member.

(3) Any external organisation wishing to make a presentation to the Council or a Committee meeting shall send to the CEO a written request, setting out the subject matter (which must be a matter concerning local government) in sufficient detail to enable a general understanding of the purpose and benefits of the presentation.

(4) Where the CEO receives the request in terms of the preceding clause, the CEO may refer it to the presiding member.

(5) Any presentation from an external organisation shall not exceed 10 minutes.

3.7 Deputations

(1) Any person or group wishing to be received as a deputation by the Council or a Committee shall send to the CEO an application –

(a) setting out the agenda item to which the deputation relates;
(b) whether the deputation is supporting or opposing the officer’s or Committee’s recommendation; and
(c) include sufficient detail to enable a general understanding of the purpose of the deputation.

(2) Where the CEO receives a request in terms of the preceding clause the CEO shall refer it to the presiding member of the Council or appropriate Committee who shall determine whether the deputation should be received.

(3) A deputation approved to attend a Council or Committee meeting is not to -

(a) exceed five persons, only two of whom may address the Council or Committee, although others may respond to questions from members; and
(b) address the Council or Committee for a period exceeding five minutes without the agreement of the Council or the Committee as the case requires.

(4) Where a deputation has been made at a Committee meeting, a further deputation will not be permitted at a successive Council meeting by the same person or persons, or a directly related party, on the same matter unless it is demonstrated there is new, relevant material which may impact upon the Council's understanding of the facts of the matter.

(5) (a) Deputations are to be presented in the order of which the item they relate to sits on the Agenda.

(b) Where there are deputations both for and against an agenda item the person wishing to make a deputation against the matter is to present first, followed by a deputation in favour.

(c) Deputations will then continue in alternating order until there are no persons wishing to speak to the opposite view of the last preceding speaker.

(6) Members of a Committee (or other Elected Member) to which the deputation is presented may ask a question or questions of persons of the deputation group and any person of the deputation group may respond to such questions.

(7) Deputations -

(a) shall not involve any language considered offensive by the presiding member; and

(b) shall not contain any statement knowingly incorrect, knowingly misleading or reflecting adversely on the integrity of any member, officer or other party.

3.8 Confirmation of Minutes

(1) When minutes of a meeting are submitted to an ordinary meeting of the Council or Committee for confirmation, if a member is dissatisfied with the accuracy of the minutes, then he or she is to -

(a) state the item or items with which he or she is dissatisfied; and

(b) propose a motion clearly outlining the alternative wording to amend the minutes.

(2) Discussion of any minutes, other than discussion as to their accuracy as a record of the proceedings, is not permitted.

3.9 Questions from Members
(1) An Elected Member who wishes to ask a question with notice at a Committee meeting of the Council is to:
   (a) give reasonable written notice of the question wherever possible to the CEO before the scheduled commencement of the meeting; and
   (b) direct the question through the presiding member.

(2) An Elected Member may ask a question without notice at a Committee meeting provided that any such question is relevant to the purpose of the meeting.

(3) If the question referred to in clause 3.9(1) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at that meeting.

(4) An Elected Member who wishes to ask a question with notice at a Council meeting is to:
   (a) give reasonable written notice of the question wherever possible to the CEO before the scheduled commencement of the meeting; and
   (b) direct the question through the presiding member.

(5) An Elected Member may ask a question without notice at a Council Meeting.

(6) If the question referred to in subclause (4) is in order, the answer is, so far as is practicable, to be included in written form in the agenda of the meeting, or otherwise tabled at that meeting.

(7) Questions asked by Elected Member and answers -
   (a) are to be brief and concise; and
   (b) are not to be accompanied by -
      (i) any argument, expression of opinion or statement of facts, except so far as may be necessary to explain the question or answer; or
      (ii) any statement reflecting adversely on the integrity of any Elected Member; or
      (iii) any discussion.

3.10 Notices of Motion

(1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.

(2) A notice of motion under subclause (1) is to be given to the CEO at least five (5) clear business days before the meeting at which the motion is moved.
(3) A notice of motion is to relate to the good government of persons in the district.

(4) The CEO -
   (a) with the concurrence of the Mayor, may exclude from the notice paper any notice of motion deemed to be out of order; or
   (b) may on his or her own initiative make such amendments to the form but not the substance thereof as will bring the notice of motion into due form; and
   (c) may under his or her name provide relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.

(5) A motion of which notice has been given is to lapse unless -
   (a) the member who gave notice thereof, or some other member authorised by him or her in writing moves the motion when called on; or
   (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

(6) If a notice of motion is given and lapses in the circumstances referred to in subclause (5)(a) or is defeated, a notice of motion in the same terms or the same effect is not to be given again for at least 3 months from the date of such lapse or defeat.

(7) Motions are to be dealt with in the order they are received.

3.11 Distribution of Reports to the Members

(1) Subject to clause 3.12 the CEO is to provide each member of the Council or Committee as the case may be with a copy of any report, which is to be presented to any Council or Committee meeting.

(2) The report is to be provided to each member at least 24 hours before the commencement of the meeting.

3.12 Late Reports

In cases of urgency or other special circumstances a report by the CEO may, with the consent of the presiding member, be read or otherwise given to members at the meeting if it has not previously been sent to members in accordance with clause 3.11.

3.13 Urgent Business Approved by the Presiding Member or by Decision

In cases of extreme urgency or other special circumstance, matters may, with the consent of the presiding member, or by decision of the members present, be raised without notice and decided by the meeting.
3.14 Reports or Advice by the CEO

(1) The CEO may prepare for presentation to any meeting a report dealing with any matter which in the opinion of the CEO should be drawn to the attention of the meeting.

(2) The CEO may advise the Council or Committee on any matter which he or she considers appropriate.

PART 4 PUBLIC ACCESS TO AGENDA MATERIAL

4.1 Confidentiality of Information Withheld

Information withheld by the CEO from members of the public under regulation 14.2, of the Regulations, is to be –

(a) identified in the agenda of a Council or Committee meeting under the item “Confidential Items”; and

(b) marked “confidential” in the agenda.

PART 5 DISCLOSURE OF FINANCIAL, PROXIMITY & IMPARTIALITY INTERESTS – BOTH REAL & PERCEIVED

5.1 Disclosure of Interest

Disclosure of interests is dealt with in the Act.

5.1 Separation of Committee Recommendations

Where a committee member has disclosed an interest in a matter, at a Committee meeting, and the matter is contained in the recommendations of the Committee to an ordinary meeting of Council or to another Committee meeting that will be attended by the committee member, the recommendation concerned is to be separated on the agenda of that ordinary meeting or other Committee meeting, from other recommendations of the Committee, to enable the committee member concerned to declare the interest and leave the room prior to consideration of that matter only.

5.2 Member with an Interest may ask to be Present

Where a member has disclosed the nature of his or her interest in a matter, immediately before the matter is considered by the meeting, he or she may, without disclosing the extent of the interest, request that he or she be allowed to be present during any discussion or decision making procedure related to the matter.
If such a request is made, the member is to leave the room while the request is considered. If the request is allowed by the members, the member may return to the meeting and be present during the discussion or decision making procedure related to that matter, but is not permitted to participate in any way.

5.3 Member with an Interest may ask Permission to Participate

(1) A member, who discloses both the nature and extent of an interest, may request permission to take part in the consideration or discussion of the matter, or to vote on the matter.

(2) If such a request is made, the member is to leave the room while the request is considered. If it is decided at a meeting that a member who has disclosed both the nature and extent of an interest in a matter, be permitted to participate in the consideration and discussion of the matter or to vote on the matter, or both, then the member may return to participate to the extent permitted.

5.4 Invitation to Return to Provide Information

Where a member has disclosed an interest in a matter and has left the room in accordance with the Act, the meeting may resolve to invite the member to return to provide information in respect of the matter or in respect of the member’s interest in the matter and in such case the member is to withdraw after providing the information.

5.5 Officers with an Interest

An Officer with an interest, as defined in section 5.70 of the Act, in a matter before Council or Committee must leave the meeting room prior to that matter being discussed.

PART 6 QUORUM

6.1 Quorum to be Present

The Council or a Committee is not to transact business at a meeting unless a quorum is present.

6.2 Loss of Quorum During a Meeting

(1) If at any time during the course of a meeting of the Council or a Committee a quorum is not present -

(a) in relation to a particular matter because of a member or members leaving the meeting after disclosing a financial interest, the matter is adjourned until either -

(i) a quorum is present to decide the matter; or

(ii) the Minister allows a disclosing member or members to preside at the meeting or to participate in discussions or the decision making procedures relating to the matter under the Act; or
(b) because of a member or members leaving the meeting for reasons other than disclosure of a financial interest, the presiding member is to suspend the proceedings of the meeting for a period of 5 minutes, and if a quorum is not present at the end of that time, the meeting is deemed to have been adjourned and the presiding member is to reschedule it to some future time or date having regard to the period of notice which needs to be given under the Act, Regulations, or the Standing Orders of this local law when calling a meeting of that type.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1)-(b) -

(a) the debate is to be resumed at the next meeting at the point where it was so interrupted; and

(b) in the case of a Council meeting -

(i) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and

(ii) the provisions of clause 8.5 apply when the debate is resumed.

PART 7  CONDUCT OF PERSONS AT COUNCIL AND COMMITTEE MEETINGS

7.1 Official Titles to be Used

Elected Member are to speak of each other in the Council or Committee by their respective titles of Mayor or Councillor. Members, in speaking of or addressing officers, are to designate them by their respective official titles.

7.2 Members to Occupy Own Seats

When present in the meeting room, a member will occupy the seating position allocated to him or her for each specific Council or Committee meeting.

7.3 Leaving Meetings

During the course of a meeting of the Council or a Committee no member is to enter or leave the meeting without first advising the presiding member, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Adverse Reflection

(1) No member is to reflect adversely upon a decision of the Council or Committee except on a motion that the decision be revoked or amended.

(2) No member is to -
(a) reflect adversely on the character or actions of another member or any other person; or
(b) impute any motive to another member or any other person;

unless the Council resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.

(3) No member is to use offensive or objectionable expressions in reference to any member or any other person.

7.5 Withdrawal of Offensive Language

(1) A member who, in the opinion of the presiding member, uses an expression which -
(a) in the absence of a resolution under clause 7.4(2) -
(i) reflects adversely on the character or actions of another member; or
(ii) imputes any motive to a member; or
(b) is offensive or insulting,

must, when directed by the presiding member, withdraw the expression and make a satisfactory apology.

(2) If a member fails to comply with a direction of the presiding member under subclause (1), the presiding member may refuse to hear the member further on the matter then under discussion and call on the next speaker.

7.6 Disturbance by Members

While another person is addressing the Council or a Committee, a member is not -
(a) to make any noise or disturbance; or
(b) to converse aloud;

except to raise a point of order, to interrupt.

7.7 Continued Irrelevance

(1) The presiding member, at any time, may -
(a) call the attention of the meeting to -
(i) any irrelevant, repetitious, offensive or insulting language by an member; or
(ii) any breach of order or decorum by a member; and
(b) direct that member, if speaking, to discontinue his or her speech.

(2) A member is to comply with a direction of the presiding member under subclause (1) by immediately ceasing to speak and resuming his or her seat.
7.8  Recording of Proceedings

(1) A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council without the permission of the Council.

(2) If the Council gives permission under subclause (1), the Presiding Member must advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

(3) Subclause (1) does not apply if the recording is taken by or at the direction of the CEO.

7.9  Prevention of Disturbance

(1) Any member of the public addressing the Council or a Committee is to extend due courtesy and respect to the Council or Committee and the processes under which they operate and must take direction from the presiding member whenever called upon to do so.

(2) Members of the public are admitted to Council and Committee meetings upon the understanding that no expression of dissent or approval, conversational or interruption to the proceedings shall take place.

(a) For the purpose of this clause any expression of dissent or interruption to proceedings shall include a person who interrupts the proceedings of a meeting, whether by expressing approval or dissent, by conversing or by other means;

(i) enters or remains in any part of the room where the meeting is taking place reserved for members and officers;

(ii) misconducts himself or herself;

(iii) fails to withdraw when members of the public are directed to withdraw;

(iv) obstructs the approaches to the room where the meeting is taking place; or

(v) creates a disturbance within the precincts of the room where the meeting is taking place.

(b) In the event of any such interruption, the presiding officer may exercise his or her discretion and require those interrupting to withdraw. The presiding officers ruling in this regard is final and cannot be challenged by moving dissent with the ruling or otherwise.

(c) Any person who does not withdraw when called upon by the presiding officer to do so may by order of the presiding officer be removed from the room.
(3) If an Elected Member or the CEO specifically requests, immediately after their use, that any particular words used by a person be recorded, the Presiding Member is to cause the words used to be taken down and read to the meeting for verification and to then be recorded in a file note of the meeting, unless the presiding member in any case decides otherwise.

(4) If a person or persons have been ordered by the presiding member to desist from such behaviour, but fails to do so, the presiding member can immediately adjourn the meeting in accordance with clause 14.9.

(5) The CEO shall be the designated person in charge of the premises for the purposes of section 5.41 (d) of the Act and is the “person in authority” in relation to section 70A of the Criminal Code and shall advise such person or persons during the period that the meeting is adjourned to behave in an appropriate manner or to immediately leave the premises.

(6) Where a person or persons have been required to leave the room where the meeting is taking place and have been advised in accordance with subclause 7.9(3) but continue to remain in the room where the meeting is taking place, the CEO may instigate legal action against such person or persons.

(7) If a person ordered by the CEO to leave the premises cannot be removed without the application of physical force then a member or members of the Police Force shall be called to the room where the meeting is taking place to effect the removal of the person and the meeting may be adjourned until the person has been removed.

7.10 Prevention of Disturbance Generally

No electronic or other device shall be used in a manner that creates a disturbance or leads to a disturbance at the meeting.

7.11 Distinguished Visitors

If a distinguished visitor is present at a meeting of the Council or a Committee, the presiding member may make special arrangement for the seating of the person.

**PART 8 CONDUCT OF MEMBERS DURING DEBATE**

8.1 Speaking at Council or Committee Meetings

(1) Every member wishing to speak is to indicate by show of hands or other method agreed upon by the Council or Committee.

(2) When a member or officer has been chosen to speak by the presiding member the member or officer must address the Council or Committee through the presiding member.
(3) Any member moving a motion or amendment, or taking part in the discussion thereon, shall address the presiding member and may rise if the member so desires, or shall do so when requested by the presiding member except when prevented from doing so by sickness or physical disability.

(4) When invited by the presiding member to speak, such member or officer may remain seated whilst speaking unless the presiding member rises, upon which such member or officer will cease speaking immediately so the presiding member can be heard.

8.2 Priority

In the event of two or more members wishing to speak at the same time, the presiding member is to decide which member is entitled to be heard first. The decision is not open to discussion or dissent.

8.3 The Presiding Member May Take Part in Debates

Unless otherwise prohibited by the Act, and subject to compliance with procedures for the debate of motions contained in these Standing Orders, this local law, the presiding member may take part in a discussion of any matter before the Council or Committee as the case may be.

8.4 Relevance

Every member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

8.5 Limitation of Number of Speeches

No member is to address the Council or Committee more than once on any motion or amendment before the Council or Committee except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

8.6 Limitation of Duration of Speeches

All addresses are to be limited to a maximum of five minutes. Extension of time is permissible only with the agreement of a simple majority of members present.

8.7 Questions During Debate or Points of Clarification

(1) With the approval of the presiding member a member may ask a question or seek clarification of any matter relevant to a motion at any time during the debate on the motion before it is put, but no discussion thereon is permitted.

(2) The presiding member shall have the discretion to reject any question which he or she considers not relevant to the matter then under discussion, vexatious or repetitive and may refuse to permit the member to ask any further question during debate of the matter then under discussion.
8.8 **Members Not to Speak After Conclusion of Debate**

No member is to speak to any motion after the mover has concluded his or her right of reply and/or after it has been put by the presiding member.

8.9 **Members Not to Interrupt**

No member is to interrupt another member or an officer whilst speaking unless;

(a) to raise a point of order;

(b) to call attention to the absence of a quorum; or

(c) to move a motion under clause 10.1(1(c)).

8.10 **Re-Opening Discussion on Decisions**

No member is to re-open discussion on any decision of the Council or Committee, except for the purpose of moving that the decision be revoked or amended.

**PART 9 GENERAL CONDUCT OF DEBATE**

9.1 **Motions to be Stated**

Any member who moves a substantive motion or amendment to a substantive motion is to state the substance of the motion and obtain a seconder before speaking to it.

9.2 **Motions to be Supported**

(1) No motion or amendment to a substantive motion is open to debate until it has been seconded, or, in the case of a motion to revoke or amend the decision made at a Council or a Committee meeting, unless the motion has the support required under Regulation 10 of the Regulations.

(2) Subject to clause 9.13 the seconder cannot subsequently withdraw his or her seconding of the motion.

9.3 **Unopposed Business**

(1) Upon a motion being moved and seconded, the presiding member may ask the meeting if any member opposes it.

(2) If no member signifies opposition to the motion the presiding member may declare the motion in subclause (1) carried without debate and without taking a vote on it.

(3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or Committee.
(4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

(5) This clause does not apply to any motion or decision to revoke or amend a decision which has been made at a Council or Committee meeting.

9.4 Only One Substantive Motion Considered

When a substantive motion is under debate at any meeting of the Council or a Committee, no further substantive motion is to be accepted.

9.5 Breaking Down of Complex Motions

The presiding member may order a complex motion to be broken down and put in the form of several motions, which are to be put in sequence.

9.6 Order of Call in Debate

Unless dealt with in accordance with clause 9.3 the presiding member is to call speakers to a substantive motion in the following order -

(a) The mover to state the motion;
(b) A seconder to the motion;
(c) The mover to speak to the motion;
(d) The seconder to speak to the motion;
(e) A speaker against the motion;
(f) A speaker for the motion;
(g) Other speakers against and for the motion in alternating order until there is no member (excluding the mover) wishing to speak who is of the opposite view than the last preceding speaker; and
(h) The mover has the right of reply which closes debate.

9.7 Limit of Debate

The presiding member may offer the right of reply and put the motion to the vote if he or she believes sufficient discussion has taken place even though all members may not have spoken.

9.8 Member May Require Motion to be Read

Any member may require the motion or matter under discussion to be read at any time during a debate, but not so as to interrupt any other member whilst speaking.

9.9 Consent of Seconder Required to Accept Alteration of Wording
The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

9.10 Order of Amendments

Any number of amendments may be proposed to a motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been carried, withdrawn or lost.

9.11 Amendments Must Not Negate Original Motion

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

9.12 Substantive Motion

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

9.13 Withdrawal of Motion and Amendments

Council or a Committee may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment is to continue.

9.14 Limitation of Withdrawal

Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

9.15 Foreshadowed Motion

(1) In speaking upon a motion, a member -

(a) may give notice to the meeting of the member’s intention to move a different motion on the same subject matter, being a motion which cannot practically be moved by an amendment to the motion under consideration; and

(b) shall provide to the presiding member the terms of the foreshadowed motion.

(2) If two or more members pursuant to subclause (1) foreshadow motions on the same subject, then the presiding member shall take note of the order in which the foreshadowed motions are raised and the terms of each foreshadowed motion.
(3) If the motion under consideration is lost, then the foreshadowed motions may be brought forward forthwith.

(4) The foreshadowed motions shall be considered by the Council in succession, until one of the motions is passed, whereupon there shall be no further consideration of any other foreshadowed motion on that subject.

9.16 Personal Explanation

(1) No member is to speak at any meeting of the Council or a Committee, except upon the matter before the Council or Committee, unless it is to make a personal explanation.

(2) A member wishing to make a personal explanation may do so at the conclusion of that speech.

(3) Any member or an officer who is permitted to speak under these circumstances is to confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood.

(4) When a member or an officer proceeds to explain, no reference is to be made to matters unnecessary for that purpose.

9.17 Ruling on Questions of Personal Explanation

The ruling of the presiding member on the admissibility of a personal explanation is final unless a motion of dissent with the ruling is moved before any other business proceeds.

9.18 Right of Reply

(1) The mover of a substantive motion has the right of reply. After the mover of the substantive motion has commenced the reply, no other member is to speak on the motion.

(2) The right of reply is to be confined to matters raised by previous speakers and no new matter is to be introduced or expansion on the substantive motion is to take place.


(1) The right of reply is governed by the following provisions -

(a) If no amendment is moved to the substantive motion, the mover may reply at the conclusion of the discussion on the motion;

(b) If an amendment is moved to the substantive motion the mover of the substantive motion is to take the right of reply at the conclusion of the vote on any amendments;

(c) The mover of any amendment does not have a right of reply; and
(d) Once the right of reply has been taken, there can be no further discussion, nor any other amendment and the original motion or the original motion as amended is immediately put to the vote.

**PART 10 PROCEDURAL MOTIONS**

**10.1 Permissible Procedural Motions**

(1) In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member (at any time) to move the following procedural motions -

(a) the Council (or Committee) meeting now adjourn;
(b) the debate be adjourned;
(c) the motion now be put;
(d) the motion not now be put;
(e) the motion (or communication) lie on the table;
(f) the meeting proceed to the next item of business;
(g) that the ruling of the presiding member be disagreed with (motion of dissent); or
(h) the Council (or Committee) meet behind closed doors as the matter to be discussed is of a confidential nature in respect of which the meeting may be closed to members of the public under of the Act.

(2) Subject to subclause (1), when a recommendation of a Committee is being debated by the Council, the only motions which may be considered by the Council are that -

(a) the recommendation be adopted;
(b) the recommendation not be adopted;
(c) the recommendation be referred back to the responsible Committee for further consideration; or
(d) the recommendation be amended.

(3) A permissible procedural motion pursuant to subclause (1) can only be brought forward by a person who has not already spoken on the matter.

(4) A member may request that the names of some or all of those who voted in the negative be recorded in the minutes.

**10.2 No Debate on Procedural Motions**

(1) The mover of a motion stated in each of paragraphs (a), (b), (e), (g) and (h) of clause 10.1(1) may speak to the motion for not more than five minutes, the
seconder is not to speak other than to formally second the motion, and there is
to be no debate on the motion.

(2) The mover of a motion stated in each of paragraphs (c), (d) and (f) of clause
10.1(1) may not speak to the motion, the seconder is not to speak other than
to formally second the motion, and there is to be no debate on the motion.

10.3 Procedural Motions - Closing Debate - Who May Move

No person who has moved, seconded, or spoken for or against the substantive motion,
or any amendment may move any procedural motion which, if carried, would close the
debate on the substantive motion or amendment.

10.4 Procedural Motions - Right of Reply on Substantive Motion

The carrying of a procedural motion which closes debate on the substantive motion or
amendment and forces a decision on the substantive motion or amendment does not
deny the right of reply to the mover of the substantive motion.

PART 11 EFFECT OF PROCEDURAL MOTIONS

11.1 Motion be Amended – Effect of Motion

(1) An amendment to a motion must be relevant to that motion.

(2) An amendment to a motion must be read or stated before being moved.

(3) Only one amendment is to be discussed at a time, but as often as an
amendment is lost, another amendment may be moved, before the original
motion is put to the vote.

(4) In speaking to an amendment, a member may give notice of his or her intention
to move a further amendment or another motion.

(5) Where an amendment is carried -

(a) the original motion as amended becomes the substantive motion;

(b) it must be relevant to the motion and not be of such a nature that the
original motion loses its identity; and

(c) for all purposes subsequent debate, is only to be on the substantive
motion.

11.2 Council (or Committee) Meeting to Now Adjourn – Effect of Motion

(1) The motion “that the Council (or Committee) now adjourn”, if carried, shall result in
the meeting being adjourned until it is re-opened at which time the meeting
will continue from the point at which it was adjourned, unless the presiding member or a simple majority of members upon vote, determine otherwise.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1) –

(a) The debate is to be resumed at the next meeting at the point where it was so interrupted; and

(b) In the case of the Council meeting –

(i) The names of Elected Member who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and

(ii) The provisions of clause 8.5 apply when the debate is resumed.

11.3 The Motion be Adjourned – Effect of Motion

(1) The motion “that the motion be adjourned”, if carried, shall result in all debate on the substantive motion or amendment to cease but to continue at a time stated in the motion.

(2) If the motion is carried at a meeting of the Council –

(a) the names of Elected Member who have spoken on the matter are to be recorded in the minutes; and

(b) the provisions of clause 8.5 apply when the debate is resumed.

11.4 The Motion be Now Put – Effect of Motion

(1) The motion “that the motion be now put”, if carried during discussion of a substantive motion without amendment, shall result in the presiding member offering the right of reply and then immediately put the matter under consideration without further debate.

(2) This motion, if carried during discussion of an amendment, shall result in the presiding member putting the amendment to the vote without further debate.

(3) This motion, if lost, shall result in the continuation of the debate.

11.5 Ruling of the Presiding Member Disagreed with – Effect of Motion

The motion “that the ruling of the presiding member be disagreed with”, if carried, shall result in the ruling of the presiding member about which this motion was moved, to have no effect and for the meeting to proceed accordingly.

11.6 The Motion (or Communication) Lie on the Table – Effect of Motion

(1) If moved in respect of a motion or an amendment to a motion, this motion takes the form “that the motion lie on the table”.

Report 10 Page 83
(2) If moved in respect of a letter, report or other document, its form is “that the communication lie on the table”.

(3) A motion that “the motion lie on the table” or that “a communication lie on the table” -
   (a) may be moved by a member to adjourn the debate if further information is needed from the City’s records;
   (b) cannot be moved by a member who has moved, seconded or spoken to the question then before the meeting;
   (c) cannot be amended; and
   (d) does not give the mover a right of reply.

(4) If a motion that “the motion lie on the table” or “the communication lie on the table” is carried then -
   (a) in respect of a document or a motion, further debate on the matter is adjourned until the meeting resolves to take the document or motion from the table; and
   (b) in respect of an amendment, both the amendment and the substantive motion to which it relates are adjourned until the meeting resolves to take the motion from the table.

(5) If a motion that “the motion be taken from the table” or “the communication be taken from the table” is carried then -
   (a) in respect to a document or a motion, debate resumes until the matter is determined;
   (b) in respect to an amendment, debate resumes on the amendment until the matter is determined.

11.7 The Meeting Proceed to the Next Item of Business – Effect of Motion

The motion “that the Council (or Committee) proceed to the next item of business”, if carried, shall cause the debate to cease immediately and for the Council (or Committee) to move to the next business of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be again raised for consideration.

11.8 The Council (or Committee) to Meet Behind Closed Doors – Effect of Motion

(1) Subject to any decision of the Council or Committee, this motion, if carried, shall result in the general public and any officer the Council or Committee determines, to leave the room.
(2) While a decision made under this clause is in force the operation of clause 8.5 limiting the number of speeches continues to apply unless the Council decides otherwise.

(3) Upon the public again being admitted to the meeting the presiding member, unless the Council or Committee decides otherwise, is to cause the resolution of the Council or Committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

**PART 12 REVOCKING OR CHANGING DECISIONS**

12.1 **Motion - When Put**

When the debate upon any motion is concluded and the right of reply has been exercised the presiding member shall immediately put the motion to the Council or the Committee, and, if so desired by any member, shall again state it.

12.2 **Motion - Method of Putting**

If a decision of the Council or a Committee is unclear or in doubt, the presiding member shall put the motion or amendment as often as necessary to determine the decision from a show of hands or other method agreed upon so that no voter’s vote is secret, before declaring the decision.

12.3 **Revocation Motion at the Same Meeting – Procedures**

(1) If the CEO receives a notice of motion, which complies with the requirements of these Standing Orders, to revoke a decision made at a meeting before the close of that meeting, then the CEO is immediately to advise the presiding member of the notice of motion.

(2) Where the presiding member is advised of a notice of motion under subclause (1), he or she at the first available opportunity and before the end of the meeting is to -

   (a) advise the meeting of the notice;

   (b) bring on the revocation motion;

   (c) determine whether there is sufficient support (under Regulation 10) for the motion; and

   (d) deal with the motion, if there is sufficient support.

**PART 13 IMPLEMENTING DECISIONS**

13.1 **Implementation of a Decision**
(1) Neither the CEO nor an officer or Elected Member shall take any step to implement or otherwise give effect to a resolution until 2pm on the following City office working day after the close of the meeting at which the resolution was passed.

(2) If a notice of motion to revoke or change a decision of the Council or a Committee is received before any action has been taken to implement that decision, then no steps are to be taken to implement or give effect to that decision until such time as the motion of revocation or change has been dealt with, except that –

(a) If a notice of motion to revoke or change a decision of the Council or a Committee is given during the same meeting at which the decision was made, the notice of motion is of no effect unless the number of members required to support the motion under the Regulations indicate their support for the notice of motion at that meeting; and

(b) If a notice of motion to revoke or change a decision of the Council or Committee is received after the closure of the meeting at which the decision was made implementation of the decision is not to be withheld unless the notice of motion has the support in writing, of the number of members required to support the motion under the Regulations.

(3) Implementation of a decision is only to be withheld under subclause (2) if the effect of the change proposed in a notice of motion would be that the decision would be revoked or would become substantially different.

(4) The Council or a Committee shall not vote on a motion to revoke or change a decision of the Council or Committee whether the motion of revocation or change is moved with or without notice, if at the time the motion is moved or notice is given –

(a) action has been taken to implement the decision; or

(b) where the decision concerns the issue of an approval or the authorisation of a licence, permit or certificate, and where that approval or authorisation of a licence, permit or certificate has been put in to effect by the Council in writing to the applicant or the applicant’s agent by an officer of the Council authorised to do so;

without having considered a statement of impact prepared by or at the direction of the CEO of the legal and financial consequences of the proposed revocation or change.

PART 14  PRESERVING ORDER

14.1 The Presiding Member to Preserve Order

The presiding member is to preserve order, and may call any member or other person in attendance to order, whenever, in his or her opinion, there is cause for so doing.
14.2 Demand for Withdrawal

A member may be required by the presiding member, or by a decision of the Council or Committee, to apologise and unreservedly withdraw any expression which is considered to reflect offensively on another member or an officer, and if the member declines or neglects to do so, the presiding member may refuse to hear the member further upon the matter then under discussion and call upon the next speaker.

14.3 Points of Order - When to Raise - Procedure

Upon a matter of order arising during the progress of a debate, any member may raise a point of order including interrupting the speaker. Any member, who is speaking when a point of order is raised, is to immediately stop speaking and be seated while the presiding member listens to the point of order.

14.4 Points of Order - When Valid

Expressing a difference of opinion or the contradiction of a speaker shall not be recognised as a valid point of order.

The following will be recognised as the only valid points of order -

(a) that the discussion is of a matter not before the Council or Committee;
(b) that offensive or insulting language is being used;
(c) drawing attention to the violation of any written law, the relevant provisions of the Standing Orders this local law or policy of the Council, provided that the member making the point of order states the written law or policy believed to be breached; and
(d) that insinuations have been made as to the character, morality, honesty or motives of a member or an officer.

14.5 Points Of Order - Ruling

The presiding member is to give a decision on any point of order which is raised by either upholding or rejecting the point of order.

14.6 Points of Order - Ruling Conclusive, Unless Dissent Motion is Moved

The ruling of the presiding member upon any question of order is final, unless a majority of the members support a motion of dissent with the ruling.

14.7 Points of Order Take Precedence

Notwithstanding anything contained in these Standing Orders this local law to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other matter.
14.8 Precedence of Presiding Member

(1) When the presiding member rises during the progress of a debate, any member then speaking, or offering to speak, is to immediately sit down and every member of the Council or Committee present shall be silent so that the presiding member may be heard without interruption.

(2) Subclause (1) is not to be used by the presiding member to exercise the right provided in clause 8.3, but to preserve order.

14.9 Right of the Presiding Member to Adjourn Without Explanation to Regain Order

(1) If a meeting ceases to operate in an orderly manner, the presiding member may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. Upon resumption, debate is to continue at the point at which the meeting was adjourned.

If, at any one meeting, the presiding member has cause to further adjourn the meeting, such adjournment may be to a later time on the same day or to any other day.

(2) Where debate of a motion is interrupted by an adjournment under subclause (1), in the case of a Council meeting –

(a) the names of Elected Member who have spoken in the matter prior to the adjournment are to be recorded; and

(b) the provisions of clause 8.5 apply when the debate is resumed.

PART 15 ADJOURNMENT OF MEETING

15.1 Meeting May be Adjourned

The Council or a Committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

15.2 Limit to Moving Adjournment

No member is to move or second more than one motion of adjournment during the same sitting of the Council or Committee.

15.3 Unopposed Business - Motion for Adjournment

On a motion for the adjournment of the Council or Committee, the presiding member, before putting the motion, may seek leave of the Council or Committee to proceed to the transaction of unopposed business.
15.4 Withdrawal of Motion for Adjournment

A motion or an amendment relating to the adjournment of the Council or a Committee may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

15.5 Time to Which Adjourned

The time to which a meeting is adjourned for want of a quorum, by the presiding member to regain order, or by decision of the Council, may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

PART 16 COMMITTEES OF THE COUNCIL

16.1 Establishment and Appointment of Committees

A Committee is to be established on a motion setting out the proposed purpose and functions of the Committee and either –

(a) the names of the Elected Members, officers and other persons to be appointed to the Committee; or

(b) the number of Elected Members, officers and other persons to be appointed to the Committee and a provision that they be appointed by a separate motion.

16.2 Appointment of Deputy Committee Members

(1) The Council may appoint one or more persons to be the deputy or deputies, as the case may be, to act on behalf of a committee member whenever that committee member is unable to be present at a meeting thereof and where two or more deputies are so appointed they are to have seniority in the order determined by the Council.

(2) Where a committee member does not attend a meeting thereof a deputy of that committee member, selected according to seniority, is entitled to attend that meeting in place of the committee member and act for the committee member, and while so acting has all the powers of that committee member.

(3) If a deputy has commenced to act in place of a committee member at a Committee meeting and the committee member attends the meeting, the committee member will not assume the seat and the deputy will continue to act as the committee member for the duration of that meeting.

(4) Once a committee meeting has commenced a deputy member cannot assume the seat of a committee member who leaves the meeting.
(5) A deputy who is one of two or more deputies of a committee member is not entitled to attend a meeting of the Committee in place of that committee member if the meeting is attended by another deputy of that committee member who has precedence over that deputy in the order of seniority determined under subclause (1).

(6) A person who is a committee member is not eligible to be appointed a deputy for another committee member.

16.3 Presentation of Committee Reports

When the report or recommendations of a Committee are placed before the Council, the adoption of recommendations of the Committee is to be moved by –

(a) the presiding member of the Committee if the presiding member is an Elected Member and is in attendance;

(b) an Elected Member who is a member of the Committee, if the presiding member of the Committee is not an elected member, or is absent; or

(c) otherwise, by an Elected Member who is not a committee member.

16.4 Reports of Committees - Questions

When a recommendation of any Committee is submitted for adoption by the Council, any Elected Member may direct questions specifically relating to the recommendation through the presiding member to the presiding member, any committee member, or the CEO.

16.5 Permissible Motions on Recommendation From Committee

A recommendation made by or contained in the minutes of a Committee may be adopted by the Council without amendment or modification, failing which, it may be –

(a) rejected by the Council and replaced by an alternative decision; or

(b) amended or modified and adopted with such amendment or modification; or

(c) referred back to the Committee for further consideration.

16.6 Standing Orders Apply to Committees

Where not otherwise specifically provided, these Standing Orders apply generally to the proceedings of Committees, except clause 8.1, in respect of the requirement to rise.

16.7 Observers at Committee Meetings

(1) For the purposes of this part an observer is an Elected Member attending a committee meeting of which they are not a member and choosing to sit in their allocated seat in the meeting room.
(2) Observers may occupy their allocated seat in the meeting room. Should an observer choose to sit in their allocated seat in the meeting room they are subject to the obligations on all Elected Members under the Local Government Act 1995 and all associated regulations including the Local Government (Rules of Conduct) Regulations 2007.

(3) Observers choosing to sit in their allocated seat in the meeting room may not participate in debate. Questions and discussion of committee members take priority over questions from observers.

PART 17 GENERAL ADMINISTRATIVE MATTERS

17.1 Suspension of Standing Orders

(1) The Council or a Committee may decide, by simple majority vote, to suspend temporarily one or more of the Standing Orders of this local law.

(2) The mover of a motion to suspend temporarily any one or more clause of the Standing Orders of this local law shall either –

(a) State the specific clause or clauses of the Standing Orders of this local law to be suspended; or

(b) State clearly and concisely the reason for or purpose of the proposed suspension in a motion prefaced by the words “I move that such of the City of Mandurah Standing Orders be suspended as will allow…”.

(3) Only the operation of the clauses so nominated or otherwise affected by any resolution to suspend the Standing Orders of this local law shall be suspended.

17.2 Cases not Provided for in Standing Orders

The presiding member is to decide questions of order, procedure, debate, or otherwise in cases where the Standing Orders of this local law and the Act and Regulations are silent. The decision of the presiding member in these cases is final, except where a motion referred to in clause 14.6 is moved and carried.

17.3 Enforcement

(1) The provisions of the Standing Orders of this local law shall be enforced by the presiding member of any Council or Committee but only following the specific direction of the Council or Committee by resolution by a simple majority.

(2) A breach of a provision of this local law by an Elected Member is dealt with in the Act and Local Government (Rules of Conduct) Regulations 2007.
(3) A person who breaches a provision of this local law commits an offence.

Penalty - $15,000.00 and a daily penalty of $500.00.

PART 18 COMMON SEAL

18.1 The Council’s Common Seal

(1) The CEO is to have charge of the common seal of the Council, and is responsible for the safe custody and proper use of it.

(2) The common seal of the Council may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Mayor and the CEO or a senior officer authorised by him or her.

(3) The common seal of the Council is to be affixed to any local law which is made by the Council.

(4) The CEO is to record in a register each date on which the common seal of the Council was affixed to a document, the nature of the document, and the parties to any agreement to which the common seal was affixed.

(5) Any person who uses the common seal of the Council or a replica thereof without authority commits an offence.
Dated: Insert date

The Common Seal of the City of Mandurah was affixed by authority of a resolution of the Council in the presence of:

_______________________
MARINA ELIZABETH VERGONE
Mayor

_______________________
MARK ROBERT NEWMAN
Chief Executive Officer
Summary

In December 2016, the City advertised its Request for Tender (“RFT”) in relation to the provision of Waste Management Services. The tender closes on 28 February 2017. The evaluation process has been prepared with input from the City’s Waste Management Consultant and City Officers.

The proposed evaluation criteria and weightings which were strongly supported by the City and have been included within the RFT, as is a regulation requirement.

The amended evaluation criteria and weightings differ from those within Council Policy POL-CPM 03: Selection Criteria for Major Procurements and therefore any amendments require Council approval.

Ideally this report would have been submitted to Council for its consideration prior to the issue of the RFT however due to the comprehensive nature and importance of this component, this has not occurred.

It is noted that any further amendments to criteria and weightings would require the issuing of an Addendum to the RFT and a requirement for tenderers to amend their submissions. City Officers have confidence in the criteria and weightings proposed and Council is requested to endorse this component of the tender process.

Previous Relevant Documentation

- G.39/8/16 23 August 2016 Approval/Endorsement of Waste Management Service Delivery Model

Background

Rather than opt for a traditional contractual arrangement in delivery of waste management services, Council recently approved an Alliance style contract for the delivery of waste management.

To achieve best overall value for money, the evaluation criteria and weightings proposed to be used vary from those set out in the standard procurement policy. These were amended on the basis that the Alliance process requires different criteria and weighting balance. Criteria such as construction materials and methodologies are not applicable to this particular tender. Further, Alliance style contracts are intended as ongoing open book relationship which requires consideration to other matters than solely price. The total contract price consists of three components. They are:

- Price via open book account of actual costs;
- Management fee which includes overheads; and
- Profit.

To achieve best value for money, the following process is required:

Firstly there is an Assessment against Compliance Criteria. If this is achieved the tender is scored across the following criteria:

1. Assessment against Qualitative Criteria;
2. Assessment of City of Mandurah key objectives; and
3. Total Cost to City Assessment (price assessment).
An Overall (Final) Value For Money ranking will be applied by totalling an applied equal distribution of a scored translated percentage across the three evaluation components to reach a total out of 100:

1. Qualitative Criteria Score translated to a maximum 33.3% outcome.
2. City Objectives Score translated to a maximum 33.3% outcome.
3. Total Cost to City (price) Score translated to a maximum 33.3% outcome.

Comment

The Alliance type of contract relies on relationships being formed between the contractor and the City and therefore emphasis is placed on this component within the evaluation criteria and weightings. Relevant experience is regarded very highly as waste management services are a key function and core component of the City service offering to the community, hence the importance in the criteria and weightings being reflective of this.

Consultation

N/A

Internal Consultation

The Director Works and Services, Manager Financial Services and the Corporate Lawyer accepted the consultants proposed amended criteria and weightings with final determination occurring via the Manager Governance Tenders in accordance with Delegated Authority DA –CPM 02:Tenders on 1 December 2016.

Statutory Environment

The Local Government (Functions and General) Regulations 1996, Part 4 Provision of goods and services regulation 14 (2a) relates. The local government must, before tenders are publically invited, determine in writing the criteria to decide which tender should be accepted. The amended criteria and weightings above are included within the RFT documents which were determined prior to the advertisement of the tender on Wednesday 7 December 2016.

Policy Implications

Amendment to evaluation criteria and weightings described in Policy POL-CPM:03 Selection Criteria for Major Procurements.

Economic Implications

If the amended evaluation criteria and weightings are not applied the City runs the risk of not being able to adequately evaluate tenderers which is highly likely to result in an inability to substantiate the overall achievement of value for money, for the procurement of the City’s largest service provision.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2013 – 2033 are relevant to this report:

Environment:
- Encourage and enable the community to take ownership of natural assets, and to adopt behaviours that assist in achieving the City’s environmental targets.
- Become a leader in proactive and innovative environmental management.
Social:
• Help build the community’s confidence in Mandurah as a safe and secure City.

Economic:
• Increase the level of regional employment.
• Increase local education and training opportunities.

Infrastructure:
• Facilitate the provision of multi-purpose facilities and infrastructure that meets the needs of a growing population.

Organisational Excellence:
• Ensure the City has the capacity and capability to deliver services and facilities that meet community expectations.
• Deliver excellent governance and financial management.
• Develop a strong brand of leading local government that meets community expectations.

Conclusion

To ensure the City can substantiate the achievement of value for money for an Alliance style contract, the Waste Management Services RFT requires evaluation criteria and weightings which vary from those described within Policy POL-CPM:03 Selection Criteria for Major Procurements.

NOTE:

Refer Attachment 1 – Proposed Evaluation Criteria and Weightings

RECOMMENDATION

That Council endorses the proposed evaluation criteria and weightings for the Waste Management Services Request for Tender.
### ATTACHMENT 1

**COMPLIANCE ASSESSMENT**

<table>
<thead>
<tr>
<th>Description Of Compliance Criteria</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>a)</strong> Compliance with all necessary Licences and Registrations.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>b)</strong> Compliance with the City’s Project Requirements including fully developed and worked up proposals to demonstrate the Proponent’s capacity to provide the Services.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>c)</strong> Compliance with the Occupation Health and Safety Legislation.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>d)</strong> Compliance with the Disability Access and Inclusion Legislation.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>e)</strong> Acceptability of any proposed amendments to the Contract.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>f)</strong> Demonstrated capacity (financial, project development capability, and other resources) to provide the Services in accordance with the Contract.</td>
<td>Yes/No</td>
</tr>
<tr>
<td><strong>g)</strong> Demonstrated ability to provide the Services within the timeframe nominated in its Tender and in accordance with the requirements of this RFT.</td>
<td>Yes/No</td>
</tr>
</tbody>
</table>

#### SCORING DESCRIPTOR SCALE (to be applied to Quality and City Objectives Assessment)

<table>
<thead>
<tr>
<th>Score</th>
<th>General Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>The evaluation panel is <strong>CERTAIN</strong> that the Proponent understands the scope requirements in relation to this criteria and has substantially demonstrated in their response satisfactory completion of same/similar requirements to a <strong>HIGH</strong> standard.</td>
</tr>
<tr>
<td>4</td>
<td>The evaluation panel is <strong>CONFIDENT</strong> that the Proponent understands the scope requirements in relation to this criteria and is highly likely to satisfactorily complete the requirements to an <strong>APPROPRIATE</strong> standard.</td>
</tr>
<tr>
<td>3</td>
<td>The evaluation panel is <strong>APPREHENSIVE</strong> about the extent to which the Proponent understands the scope requirements in relation to this criteria however is likely to satisfactorily complete the requirement to a <strong>REASONABLE</strong> standard if guided contract and performance management was introduced and monitored.</td>
</tr>
<tr>
<td>2</td>
<td>Based on the response, the Proponent is <strong>UNLIKELY</strong> to satisfactorily complete the scope of requirements even with contract and performance management, due to a number of justified factors such as but not limited to: alternative proposal not acceptable, unacceptable risk to City, failure to deliver on previous contracts, unquantifiable response, outcomes of due diligence.</td>
</tr>
<tr>
<td>1</td>
<td>The response is <strong>ABSENT</strong> or the Proponent has failed to provide sufficient information to score, and to seek clarification is likely to provide an unfair advantage.</td>
</tr>
</tbody>
</table>
### QUALITY ASSESSMENT

#### POL-CPM 03 Selection Criteria for Major Procurements

<table>
<thead>
<tr>
<th>Description of Qualitative Criteria</th>
<th>Weighting</th>
<th>Description of Qualitative Criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Experience:</td>
<td></td>
<td><strong>Financial Risk</strong></td>
<td></td>
</tr>
<tr>
<td>Demonstrate experience and skill in</td>
<td></td>
<td>(a) Commercial risks to the City as</td>
<td></td>
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<tr>
<td>all aspects of the construction of</td>
<td></td>
<td>demonstrated by the robustness and</td>
<td></td>
</tr>
<tr>
<td>projects of a similar nature</td>
<td>12.5%</td>
<td>supporting evidence for the costs,</td>
<td></td>
</tr>
<tr>
<td>demonstrating high quality outcomes,</td>
<td></td>
<td>revenue and other financial factors</td>
<td></td>
</tr>
<tr>
<td>with emphasis on provision of similar</td>
<td></td>
<td>associated with the Tender.</td>
<td></td>
</tr>
<tr>
<td>facilities and construction</td>
<td></td>
<td>(b) Financial capacity of the</td>
<td></td>
</tr>
<tr>
<td>practices as detailed in the</td>
<td></td>
<td>Proponent to meet its commitments</td>
<td></td>
</tr>
<tr>
<td>specification.</td>
<td></td>
<td>under the Contract.</td>
<td></td>
</tr>
<tr>
<td>• Provide details of each project</td>
<td></td>
<td>(c) Whole of life considerations.</td>
<td></td>
</tr>
<tr>
<td>including building and construction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>details, project budget and facilities provided;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Include photo records and location details of each project;</td>
<td></td>
<td></td>
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<tr>
<td>• Provide the scope of the Tenderer’s involvement including</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>details of outcomes;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Demonstrate competency and sound</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>judgement, and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Any additional information.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical Skills &amp; Experience of Key Personnel:</td>
<td>12.5%</td>
<td>Relevant Experience</td>
<td>30%</td>
</tr>
<tr>
<td>Demonstrate key personnel’s experience in completing similar projects/works/supply of similar goods and their skills and experience to be used on this project/services, including as a minimum:</td>
<td></td>
<td>(a) Demonstrated experience in waste and recycling collection services.</td>
<td></td>
</tr>
<tr>
<td>• Their role in the performance of the Contract;</td>
<td></td>
<td>(b) Demonstrated experience in operating waste management facilities, including transfer stations, inert landfills and liquid waste facilities.</td>
<td></td>
</tr>
<tr>
<td>• Qualifications, with emphasis on the experience of personnel in projects of a similar requirement including references; and</td>
<td></td>
<td>(c) Demonstrated experience in completing similar work/projects governed by an alliance or similar relationship based contract including the similarities between those contracts and the requirements of the Contract.</td>
<td></td>
</tr>
<tr>
<td>• Any additional information.</td>
<td></td>
<td>(d) A demonstrated understanding and commitment to the required approach to the relationship aspects of the Contract consistent with the Alliance Principles.</td>
<td></td>
</tr>
<tr>
<td>Resources:</td>
<td>12.5%</td>
<td>Key Personnel and Experience</td>
<td>30%</td>
</tr>
<tr>
<td>Demonstrate the ability to supply and sustain the necessary resources, including:</td>
<td></td>
<td>(a) Skills and experience of key personnel in undertaking projects of a similar nature to the Services and their involvement with alliance contracts.</td>
<td></td>
</tr>
<tr>
<td>• Personnel;</td>
<td></td>
<td>(b) Their role in previous similar contracts and their role in the performance of the Contract.</td>
<td></td>
</tr>
<tr>
<td>• Subcontractors, including a list of all subcontractors to be used in this project, their role in this project and their level of skills and experience and qualifications of key personnel, with emphasis on the experience of personnel in projects of a similar requirement including references;</td>
<td></td>
<td>(c) Personnel which will occupy positions on the Alliance Board and Operational Management Team</td>
<td></td>
</tr>
<tr>
<td>• Plant, equipment and materials;</td>
<td></td>
<td>(d) Current location of key personnel and proposed location upon commencement of the Contract.</td>
<td></td>
</tr>
<tr>
<td>• Any contingency measures or back up resources;</td>
<td></td>
<td>(e) Proposed location of the office and workshop.</td>
<td></td>
</tr>
<tr>
<td>• Supply of a provisional construction program demonstrating compliance with the requirements of the Contract (where applicable); and</td>
<td></td>
<td>(f) Curriculum vitae of personnel on Alliance Board and Operational Management Team.</td>
<td></td>
</tr>
<tr>
<td>• Any other information.</td>
<td></td>
<td>(g) Membership to any professional or business associations.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(h) Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(i) Any relevant additional information.</td>
<td></td>
</tr>
<tr>
<td>Methodology</td>
<td>Resources</td>
<td>Resources</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-----------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td>Provide an overview of the methodology and approach to carrying out the works by providing:</td>
<td>(a) Age and quality of proposed plant, equipment and materials.</td>
<td>(a) Age and quality of proposed plant, equipment and materials.</td>
<td></td>
</tr>
<tr>
<td>• A construction programme demonstrating how the contract timeframe will be met (where applicable), including key performance indicators;</td>
<td>(b) Any contingency measures or backup of resources including personnel (where applicable).</td>
<td>(b) Any contingency measures or backup of resources including personnel (where applicable).</td>
<td></td>
</tr>
<tr>
<td>• Reporting and recording systems to be used;</td>
<td>(c) Ability to provide Services from 1 September 2017.</td>
<td>(c) Ability to provide Services from 1 September 2017.</td>
<td></td>
</tr>
<tr>
<td>• A brief written construction methodology;</td>
<td>(d) A project schedule/timeline/implementation timeline.</td>
<td>(d) A project schedule/timeline/implementation timeline.</td>
<td></td>
</tr>
<tr>
<td>• A summary of the key risks that may impact on how the works are delivered;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Warranties or guarantees provided; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Any other information.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Price</th>
<th>Resources</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(a) The Proponents Occupational Health and Safety performance for the previous five (5) years (at a National level) including:</td>
<td>(a) The Proponents Occupational Health and Safety performance for the previous five (5) years (at a National level) including:</td>
</tr>
<tr>
<td></td>
<td>i) hazards, incidents or injuries per annum;</td>
<td>i) hazards, incidents or injuries per annum;</td>
</tr>
<tr>
<td></td>
<td>ii) lost-time-injuries per annum;</td>
<td>ii) lost-time-injuries per annum;</td>
</tr>
<tr>
<td></td>
<td>iii) lost-time-hours per annum;</td>
<td>iii) lost-time-hours per annum;</td>
</tr>
<tr>
<td></td>
<td>iv) hours of OH&amp;S specific training on an annual basis per Contractor's staff; and</td>
<td>iv) hours of OH&amp;S specific training on an annual basis per Contractor's staff; and</td>
</tr>
<tr>
<td></td>
<td>v) any infringements received for unsafe work practices.</td>
<td>v) any infringements received for unsafe work practices.</td>
</tr>
<tr>
<td></td>
<td>(b) Commitment and ability to deliver environmental sustainability.</td>
<td>(b) Commitment and ability to deliver environmental sustainability.</td>
</tr>
<tr>
<td></td>
<td>(c) Performance on the management of waste facilities and compliance with Department of Environment Regulation (or equivalent) licence conditions and associated legislation.</td>
<td>(c) Performance on the management of waste facilities and compliance with Department of Environment Regulation (or equivalent) licence conditions and associated legislation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Strategic Direction</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Ability to commit to and integrate strategies underpinning the Environment, Social, Economic, Infrastructure, Identity, Leadership and Organisational Excellence key focus areas within the City’s Strategic Community Plan 2013 to 2033.</td>
<td>(a) Ability to commit to and integrate strategies underpinning the Environment, Social, Economic, Infrastructure, Identity, Leadership and Organisational Excellence key focus areas within the City’s Strategic Community Plan 2013 to 2033.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Methodology</th>
<th>Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Demonstrated understanding of the City’s Project Requirements as evidenced within the Draft Plans.</td>
<td>(a) Demonstrated understanding of the City’s Project Requirements as evidenced within the Draft Plans.</td>
</tr>
<tr>
<td>(b) The quality, detail, robustness and practical applicability of the proposed Draft Plans to undertake the Services and align with the principles of an alliance contract.</td>
<td>(b) The quality, detail, robustness and practical applicability of the proposed Draft Plans to undertake the Services and align with the principles of an alliance contract.</td>
</tr>
</tbody>
</table>

TOTAL 100% | TOTAL 100% | TOTAL 100% |
### CITY OBJECTIVES ASSESSMENT

<table>
<thead>
<tr>
<th>No.</th>
<th>City’s Objectives</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Value for money service for residents</td>
<td>10%</td>
</tr>
<tr>
<td>2</td>
<td>Economic benefit to the community</td>
<td>10%</td>
</tr>
<tr>
<td>3</td>
<td>Improvement in effective resource recovery</td>
<td>10%</td>
</tr>
<tr>
<td>4</td>
<td>Certainty for the operating environment to enable investment in plant and infrastructure</td>
<td>10%</td>
</tr>
<tr>
<td>5</td>
<td>Utilisation of local government expertise in waste management</td>
<td>7.5%</td>
</tr>
<tr>
<td>6</td>
<td>Optimisation of existing infrastructure and resources</td>
<td>7.5%</td>
</tr>
<tr>
<td>7</td>
<td>Manage risks and opportunities arising from legislative changes, changes to service expectations and rising waste disposal charges</td>
<td>5%</td>
</tr>
<tr>
<td>8</td>
<td>Seamless customer service interface</td>
<td>7.5%</td>
</tr>
<tr>
<td>9</td>
<td>Maintain high and consistent service standards</td>
<td>10%</td>
</tr>
<tr>
<td>10</td>
<td>To set clear performance targets for all waste management activities</td>
<td>2.5%</td>
</tr>
<tr>
<td>11</td>
<td>To recognise and implement new technologies</td>
<td>2.5%</td>
</tr>
<tr>
<td>12</td>
<td>A commitment between the City and the contractor strategically linking the organisations in order to work together to maximise their effectiveness and reduce the total cost of shared processes</td>
<td>5%</td>
</tr>
<tr>
<td>13</td>
<td>Target valuable materials which can be recovered from waste disposal to be re-used or recycled</td>
<td>2.5%</td>
</tr>
<tr>
<td>14</td>
<td>Reduce litter through targeted services and educational programs</td>
<td>5%</td>
</tr>
<tr>
<td>15</td>
<td>Reduce greenhouse emissions</td>
<td>2.5%</td>
</tr>
<tr>
<td>16</td>
<td>Optimise environmental and social outcomes</td>
<td>2.5%</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

### TOTAL COST TO CITY ASSESSMENT

The total cost of each of the tenders will be calculated based on the following information provided in the Tenders:

- Total Year 1 Budget;
- Recyclables processing rates;
- Recycling royalty payments; and
- Special events rates per receptacle.

Consideration will be given to future growth in services and escalation in costs in calculating the total cost over the Term of the Contract (assumed to be 10 years). The total cost to the city will be calculated for each Tender and converted to a normalised cost score out of 10 where the lowest cost will be awarded a score of 10.

### OVERALL VALUE FOR MONEY ASSESSMENT

The Preferred Tenderer will be selected on the basis of providing the best value for money option for the City by taking into consideration:

- The Total Cost to the City i.e. Price (score out of 10 translated to 33.3%);
- The assessment against the Qualitative Criteria (score out of 10 translated to 33.3%); and
- The degree to which each Tender demonstrates that it achieves the City’s Objectives (score out of 10 translated to 33.3%).