



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 13 June 2017
at 5.30pm**

MARK R NEWMAN
Chief Executive Officer
8 June 2017

AGENDA:

1. OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2. ACKNOWLEDGEMENT OF COUNTRY

3. ATTENDANCE AND APOLOGIES

Mayor Vergone (on Leave of Absence).

4. 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.

5. ANSWERS TO QUESTIONS TAKEN ON NOTICE

Please refer to Attachment 5.1.

6. 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.

7. 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.

8. LEAVE OF ABSENCE REQUESTS**9. PETITIONS**

- 9.1 Petition against Proposed Boarding Kennels in Herron: Hon Councillor Riebeling

10. PRESENTATIONS

- 10.1 Murdoch University - Backyard Bandicoot ARC Linkage Project

11. 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.

12. CONFIRMATION OF MINUTES:

- 12.1 Ordinary Council Meeting: Tuesday 23 May 2017 (attached).

13. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**14. DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS**

15. QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)

15.1 Questions of which due notice has been given

15.2 Questions of which notice has not been given

16. BUSINESS LEFT OVER FROM PREVIOUS MEETING**17. RECOMMENDATIONS OF COMMITTEES**

Nil.

18. REPORTS (Yellow Pages):

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1	Environmental Education Research Project	1 - 7
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4	Adoption of 2017/18 Rates for Advertising	17 - 26
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8	Mandurah Business Development Centre, Lot 201 Reserve Drive, Mandurah: Proposed Transfer of Management	50 - 54
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12	Tender 10-2016: Cleaning of Storm Water Drainage Structures and Pipes – Assignment of Contract	101 – 102
13	Mary Street / Pinjarra Road / Old Coast Road Roundabout Access	103 - 108

19. ADOPTION OF RECOMMENDATIONS NOT WITHDRAWN FOR FURTHER DISCUSSION

20. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

21. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

22. LATE AND URGENT BUSINESS ITEMS

23. CONFIDENTIAL ITEMS

23.1 Lease: Mandurah City Football Club and Halls Head Cricket Club.

24. CLOSE OF MEETING

RESPONSE TO QUESTIONS TAKEN ON NOTICE AT THE COUNCIL MEETING HELD ON TUESDAY 23 MAY 2017

G. 33/5/17 YOUTH STRATEGY 2014 – 2018: MIDWAY REPORT

Councillor Tahlia Jones requested the budget figure for the Youth Strategy review.

Response:

The 2016/17 budget for the Youth Strategy Review is \$4,000.



MINUTES OF COUNCIL MEETING

HELD ON

TUESDAY 23 MAY 2017

AT 5.30PM

**IN COUNCIL CHAMBERS
CIVIC CENTRE
MANDURAH TERRACE MANDURAH**

PRESENT:

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

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE DEVELOPMENT
MR	W PEPPINCK	CORPORATE LAWYER
MR	G DAVIES	EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MRS	C BURMAN	MINUTE OFFICER

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

The Mayor declared the meeting open at 5.31pm.

ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]

Mayor Vergone 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 3]

Nil.

DISCLAIMER [AGENDA ITEM 4]**G.18/5/17 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 5]

Nil.

PUBLIC QUESTION TIME [AGENDA ITEM 6]**G.19/5/17 MR R GENT: ROAD LEVELS AT MERRIVALE STREET, WANNANUP**

Mr Gent made a statement as to the history of the road level outside his home in Merrivale Street, Wannanup and asked when Council intended to address the matter.

Response

Mayor Vergone advised that this matter was now concluded and Council had no intention of re-visiting the road levels in Merrivale Street, Wannanup.

PUBLIC STATEMENT TIME [AGENDA ITEM 7]

Nil.

LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 8]

Nil.

PETITIONS [AGENDA ITEM 9]

Nil.

PRESENTATIONS [AGENDA ITEM 10]

Nil.

DEPUTATIONS [AGENDA ITEM 11]**G.20/5/17 MR B DOUGHERTY: PROPOSED TRADING PERMIT – THE PIRATE SHIP, MANDURAH**

Mr Dougherty spoke in support of the application for a Trading Permit in order to operate a commercial vessel from the Jetty at the southern end of the Eastern Foreshore, citing reasons that included:

- The Pirate Ship would be a 12 metre themed boat ride, primarily intended for 3 – 12 year olds and families
- Approximately 4 to 8 employees would run The Pirate Ship
- The reason behind asking for a five year tenure was due to the large initial outlay
- The applicant had operated a similar business in the UK since 2000, which had been successful.

CONFIRMATION OF MINUTES [AGENDA ITEM 12]**G.21/5/17 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 9 MAY 2017**

MOTION: Tahlia Jones / Peter Rogers

That the Minutes of the Council Meeting held on Tuesday 9 May 2017 be confirmed, subject to the resolution set out in Minute G.15/5/17 being amended to refer to ‘Local Government Property and Public Places Local Law 2016’.

CARRIED UNANIMOUSLY: 13/0

ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]**G.22/5/17 ANNOUNCEMENTS**

At the invitation of Mayor Vergone, Councillor Knight reported on her attendance at the 2017 Australian Coastal Councils Conference on 3 – 5 May 2017, with a copy of her report in this regard being presented at the meeting.

DECLARATION OF INTERESTS [AGENDA ITEM 14]

- Councillor Field declared a financial interest in Minute G.41/5/17 - Tender 07-2017 Demolish Existing and Construct New Toilet Facility at Halls Head Foreshore, as her husband is a contractor for one of the companies applying for the tender.

QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 15]***Questions of which due notice has been given***

Nil.

Questions of which notice has not been given**G.23/5/17 HON COUNCILLOR RIEBELING: SECURITY REVIEW OF THE PEEL REGION**

Following the recent bombings that had occurred in the United Kingdom, Hon Councillor Riebeling queried whether there had been a security review of public places within the Peel Region (including of truck related bombings).

Response:

The Executive Manager Strategy and Business Performance advised that police had recently undertaken a security review of the region inclusive of CCTV, duress alarms and training in suspicious behaviour. Truck related bombings had not been considered as part of this review.

The Director of Works and Services reported that emergency response mechanisms were in place, in case of this type of incident.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 16]

Nil.

RECOMMENDATIONS OF COMMITTEES [AGENDA ITEM 17]

NOTE: Council adopted en bloc (moved by Councillor Knight and seconded by Councillor Peter Rogers), the recommendations of the Audit and Risk Committee meeting of Monday 8 May 2017.

**G.24/5/17 SYSTEMS AND TECHNOLOGY WORKLOAD PLAN (SH) (REPORT 1)
(AR.3/5/17 REFERS)**

The Systems and Technology Workload Plan was a two year schedule of work developed from corporate strategies, business plans and a recent review of the City's business systems. The plan had been developed based on the following objectives:

- To provide clear and focused direction for the Systems and Technology team and to reduce the level of unplanned and impromptu work from the organisation.
- Align the work provided by the Systems and Technology team to:
 - Corporate Business Plans and the Community Strategic Plan
 - The City's Digital Strategy
 - Systems and Technology Strategic Plan
 - Recommendations from the recent review of the City's Business Systems
 - Recommendations from various internal service reviews particularly the recent reviews of Operations Services.
- Achieving the best use of internal resources and budget.
- Ensuring the Systems and Technology Workload Plan was open and transparent across the organisation.

MOTION: C Knight / Peter Rogers

That Council:

- 1 Notes the Systems & Technology Workload Plan**
- 2 Notes the resource implications & financial commitment to implement the Workload Plan initiatives will be considered annually as part of the budget process**

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

**G.25/5/17 PROCUREMENT REVIEW: PHASE 1 PROCUREMENT STRATEGIES
(WP / DP / GD) (REPORT 2) (AR.4/5/17 REFERS)**

The City engaged the services of the Western Australian Local Government Authority (WALGA) to conduct a procurement review during the 2016/2017 financial year which was to be conducted in 3 phases addressing procurement strategies, frameworks and practices.

Phase 1 Procurement Strategies commenced early December 2016 and was finalised by February 2017 which resulted in the development of a proposed procurement Vision, Purpose and Values Statement underpinned by 5 key principles, 5 key procurement strategies and 10 key recommendations. The Executive Leadership and Management Team supported the results of the review and had agreed to a prioritised and staged approach to address the requirements.

MOTION: C Knight / Peter Rogers

That Council:

- 1 Adopts the procurement purpose statement and principles.**
- 2 Endorses the procurement strategies and associated recommendations.**
- 3 Notes the contents of this report.**

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

G.26/5/17 RISK MANAGEMENT, INTERNAL CONTROLS AND LEGISLATIVE COMPLIANCE: CHIEF EXECUTIVE OFFICER'S BIENNIAL REPORT (DP / WP) (REPORT 3) (AR.5/5/17 REFERS)

In accordance with Regulation 17(1) (a), (b) and (c), of the *Local Government (Audit) Regulations 1996*, the Chief Executive Officer was required to review the appropriateness and effectiveness of the City's systems and procedures in relation to risk management, internal controls and legislative compliance at least once every two calendar years.

In accordance with Regulation 16(c), the Audit Committee was required to review this report and then subsequently report to Council the results of the Committees review.

MOTION: C Knight / Peter Rogers

That Council endorses the Chief Executive Officer's biennial review of risk management, internal controls and legislative compliance.

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

G.27/5/17 CORRUPTION AND CRIME COMMISSION INVESTIGATIONS: LESSONS LEARNT / PUBLIC SECTOR COMMISSIONER 2016 STATE OF THE SECTOR (WP / NP) (REPORT 4) (AR.6/5/17 REFERS)

The Public Sector Commissioner (PSC), the Department of Local Government and Communities (DLGC) and the Corruption and Crime Commission (CCC) had produced guidelines and reports post their recent investigations and reviews into local government and public sector misconduct. Governance officers had taken the opportunity to review these and other activities identified from extractions of the CCC investigation hearing transcripts not yet officially reported on by the CCC.

Overall, the City had a number of measures in place to manage undue risk and exposure and it appeared unlikely that any replicated serious misconduct could occur. However assurance practices to analyse their effectiveness as preventative/detective controls or risk mitigation strategies could be improved.

MOTION: C Knight / Peter Rogers

That Council notes the information contained in this report.

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

G.28/5/17 INTERNAL AUDIT FUNCTION: PROPOSED APPROACH (WP / DP) (REPORT 5) (AR.7/5/17 REFERS)

On 9 May 2016, Council endorsed the establishment of an Internal Audit function within the City during the 2017/2018 financial year subject to approved funding.

As such, various activities had been undertaken to validate the best approach for the City which was to appoint an internal audit firm to conduct all internal audits with preparation and

management of the function residing within the Corporate Lawyer's Section, given this was the most independent Section.

MOTION: C Knight / Peter Rogers

That Council notes the contents of this report.

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

G.29/5/17 REVIEW OF OPERATIONS SERVICES: UPDATE ON PROGRESS OF CITYWORKS REVIEW (AC / GD) (CONFIDENTIAL REPORT 1) (AR.8/5/17 REFERS)

MOTION: C Knight / Peter Rogers

That Council:

- 1 Notes the outcomes, implementation plan and progress being made from the review of Cityworks.**
- 2 Notes that the implementation of the review will be part of the reporting to the Audit and Risk Committee on all service review related activity;**
- 3 Keeps the report and attachments confidential, but makes its resolution public.**

CARRIED UNANIMOUSLY: 13/0
(*This item was adopted en bloc*)

REPORTS [AGENDA ITEM 18]

G.30/5/17 FINANCIAL REPORT: APRIL 2017 (DP) (REPORT 1)

MOTION: F Riebeling / Peter Rogers

That Council:

- 1 Receives the Financial Report for April 2017.**
- 2 Receives the Schedule of Accounts for April 2017 for the following amounts:**

Total Municipal Fund	\$ 6,550,614.03
Total Trust Fund	<u>\$ 48,772.00</u>
	<u>\$ 6,599,386.03</u>
- 3 Approves unbudgeted expenditure of \$20,000 for Port Bouvard Surf Life Saving Club Building to be funded from Reimbursements (Port Bouvard Surf Lifesaving Club - \$20,000).**
- 4 Approves unbudgeted expenditure of \$20,000 for Pinjarra Road to be funded from Reimbursements (Vicinity - \$20,000).**

CARRIED WITH ABSOLUTE MAJORITY: 13/0

**G. 31/5/17 2017 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
(WALGA) ANNUAL GENERAL MEETING: NOMINATION OF DELEGATES (MN)
(REPORT 2)**

The Western Australian Local Government Association (WALGA) would hold its 2017 Annual General Meeting during the Local Government Convention at the Perth Convention and Exhibition Centre on Wednesday 2 August 2017. WALGA had requested Council to nominate two voting delegates to the AGM and two Proxy Voting Delegates.

Voting delegates could be either Elected Members or officers. Delegates must be registered with WALGA to be eligible to attend and represent their respective Councils. Proxy voting was available for councils that were unable to be represented by two delegates.

Notice of the Annual General Meeting, Procedural Information and Submission of Motions had been received, however WALGA had not yet released the agenda for the AGM. Once this had been done, the agenda would be forwarded to Elected Members. It was important that the Elected Members representing Council as voting delegates were given some authority in relation to Executive and Member motions that were put forward to the meeting.

Council was requested to approve the nominations of its Peel Zone delegates Mayor Marina Vergone and Deputy Mayor Councillor Darren Lee to attend the 2017 WALGA AGM on Wednesday 2 August.

MOTION: D Lee / F Riebeling

That:

- 1 Peel Zone delegates Mayor Marina Vergone and Councillor Darren Lee be nominated as the City of Mandurah voting delegates to the 2017 Western Australian Local Government Association Annual General Meeting, to be held at the Perth Convention and Exhibition Centre on Wednesday 2 August.**
- 2 The Deputy Peel Zone Member Councillor Caroline Knight and Chief Executive Officer be registered as the Proxy Voting Delegate should either Voting Delegate be unable to attend**

CARRIED UNANIMOUSLY: 13/0

At this juncture of the meeting, it was suggested that with the consensus of Elected Members, the order of the agenda be changed and Report 8 - Proposed Trading Permit for The Pirate Ship, Mandurah be considered next.

G.32/5/17 PROPOSED TRADING PERMIT: THE PIRATE SHIP MANDURAH (TF) (REPORT 8)

The City had received an application from 'The Pirate Ship Mandurah' to operate a 12m Commercial vessel from the jetty at the southern end of the Eastern Foreshore, known as 'Town Jetty' (Jetty Number LM2314/LM2357). A Trading Permit was sought to enable 'The Pirate Ship Mandurah' to access the designated jetty and use the Eastern Foreshore for the departure and arrival of passengers. It was considered that this proposal would positively contribute to the activation of the eastern foreshore and met the intent of the approach adopted by Council with regard to Trading Permits in April 2017.

An application to trade in a public place was required to ensure that the operation of the trading activity was appropriate for the area and did not cause any nuisance to the surrounding area. Standard annual trading fees would apply to the operation and a commencement date would be subject to relevant approvals. It was anticipated that operation would commence by December 2017.

It was recommended that Council support a Trading Permit for operation from the Eastern Foreshore.

MOTION: D Lee / Peter Rogers

That:

- 1 Council delegates authority to the Chief Executive Officer (Manager Planning & Land Services) to issue a Trading Permit to 'The Pirate Ship Mandurah' to operate a Children's Charter tour business from the Jetty at the southern end of the Eastern Foreshore known as 'Town Jetty' (Jetty Number LM2314/LM2357) on an annual basis for a five year period, expiring May 2022.**
- 2 The licensee shall operate within the following areas only:**

The Jetty at the Southern end of the Eastern Foreshore known as 'Town Jetty' (Jetty Number LM2314/LM2357).
- 3 Acknowledges that the licensee is to have public liability insurance to the value of \$10 million.**
- 4 Acknowledges that no modifications to the City's infrastructure will be permitted to accommodate the approved operation.**
- 5 All Advertising material is to be contained within the Vessel at all times.**
- 6 The use of the jetty for the operation is subject to approval of the Department of Transport to determine that the operation is consistent with the relevant jetty licence issued by the Department of Transport.**
- 7 All operations shall be carried out in accordance with the City of Mandurah's Jetties, Waterways and Marina Local Law 2010 (Part 4 – Use of Public Jetties).**
- 8 Council advise the operator that if the trading activity is likely to impact upon the operations of the City or its contractors or agents in terms of infrastructure maintenance, replacement or construction and/or conducting of City of Mandurah Events, then the trading activity is to cease during the period of that impact, as determined by the City.**

CARRIED UNANIMOUSLY: 13/0

G. 33/5/17 YOUTH STRATEGY 2014 – 2018: MIDWAY REPORT (TH) (REPORT 3)

The City of Mandurah Youth Strategy 2014 – 2018 was developed with broad consultation of youth, service providers, schools and Council, to provide a framework for the City to give direction for its work with and for youth in Mandurah. The Strategy had been in effect for two

years. This review of the Strategy highlighted the key successes and challenges, as well as identifying key deliverables in the next two years.

With the consent of Council, the Manager Community and Social Development gave a visual presentation outlining the programs that had taken place thus far under the Youth Strategy 2014 – 2018. In response to the presentation, Elected Members emphasised the need for data collection and analysis in future reports, and context to this data in order to assist in defining what constituted a successful outcome.

Councillor Jackson moved the recommendation set out in the report, which was seconded by Councillor Lynn Rodgers. During the debate that ensued, and at the request of Elected Members, the Manager Community and Social Development provided clarification on the programs that would be discontinued under the Youth Strategy, and who would undertake the review of the Strategy.

Councillor Tahlia Jones requested details of the budget for the Youth Strategy Review.

The Manager of Community and Social Development requested to take this question on notice, with a response being provided at the next Council meeting on 13 June 2017.

MOTION: P Jackson / Lynn Rodgers

That Council:

- 1 Notes the City's Youth Strategy 2014-2018 achievements for 2015 and 2016.**
- 2 Endorses the key strategic actions as outlined for the remainder of the City of Mandurah – Youth Strategy 2014-2018 (2017-2018).**
- 3 Authorises the increase for youth leadership contributions to \$350 (was \$250) per individual, assessed and payable as per established Youth Leadership Contribution Procedure.**
- 4 Acknowledges that the City will undertake a Youth Forum in late 2017 for ages 11-25 years, independently facilitated to gauge effectiveness of the existing strategy and to lead discussions into the development of a new strategy.**
- 5 Notes that officers will provide back to Council a separate report outlining building improvement recommendations for the Billy Dower Youth Centre and that this is undertaken with consideration of the proposed Youth Medical Hub facility being developed in Allnutt Street, Mandurah.**

CARRIED UNANIMOUSLY: 13/0

G. 34/5/17 NOTICE OF MOTION: MANDURAH BRIDGE NAME (LW) (REPORT 4)

At the March 2016 Council Meeting, a Notice of Motion had been approved requesting a report that explored available options to facilitate a bridge naming process for the Mandurah Bridge replacement in order to engage the Mandurah community with the new bridge.

Council was requested to retain the existing bridge name of the Mandurah Bridge and events held around the opening of the bridge to connect people to the new bridge.

Councillor Schumacher moved the recommendation as set out in the report, which was seconded by Councillor Shane Jones. During the debate that ensued, Elected Members discussed the social and financial implications of undertaking a community consultation process.

MOTION: D Schumacher / Shane Jones

That Council:

- 1 Maintains the current name for the replacement bridge as the Mandurah Bridge.**
- 2 Engages the community in activities on and around the bridge, including a community walk across the bridge, before the traffic begins to go across.**

FOR: Mayor Vergone and Councillors Wortley, Jackson, Lawson, Field, Schumacher, Shane Jones, Tahlia Jones and Lynn Rodgers
AGAINST: Hon Councillor Riebeling and Councillors Lee, Knight and Peter Rogers.
CARRIED: 9/4

G. 35/5/17 MANDURAH BEACHES: OFFICIAL NAMING (BD) (REPORT 5)

In January 2017, Council gave approval to progress the official naming of well-known beach locations in the City that were not currently recognised within the Landgate system.

Officers had identified an initial four key local beach sites, which had been widely recognised within the community by their respective common names for many years, as follows:

- Avalon Beach
- Florida Beach
- Melros Beach
- Town Beach.

In addition, one surf break was proposed to be named - Gearys Surf Break.

Officers had carried out the necessary assessment required by the Geographic Naming Committee (GNC) at Landgate and obtained its support to the official naming of these sites. Council was requested to approve formal submission to Landgate for the official naming of these beaches.

Councillor Schumacher moved the recommendation as set out in the report, which was seconded by Councillor Field. During the debate that ensued, and at the request of Elected Members, the Director Sustainable Development provided clarification on the possibility of other surf breaks within Mandurah being officially named in the future.

Elected Members suggested that plaques providing the history in relation to the naming of these beaches be provided.

MOTION: D Schumacher / J Field

That Council approves formal submission to the Geographic Naming Committee at Landgate for the official naming of:

- 1. Avalon Beach**
- 2. Florida Beach**

3. **Melros Beach**
4. **Town Beach**
5. **Gearys Surf Break**

as identified in Attachment 1 of the report.

CARRIED UNANIMOUSLY: 13/0

G. 36/5/17 EXCISION OF PORTION RESERVE 2851: CADDADUP RESERVE - WATER CORPORATION WATER TANK (BD) (REPORT 6)

The Water Corporation had approached the City with a request for support for the upgrade of the public water supply in Dawesville. To facilitate the upgrade the Water Corporation had requested an excision from City managed 'Class A' Reserve 2851 totalling 3.2 hectares, which was identified as being south of the Water Corporation Reserve, and would be amalgamated into its adjoining crown reserve.

Officers acknowledged that the aging tank was now not sufficient to service future growth in the southern corridor, or meet the current guidelines for reserve storage, so negotiations had been underway with the view of reaching a resolve that was acceptable for both parties. Discussions had been ongoing with the Water Corporation in relation to the location of the new tank due to the sensitive ecological environment, officers had undertaken initial investigations which indicated north of the existing tank would have less environmental impact than the Water Corporation's preferred southern option.

There were several options available to Council which are outlined in the report. Officers recommend that once the relevant State and Commonwealth environmental reports were completed by the Water Corporation, Council support the site that had the least environmental impact, acknowledging that public consultation was required and the support of the Minister for Lands as final determining authority.

MOTION: C Knight / Shane Jones

That Council:

- 1 **Grants 'in principle' consent for the excision of land required by the Water Corporation for the purpose of a Water Supply from Class A Reserve 2851 Old Coast Road Dawesville conditional upon:**
 - 1.1 **The relevant State and Commonwealth agencies undertaking a full environmental assessment of both site one (north) and site two (south) to determine the site least environmentally impacted by the proposed clearing and construction of the proposed new water tank;**
 - 1.2 **Water Corporation to undertake the relevant public consultation required for the excision of land in accordance with S.51 of the *Land Administration Act 1997*, to the satisfaction of the Minister for Lands.**
- 2 **Approves the relevant authorities either State or Federal access to Reserve 2851 to enable the environmental impact assessments to be undertaken;**
- 3 **Acknowledges that a further report will be presented to Council for consideration upon completion of the State and Federal assessments.**

CARRIED UNANIMOUSLY: 13/0

G.37/5/17 VARIATION LICENCE TO OCCUPY DEPARTMENT OF HEALTH LAKELANDS COMMUNITY HOUSE (BD) (REPORT 7)

The Department of Health (DoH) through Child and Adolescent Community Health (CACH) operated services out of Lakelands Community House located at Lot 382 (No 20) Dalona Parkway Lakelands. The DoH had approached the City and expressed a need to extend the family health services, to a rapidly growing population in the Mandurah North district. The Lakelands division of CACH currently serviced the suburbs of Madora Bay, Lakelands and Meadow Springs. Recently the Lakelands division of CACH boundaries changed and was now servicing the additional areas of Karnup and Singleton, previously families in these areas attended the Coastal or Mandurah Clinics.

CACH operated a Health Clinic Monday to Friday as a regular hirer at Lakelands Community House (LCH), currently its services had exclusive use of one consulting room, together with shared use of a waiting room, kitchen and toilet facilities. In addition, CACH booked the main meeting room two days a week for Mum's groups each Wednesday and ran a drop in clinic each Thursday. Due to an expansion in services it had requested the use of an additional consulting room and requested Council support a variation to the current Licence Agreement, to reflect the addition of a second exclusive use room within the centre.

Council was requested to approve the Variation of Licence to Department of Health.

MOTION: D Schumacher / Peter Rogers

That Council:

- 1 Approves a Licence Variation, at Lot 382 (20) Dalona Parkway Lakelands, to Department of Health for the additional accommodation required for a second consultation room.**
- 2 Approves the addition of an annual utility fee of \$1000 plus annual CPI increases to the current agreement.**
- 3 Acknowledges the Department of Health will bear all costs associated with the variation of the Licence.**
- 4 Acknowledges all other terms and conditions of the current agreement will remain in place.**
- 5 Authorises the Chief Executive Officer to finalise the variation of the licence agreement.**

CARRIED UNANIMOUSLY: 13/0

G. 38/5/17 LEISURE WAY, HALLS HEAD: TRAFFIC MANAGEMENT STUDY (TB) (REPORT 9)

At its meeting on 14 March 2017, Council received a petition from 50 residents requesting traffic calming measures be implemented along Leisure Way, Halls Head.

Council was requested to consider the traffic data gathered in Leisure Way, Halls Head and based on the assessment undertaken, resolve to implement measures which included requesting Main Roads Western Australia approval for road centre line marking, installation of speed radar signage and inclusion in the rotation program, and liaison with WA Police regarding enforcement of speed zoning.

MOTION: J Field / Shane Jones

That Council:

- 1 Advises the petitioners that based on the traffic data gathered, and the traffic management criteria scores of 37.9 and 24.9, the City will undertake the following action at this point in time which includes:**
 - i) requesting Main Roads Western Australia approval for road centre line marking**
 - ii) installation of speed radar signage and inclusion in the rotation program**
 - iii) liaison with WA Police regarding enforcement of speed zoning.**
- 2 Advises the petitioners that the City will take further traffic counts in approximately six months' time and reassess the road.**

CARRIED UNANIMOUSLY: 13/0

G. 39/5/17 TENDER 04-2017: DESIGN AND CONSTRUCTION OF FLOATING JETTIES IN MANDJAR BAY (NC) (REPORT 10)

On 8 March 2017, the City of Mandurah invited tenders for the Design and Construction of Floating Jetties in Mandjar Bay.

The City was seeking applicants to remove the lower landing of the old fixed timber Government jetty which had been deemed beyond its service life and to design and construct 6 floating berths for public use. The floating jetties were to include a universal access ramp.

Council approval was sought to select Universal Marina Systems (WA) Pty Ltd as the successful tenderer for Design and Construction of Floating Jetties in Mandjar Bay at the alternative lump sum price of \$135,450.40

MOTION: C Knight / Peter Rogers

That Council awards Universal Marina Systems (WA) Pty Ltd the contract under Tender 04-2017 for the Design and Construction of Floating Jetties in Mandjar Bay at a fixed lump sum price of \$135,450.40 ex GST.

CARRIED UNANIMOUSLY 13/0

G. 40/5/17 TENDER 06-2017: REPLACEMENT SURVEY EQUIPMENT (TB) (REPORT 11)

On 25 February 2017, the City of Mandurah invited tenders for the Replacement Survey Equipment. The City was seeking the replacement of the following survey equipment:

- Two Global Positioning Systems
- Two Robotic Total Stations
- 3 Handpieces to run both the GPS and Total Stations
- On board software
- Prisms sets
- Digital Level
- Hydrographical Equipment and

- All necessary accessories to run the instruments whilst in the field and download data once in the office.

Council approval was sought to reject all tenders as the only submission evaluated did not represent overall value for money for the City.

MOTION: D Lee / Shane Jones

That Council rejects all tenders received under Tender 06-2017 for the Replacement Survey Equipment.

CARRIED UNANIMOUSLY 13/0

Having declared a financial interest in the following item, Councillor Field left the Chamber at 6:31pm.

G. 41/5/17 TENDER 07-2017: DEMOLISH EXISTING AND CONSTRUCT NEW TOILET FACILITY AT HALLS HEAD FORESHORE (SH) (REPORT 12)

On 18 March 2017, the City of Mandurah invited tenders to demolish the existing and construct a new toilet facility at Halls Head Foreshore.

The Halls Head facility would feature two storage rooms, two universally accessible toilets, two ambulant, six standard toilets, 2.5m long urinal and anti-vandal lockable power and water outlets. The Halls Head facility would also feature benches and coat hooks on vacant walls to benefit users. Three free-standing double-headed showers would be provided at strategic points within the reserve to replace those attached to the existing toilet facility.

Council approval was sought to select Classic Contractors Pty Ltd as the preferred tenderer to Demolish Existing and Construct New Toilet Facility at Halls Head Foreshore at the lump sum tendered price of \$290,277.88

MOTION: Shane Jones / D Schumacher

That Council awards Classic Contractors Pty Ltd the contract under Tender 07-2017 to Demolish Existing and Construct New Toilet Facility at Halls Head Foreshore at the fixed lump sum price of \$290,277.88 excl. GST.

CARRIED UNANIMOUSLY: 12/0

Councillor Field returned to the Chamber at 6:34pm

G. 42/5/17 TENDER 08-2017: MANDURAH FORESHORE BOARDWALK REMEDIATION (SH) (REPORT 13)

On 18 March 2017, the City of Mandurah invited tenders for the Mandurah Foreshore Boardwalk Remediation.

The works comprised corrosion repairs and re-coating of the steel substructure, and the replacement of timber joists, decking and kerbing to the Mandurah foreshore boardwalk between Dome and San Churro's.

Council approval was sought to select Engineered Water Solutions Pty Ltd as the preferred tenderer for Mandurah Foreshore Boardwalk Remediation at the alternative price of \$339,462.52.

MOTION: R Wortley / P Jackson

That Council awards Engineered Water Solutions Pty Ltd the contract under Tender 08-2017 for the Mandurah Foreshore Boardwalk Remediation at the alternative price of \$339,462.52.

CARRIED UNANIMOUSLY 13/0

G. 43/5/17 ADOPTION OF 2017/18 RATES FOR ADVERTISING (DP) (REPORT 14)

The City had prepared its draft budget for 2017/18. The following key issues had been identified:

- In common with many growth Councils, the City's population continued to grow at a higher-than-average rate. This resulted in increasing demand for new facilities, and placed additional pressure on existing resources. It was not possible, at this point in the City's development, to provide sufficient resources to fully fund both the demand for the management and upgrade of existing assets and the need to provide new community infrastructure in developing areas.
- Demand and growth in the local economy was uneven. Although major economic developments would occur as a result of advocacy to State and Federal governments, the City had previously identified the need to expand its role in this area. The current local economic climate was difficult and there were concerns regarding the financial capacity of some sectors in the community.

The City was required to advertise its proposed rates in the dollar and minimum rates, together with its objects and reasons for the rates, for the forthcoming year, and request public submissions. Following briefings to Elected Members, Council was requested to approve for advertising the rates outlined in this report, noting the proposed increase of 2% for the year.

The Chief Executive Officer suggested that this report be deferred to allow for an Elected Member Briefing session, enabling further clarity and discussion on this report.

Recommendation set out in the Report:

That Council approves the following rates in the dollar and minimum rates, equivalent to a 2% increase, and Objects and Reasons for 2017/18 for the purpose of advertising for public submissions:

Introduction

This statement is provided:

- *to inform electors and ratepayers of the City of the objects and reasons for the differential rates being proposed for the 2017/18 financial year;*
- *to invite submissions from ratepayers on the proposed differential rates and minimum payments;*
- *in accordance with the Local Government Act 1995 Section 6.36.*

Submissions must be in writing and ratepayers wishing to do so are invited to lodge their comments by no later than close of business 5.00 pm on Friday 20 June 2017.

Written submissions can be:

- *Made on www.haveyoursaymandurah.com.au*
- *Mailed to the Chief Executive Officer, City of Mandurah, PO Box 210, Mandurah WA 6210.*
- *Lodged in person at the City's Administration Centre, 3 Peel Street, Mandurah.*

Please note that all submissions are provided to Council as public documents and will be disclosed in a Council report.

In order to help with the understanding of how the City manages its rates, this document provides an overview of the rating system in Western Australia as well as explaining the reasons as to why the City sets particular rates.

An overview of rating

Legislation

Please note that all references are to the Local Government Act 1995.

Basis of rates (S. 6.28)

The key element of rating is the establishment of land values. To achieve this, the Minister for Local Government must determine whether the predominant use of land is for rural or non-rural purposes. The categories of land values are:

- *Use for rural purposes--- valuation is on the basis of the unimproved value (UV) of the land.*
- *Use for non-rural purposes – the gross rental value (GRV) of the land.*

The Minister has previously determined that land use in the City of Mandurah is predominantly for non-rural purposes and all properties are valued on a GRV basis¹.

Rates and service charges (S. 6.32)

When it adopts its budget the City must seek funding by imposing a general rate on all properties. This is expressed as a rate in the dollar (RID) which, when multiplied by the GRV's for properties determines the amount of money raised. This RID can be applied:

- *Uniformly, through the application of a single rate in the dollar for all types of property.*
- *Differentially, by applying different rates to certain types of property.*

Differential general rates (S. 6.33)

Differential rates can be imposed on land which has one, or a combination of, the following characteristics:

¹ *The Gross Rental Value of a property is the amount of annual rental which the Valuer General determines the property would earn if it were offered on an open rental market.*

- *The purpose for which a land is zoned (e.g. residential, commercial).*
- *A purpose for which land is held or used as determined by the local government.*
- *Whether or not the land is vacant land.*

A local government cannot impose a differential rate which is more than twice the lowest rate without the approval of the Minister for Local Government.

Minimum payment (S. 6.35)

A local government can impose a minimum rate. If, for an individual property, the GRV multiplied by the rate in the dollar is less than the minimum rate, the minimum rate is payable.

A local government cannot impose a minimum rate on more than 50% of properties in each category. The exception to this is vacant land where, with Ministerial permission, this can be exceeded.

Giving notice of rates to be imposed (S. 6.36)

Before a local government can impose differential rates for the year it must firstly advertise:

- *Details of each RID and minimum payment to be imposed.*
- *An invitation for a submission to be made by an elector or ratepayer in respect of this and any related matters within 21 days.*
- *Where and how this document may be viewed.*

All submissions received must be considered by Council prior to the rates being imposed.

Objects and reasons for the City's 2017/18 proposed differential rates

The City proposes to impose differential general rates to all gross rental values in its district according to one or a combination of:

- *The purpose for which land is zoned.*
- *Whether or not the land is vacant land.*

The following rate categories have been assigned to properties:

<i>Improved land</i>	<i>Vacant land</i>
<i>Residential improved</i>	<i>Residential vacant</i>
<i>Business improved</i>	<i>Business vacant</i>
	<i>Urban development</i>

The City also imposes a minimum payment to recognise that properties must contribute a minimum amount for the provision of services and infrastructure which benefit all the community.

Increase in rates for 2017/18

The City proposes to levy a 2% increase in the Rate in the Dollar for all categories.

Rates by category

Residential improved land – rate in the dollar \$0.0810

This rate is regarded as the base rate as it represents the most number of properties in the City. This rate aims to ensure that the proportion of rates raised from this category is between 70% and 75% of total rates.

Residential vacant - rate in the dollar \$ 0.1410

This rate is set at a higher level as the City wishes to promote the development of all properties to their full potential. This will act to stimulate economic growth and development in the community.

Business improved - rate in the dollar \$ 0.0862

This rate is set at a higher level to recognise that certain expenditures in the budget are specifically directed towards the economic development of the City. Examples of this are:

- *The Economic Development function which is largely directed towards the encouragement of business to locate in the City and to support business organisations.*
- *The promotion of tourism.*
- *Costs related to the general improvement of to the road streetscapes of the entry roads to Mandurah, including landscaping, tree plantings and the provision of pedestrian and cycle paths.*

Business vacant - rate in the dollar \$ 0.1410

This rate is set at a higher level as the City wishes to promote the development of all properties to their full potential. This will act to stimulate economic growth and development in the community.

Urban development - rate in the dollar \$ 0.1020

This rate relates to land held for future development. As with other vacant land rates, this rate is set at a higher level as the City wishes to promote the development of all properties to their full potential.

Minimum rates

The minimum rates for 2017/18 are set at:

- | | | | |
|-------------------------------|-------------------|----------------------|-----------------|
| • <i>Residential improved</i> | <i>\$1,060.00</i> | • <i>Residential</i> | <i>\$895.00</i> |
| • <i>Business improved</i> | <i>\$1,060.00</i> | • <i>vacant</i> | |
| • <i>Business vacant</i> | <i>\$1,060.00</i> | | |
| • <i>Urban Development</i> | <i>\$1,060.00</i> | | |
| | <i>\$1,060.00</i> | | |

*Mark R Newman
Chief Executive Officer*

MOTION: Shane Jones / D Schumacher

That consideration of this item be deferred to allow for an Elected Member Briefing session.

CARRIED UNANIMOUSLY: 13/0

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

Nil.

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

Nil.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 22]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 23]

RESOLVED: J Field / D Lee

That the meeting proceeds with closed doors at 6:26pm in accordance with Section 5.23(2) (e) of the Local Government Act 1995, in order to allow for the confidential discussion of an item containing commercially sensitive information.

CARRIED UNANIMOUSLY: 13/0

Members of the media, senior employees and persons in the public gallery left the meeting at this point. Members of the Executive, the Coordinator Land Management and the Minute Officer remained.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6:40PM

G.44/5/17 SALE OF LAND (LP) (CONFIDENTIAL REPORT 1)

Confidential discussion ensued regarding this issue.

MOTION: D Schumacher / R Wortley

That Council:

- 1 Acknowledges that immediately following the tender process a six month direct to market sales campaign will commence, with the direct to market sale prices being retained as detailed in Table One of the report, and released after completion of the tender process.**
- 2 Authorises the Chief Executive Officer to finalise the sale and settlement of any property that meets the Council approved criteria for any lots during the tender and six month marketing campaign.**
- 3 Acknowledges that a further report will be presented to Council at the completion of the six month direct to market sales campaign.**

- 4 Keeps this report and resolutions confidential, until all lots in the estate have been sold, except for resolutions 4, 6 and 7**

CARRIED WITH ABSOLUTE MAJORITY: 13/0

MOTION: D Schumacher / S Lawson

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 13/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6:41PM

MOTION: P Jackson / R Wortley

That Council endorses the resolution made behind closed doors.

CARRIED UNANIMOUSLY: 13/0

CLOSE OF MEETING [AGENDA ITEM 24]

There being no further business, the Mayor declared the meeting closed at 6:45pm.

CONFIRMED (MAYOR)

1. **SUBJECT:** Environmental Education Research Project
CONTACT OFFICER/S: Bonnie Beal Richardson/Brett Brenchley
AUTHOR: Bonnie Beal Richardson
-

Summary

Facilitating the development of personal relationships between our young people and the natural environment is critical to long-term environmental protection. Environmental Education provides an opportunity to raise awareness and understanding of important environmental issues, whilst at the same time engaging with participants in a way that inspires action at an individual level.

The City is proposing a partnership with Murdoch University to conduct research on the Environmental Education characteristics of Mandurah. This research will monitor the impact of Environmental Education programs and identify the long-term benefits to primary and middle school students who have greater interactions with these programs, including whether their knowledge, empowerment and leadership aspirations are positively impacted beyond involvement in the programs.

Information gathered through this project can be utilized to develop a higher level of engagement in environmental citizenship and youth leadership, and position the City of Mandurah in being the flagship Council in delivering effective environmental education programs for youth in Western Australia. It will also increase the City's scientific understanding of the long-term benefits of three different environmental education approaches and provide local students with significant opportunities for leadership and personal development. These include public speaking, confidence building, change-making and empowerment, all delivered through the focus of caring for the natural environment.

The requested cash contribution from the City is \$13,000 per year for three years (total \$39,000). Under their Strategic Partnership Scholarship, Murdoch University will match this contribution, which equates to \$26,000 per year for three years (total \$78,000).

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.41/3/16 22 March 2016 Confidential Item: Supporting Australian Research Council Linkage Grant (Confidential Report 1)
- PCDS. 12/2/12 February 2012 Fauna Relocation: Research Proposal: Council considered the relocation research project (\$15,000 per annum for 3 years) as part of the Council's 2012/13 budget considerations
- PCDS. 10/11/08 November 2008 Western Australian Centre of Excellence for Climate Change, Woodland and Forest Health – Partnership with Murdoch University

Background

Environmental Education provides an opportunity to raise awareness and understanding of key environmental issues, whilst at the same time engaging with the community in a way that inspires action at an individual level. Facilitating the development of personal relationships with the natural environment is critical to inspiring this action. Relationships between youth and the environment are particularly important for the long-term protection of natural areas. In recognition of this, the City offers a number of Environmental Education programs for both primary and high school students, including the Kids Teaching

Kids Conference, Climate Change and Sustainability School Tours, the Environment Event at Stretch and National Tree Day.

To ensure the long-term effectiveness of these programs is measured, and the potential for expansion identified, the City is proposing a partnership with Murdoch University to conduct research on the Environmental Education characteristics of Mandurah. This research will monitor the impact of Environmental Education programs and identify the long-term benefits to primary and middle school students who have greater interactions with these programs, including whether their knowledge, empowerment and leadership aspirations are positively impacted beyond involvement in the programs.

The City of Mandurah has a long history of working with Murdoch University to enhance biodiversity values in our natural areas. In 2016, the City entered into an agreement with Murdoch University to contribute \$25,000 per year for three years towards an Australian Research Council (ARC) Linkage project on Backyard Bandicoots. This project aims to use quenda to:

- Engage and stimulate ongoing community participation with environmental activities,
- Ensure retention and sustainable management of urban bushland, and
- Initiate long-term monitoring for this species.

This project has been hugely successful at facilitating engagement with a number of the City's volunteer groups, along with the broader community, through opportunities for involvement in citizen science. It has also highlighted the value of involving the local community in research projects, for both the people involved and the long-term health of the local environment.

To date, the ARC Linkage program has been predominantly targeted at residents in areas of known quenda activity or existing volunteer groups. However, there is currently untapped potential for the involvement of local students in research opportunities, particularly those students who have already participated in City of Mandurah environmental education programs. Such a program would also complement the existing ARC Linkage project.

Comment

Existing literature suggests that students who frequent natural areas have higher positive environmental attitudes, knowledge and levels of empowerment. The proposed Environmental Education Research Project will be targeted at primary and middle school students. Through this research, a research student will work with City officers to link local students with opportunities for participation in environmental education and citizen science activities within the existing ARC Linkage project, whilst also evaluating the long-term effectiveness of two City of Mandurah environmental education programs: the existing Kids Teaching Kids Conference, and a proposed Youth Environment Council.

The key activities of this project include:

- Assess the level of impact of three different environmental education approaches - these include the City's annual Kids Teaching Kids Conference, in-class workshops with the CSIRO's Atlas of Living Australia and the proposed Youth Environment Council,
- Determine the ability of these environmental education approaches to increase student wellbeing and increase their engagement and leadership aspirations for environmental preservation and conservation, and
- Document the Environmental Education characteristics of the City of Mandurah, and identify the long-term benefits to students who have interactions with the City's environmental education programs.

The key outcomes of this project include:

- Increased engagement with young people in relation to environmental issues, which fosters ownership of the protection of the natural environment,

- Increased avenues for students to receive environmental education and leadership development opportunities,
- Higher levels of nature-relatedness, greater motivation for young people to engage with the City and community groups to address local environmental issues,
- Development of a strong “sense of place” amongst Mandurah’s young people, which fosters ownership of the City’s natural assets,
- Attain research data, including values and attitudes, motivation to engage, environmental literacy, nature-relatedness, frequency in nature and feelings of empowerment from students prior to, and after, their involvement in the various education treatments, and
- Document the potential for replicability of a Youth Environment Council.

Information gathered through this project can be utilized to develop a higher level of engagement in environmental citizenship and youth leadership, and position the City of Mandurah in being the flagship Council in delivering effective environmental education programs for youth in Western Australia. It will also increase the City’s scientific understanding of the long-term benefits of three different environmental education approaches and provide local students with significant opportunities for leadership and personal development. These include public speaking, confidence building, change-making and empowerment, all delivered through the focus of caring for the natural environment.

MEAG/MCCAG Comment

This item was considered by the Mandurah Environmental Advisory Group at its meeting on 2 June 2017 and the following recommendations were made:

1. MEAG support the principle of the Environmental Education Project Brief and acknowledge the importance of evaluating such programs.

Statutory Environment

Nil

Policy Implications

Nil

Economic Implications

The Department of Education and Training Research Training Program (RTP) base stipend rate for higher degrees in 2017 is \$26,682. The proposed cash contribution from the City is \$13,000 per year for three years (total \$39,000). Under their Strategic Partnership Scholarship, Murdoch University will match this contribution, which equates to \$26,000 per year for three years (total \$78,000).

There is allowance for funding from 2017/18 in the current budget request (Environmental Services Environmental Education budget). In-kind contributions from the City of Mandurah will also include staff time for the running of the annual Kids Teaching Kids Conference and the development of a Youth Environment Council.

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.

Social:

- Provide employment and educational opportunities, services and activities that engage the City's young people.

Identity:

- Encourage active community participation and engagement.

Leadership:

- Develop and empower our community leaders to determine, guide and advocate for the City's future.

Conclusion

Facilitating the development of personal relationships between our young people and the natural environment will be critical to the long-term protection of our natural environment. Environmental Education provides an opportunity to raise awareness and understanding of important environmental issues, whilst at the same time engaging with participants in a way that inspires action at an individual level.

The activities of the proposed Environmental Education Research Project provide environmental and social benefits to local students by creating opportunities for active involvement in environmental conservation through environmental education programs. The information gathered by this project will increase local scientific understanding and knowledge, link students with experts in the field and provide participants with significant opportunities for leadership and personal development.

NOTE:

- Refer **Attachment 1** *Project Brief: Environmental Education Research Project*

RECOMMENDATION

That Council:

1. **Supports the provision of \$13,000 per year for three years (total \$39,000) towards a Strategic Partnership Scholarship with Murdoch University to undertake the proposed Environmental Education Research Project.**
2. **Notes that funding for 2016/17 is provided for within the Council budget, and funding for additional years will be included in future draft budgets.**
3. **Authorises the Chief Executive Officer to enter into a funding agreement with Murdoch University.**

Project Brief: *Environmental Education Research Project*

Research Aim

1. To assess the level of impact of three different environmental education approaches.
2. To determine the ability of three different environmental education approaches to increase student wellbeing and increase their engagement and leadership aspirations for environmental preservation and conservation.
3. Document the Education for Sustainability (EfS) characteristics of the City of Mandurah, and identify the benefits to school students who have interactions with the City's environmental education programs.

Project Benefits

1. Increase local scientific understanding and knowledge.
2. Academic review and evaluation of the effectiveness of City of Mandurah Environmental Education Programs, including long-term and short-term benefits for participants of these programs.
3. Providing local students with significant opportunities for leadership and personal development, including public speaking, confidence building, change-making and empowerment.
4. Linking local students with experts in environmental education and potential career pathways.
5. Developing partnerships with and sharing knowledge between agencies in Western Australia and South Australia.
6. Continuing the strong relationship between Environmental Services and Murdoch University and value-add to the Australian Research Council (ARC) Linkage Project on Quenda.

Project Outcomes

- Increased engagement with young people in relation to environmental issues, which fosters ownership of the protection of the natural environment.
- Increased avenues for students to receive environmental education and leadership development opportunities.
- Higher levels of nature-relatedness, greater motivation for young people to engage with the City and community groups to address local environmental issues.
- Development of a strong "sense of place" amongst Mandurah's young people, which fosters ownership of the City's natural assets.
- Attain research data, including values and attitudes, motivation to engage, environmental literacy, nature-relatedness, frequency in nature and feelings of empowerment from students prior to, and after, their involvement in the various education treatments.
- Document the potential for replicability of a Youth Environment Council.

Budget

The cost of a full-time PhD student is \$26,682 per year for three years. For this project, a contribution of \$13,000 per year for three years is requested from City of Mandurah, with Murdoch University agreeing to match the City's contributions. This will equate to a total scholarship of \$26,000 per year for three years.

In addition, an operational budget to implement the development of a Youth Environment Council and the continued implementation of the City's Kids Teaching Kids program is also required. As Environmental Education and Kids Teachings Kids are ongoing operational projects for the City, the costs for implementing these projects will be covered by the existing 16/17 and 17/18 budget requests.

Researchers

The research component of this project, including data collection and analysis, will be undertaken by a Murdoch Higher Degree Research Candidate, and Dr. Catherine Baudains, Lecturer for Education for Sustainability at Murdoch University. As an academic and active member of the Australian Association for Environmental Education (AAEE) Western Australian chapter, Catherine is considered an expert in Education for Sustainability Australia-wide.

Proposal

This project will involve implementing and testing three different environmental education programs. An outline of each of these projects is included below.

1. Youth Environment Council

This component of the research project would be the most resource intensive due to its spatial scale and novelty in a Western Australian context. It involves recruiting 'Council' members from schools around Mandurah and the wider Peel Region and empowering them to act as advocates for positive environmental change.

Participants will be asked to identify and address environmental issues evident in their schools and attempt to create positive change in an area of interest. The City will provide ongoing support for Council members each year and host an end of year forum to provide participants with the opportunity to showcase their achievements. This forum also provides the opportunity for students to gain feedback from and sharing learnings with their peers in other parts of the region. In Year 2 of this project, the City will offer a mentor program through which past Youth Environment Council participants would have the opportunity to mentor the next group of participants. Mentors will also be provided with further leadership opportunities, such as assisting with the planning and running of the City's annual Kids Teaching Kids Conference.

The first education treatment is the development and implementation of a Youth Environment Council. This project will be based on a model used by the Youth Environment Council of South Australia (YECSA), which has been successfully operating for 20 years and was showcased at the 2016 Australian Association for Environmental Education Conference. The YECSA model will be downscaled and adapted for the Peel Region, and will seek partnerships and collaboration with the City's Kids Teaching Kids program and other key stakeholders in both youth development and environmental conservation and management, (e.g. Peel-Harvey Catchment Council, Youth on Leadership program). Knowledge sharing approval has been granted by Natural Resources Adelaide & Mt Lofty Ranges in relation to this project in exchange for recognition of their contribution to the development of a Peel Region Youth Environment Council.

2. Kids Teaching Kids

The City of Mandurah has hosted an annual Kids Teaching Kids (KTK) since 2012, with a number of schools in the Perth and Peel Regions already participating in this program. Through Kids Teaching Kids, students are asked to identify an environmental issue of their choice and, with support from the teachers, City staff and Kids Teaching Kids, develop lessons for their peers. These lessons are then presented at the City's annual Kids Teaching Kids Conference.

This education treatment differs from the Youth Environment Council in that learning is delivered in the "traditional form", e.g. there is a "teacher" and there are "students". In contrast, the Youth Environment Council teaches through self-learning for members, and by observing role models for non-member students. Support from the City and Murdoch University will be required to connect schools that have not participated in KTK with those that have, and to invite schools that have not participated in KTK to attend conferences as audience members.

Through this project, the impact and effectiveness of Kids Teaching Kids as a vehicle to inspire long-term environmental awareness and action will be evaluated. By 2018/19, Kids Teaching Kids will have the potential to become a student-run initiative through the Youth Environment Council

Mentors Program. This will create practical opportunities for students to exercise leadership and organisational skills through the lens of environmental education.

3. In-class workshops using the CSIRO Atlas of Living Australia

The Atlas of Living Australia is a database where the community can act as research contributors by uploading photos or report sightings of native flora and fauna. This database serves as a learning tool for students through the provision of information on local species, the distribution of these species, their conservation status and potential threats. Contributors embark on a self-guided learning tour as they navigate through the database and visit species that are of interest to them. They will also be empowered as the information they provide is actively helping conservation efforts.

Murdoch University has already requested the development of an in-class workshop tailored to the City of Mandurah by the CSIRO education team. This workshop will focus on biodiversity in the City of Mandurah and in particular the role of Quendas as ecosystem engineers in the region. This focus area has been specifically chosen so that it adds further value to the City's existing ARC Linkage Project with Murdoch University.

Research data will be gathered from students before and after their participation in the each of these proposed education treatments. It is hypothesized, based on existing literature, that students who frequently experience natural areas will have higher positive environmental attitudes, knowledge and levels of empowerment. Once completed, the information collected through this research can be utilized to develop a higher level of engagement in environmental citizenship and youth leadership, and position the City of Mandurah as being the flagship Council in delivering effective environmental education programs to youth in Western Australia.

2. SUBJECT: Junior Council 2017 Project
CONTACT OFFICER/S: Tim Hartland
AUTHOR: Alisha Joynes/ Mitchell Griffen
FILE NO:

Summary

The Junior Council is one of a number of the City's youth engagement strategies that aim to give young people a voice in Mandurah's governance.

In discussing initiatives for their 2017 project, the Junior Council identified a number of priority areas of concern. These ranged from bullying and cyberbullying, to the environment and rubbish/litter, graffiti, physical inactivity, youth homelessness, mental health and a need for more activities for young people. After consultation with other students and between the Junior Councillors, the priority area of homelessness was chosen by majority vote to be addressed with their 2017 project.

Their concept idea is to increase awareness and education about homelessness, by having a stall and activities at an existing event or forums in Mandurah, which may include the 2017 Peel Homelessness Awareness Day and Mandurah Children's Festival. Delivery of their project would involve coordinating activities for children and families which would increase the conversation around youth homelessness, whilst raising funds for a local organisation working with young people in the area of homelessness and/or for supplies for young homeless people. The project name is currently being developed by the Junior Council and will be released later in the year as part of the implementation. Council is requested to endorse the Project.

Previous Relevant Documentation

PCDS 14/10 2014	City of Mandurah Youth Strategy 2014-2018. Supports Junior Council and the delivery of an annual initiative.
G.18/9/14 2014	Junior Council Report Project: Powder to the People (AW/SJ) (Doc No 1543180) (Report 2 from the CEO)
G.11/6/15 2015	Junior Council Report Project: Clean City, Cool City (AW/SJ)
G.43/7/16 2016	Junior Council Report Project: Awareness and Education Mental Health (AW/SJ)

Background

The City established the Junior Council in 2002 and brought together students from nine primary schools as one of its community engagement strategies to give young people a voice in Mandurah's governance. Each year, a selected group of year six students from the now 19 represented primary schools in Mandurah are given the opportunity to learn about Local Government and act as a youth consultation group on issues involving or affecting young people in Mandurah. In addition to providing the Council with a direct insight to the views and opinions of young people, the Junior Councillors are educated about the formal processes they can utilise to have their voice heard by decision makers.

The Junior Council curriculum includes learning about the role of key positions within Council, procedures for conducting a formal meeting, how to conduct a debate and the process of putting together an effective Public Statement or Deputation to the Council. The Junior Mayor and Deputy Mayor are also formally requested to take part in various events and functions during their tenure, including the Australia Day Celebrations, Crab Fest (various roles), Children's Festival and Christmas Pageant.

Each year the Junior Mayor and Deputy Junior Mayor or other Junior Councillors, on behalf of the current year's participants, present to Council the issue of greatest significance, along with a proposed solution for Council to consider. Previous Junior Councils have proposed initiatives such as the Harmony Day Multicultural Parade, the Green Schools Award, raising concerns around public space recreation facilities for young people and youth homelessness.

Previous projects have included *Powder to the People* event to get youth physically active and engaged in the community. *Clean City Cool City* to address issues relating to litter and particularly marine pollution. *Mentally Healthy Mandurah* to increase the conversation around being mentally healthy and the development of the Kiddie Scribble campaign to combat graffiti.

Comment

The 2017 Junior Council discussed many issues affecting youth in Mandurah as a precursor for establishing their proposed project idea for Council to consider. Their initial discussions identified a number of concerns including; bullying and cyberbullying, the environment and rubbish/litter, graffiti, physical inactivity, youth homelessness, mental health and a need for more activities for young people.

Junior Councillors discussed and consulted with their peers and school classes to determine the highest priority area and in the April meeting they narrowed it down to the key theme of youth homelessness. They brainstormed a number of ideas about how to help young homeless people in Mandurah, with their project to focus on raising money to either provide packages to those affected by homelessness and/or provide those funds to a local organisation who works with homeless young people. At the May Junior Council meeting the junior council decided that they wanted to both educate themselves and educate the public about the issue of youth homelessness through a fun public activity that could be used to fundraise further.

The Australian Bureau of Statistics defines homelessness as “a situation where a person does not have suitable accommodation options and where current living arrangements:

- Are in a dwelling that is inadequate; or
- Do not involve tenure, or where the initial tenure is short and not extendable; or
- Do not allow control of and access to space for social relations” (Peel Development Commission, 2016)

People affected by homelessness are not necessarily street present or living outside without shelter, but may also include those couch surfing or living in temporary or crisis accommodation.

In Western Australia, Specialist Homelessness Services Collection (SHSC) data report in 2014-15, of the 23,021 clients accessing specialist homelessness services, 18% of clients were aged under 10 years, with 28% under 18 years of age (Department of Child Protection and Family Support, 2016). The 2011 Census reported that over 9,500 people were homeless in Western Australia, with 42% of the National total under 25 years of age, and 17%, or almost 18 000 people, aged under 12 (Homelessness Australia, 2012).

Passages, a youth homelessness support service with a branch based in Mandurah, assist over 1,500 young people that involve either street present, couch surfing or are homeless young. This service focuses on young people that are choosing to engage with them, so the number of young people needing support with homelessness related issues in Mandurah could be dramatically higher.

The Junior Council meeting in May provided an opportunity to further develop their project concept. After much discussion and workshoping with each other. The idea with the majority vote, is to have a presence at the annual Children’s Festival with a cheap fun kinetic activity to raise funds and awareness regarding Youth Homelessness. Money raised is to go to a local youth homelessness charity, yet to be determined. Reaching out to local charity groups such as the local Lions club, Rotary and Rotaract club for support was also heavily discussed and is to be actioned by the Junior Council for the June Junior Council meeting.

The Junior Council had a strong desire to maximise opportunities for a diverse number of people to engage with Youth Homelessness. Their idea was to leverage the numbers attending the Children’s Festival. Ideas included: Slime and Playdough activities, obstacle courses, skills workshops, art and cooking sessions for the children. They aim to offer these for a gold coin donation and sell ‘DIY’ activity kits to raise even more funds. They also want to use it as an opportunity to provide information about Youth Homelessness to the community.

Prior to their chosen event/s the Junior Council, with guidance and assistance from the Youth Development team, will be responsible for promoting their project, developing activities that will be delivered at the event, managing their budget and event logistics.

They will supervise their activities at the event/s, providing information and instructions to participants, raise funds for their selected charity and promote conversation around youth homelessness.

The Junior Council and Youth Development Team will be working closely with relevant departments from the City and external stakeholders during the planning and implementation phases of the project to ensure successful delivery.

Consultation

In developing the 2017 project, the Junior Council had and will have a number of guest speakers to generate discussion and discuss processes. These included elected members, the Manager Community and Social Development, workers from the youth homelessness sector and to progress in the later stages, will include through the year, local members of State and Federal parliament.

Economic Implications

The budget for the project is \$500 and some officer time as part of normal operations. The Junior Council would like to support a local organisation at the event and plan to raise funds for a local charity that helps young people with homelessness, and/or provide goods which will help out young people affected by homelessness.

Funds raised by the Junior Council will be donated to a local charity that supports homelessness issues. The Junior Council will identify appropriate local organisations (with the assistance of youth officers) and undertake a vote to determine which to donate to.

Strategic Implications

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

Social:

- Provide a range of social, retail, recreational and entertainment experiences for the City's residents and visitors.

Identity:

- Encourage active community participation and engagement.
- Become known as a city and destination for events, arts, heritage and culture.

Leadership:

- Develop and empower our community leaders to determine, guide and advocate for our City's future.

The following strategies from the *City of Mandurah Youth Strategy 2014 – 2018* are also relevant to this report:

Education, Training and Employment Opportunities:

- Deliver leadership programs (including the MadSkills Mentoring and Life Skills program, Young Men's and Women's program, Junior Council).

Sense of Community and Identity

- Coordinate Junior Council on an annual basis to promote an understanding of Local Government's role and responsibilities, with key outcomes being:
 - Involvement of all Mandurah schools
 - Development of an annual initiative that is presented to full Council for endorsement
 - Electing of a Junior Mayor and Deputy Junior Mayor
 - Involvement in a diverse calendar of events and engagements

Conclusion

The 2017 Junior Council strongly believe that homelessness is a challenge affecting their peers and young people in Mandurah. Their project is designed to raise money to help homeless young people, promote conversation and reduce the stigma association with homelessness.

The Junior Council are passionate and committed to assisting young people affected by homelessness in their community through their 2017 project and seek Council support to deliver on this relevant local issue.

RECOMMENDATION

That Council:

1. **Endorse the 2016 Junior Council Project, a fundraising and awareness raising activity at the Children's Festival with the aim of developing awareness and assisting young homeless people in Mandurah.**

3 **SUBJECT:** Charging for Waste Management
 CONTACT OFFICER/S: Mark Newman/David Prattent
 AUTHOR: David Prattent
 FILE NO:

Summary

In 2009, Council approved a change to the methodology for charging for waste management services. The principle adopted was that a separate charge would be made for the actual costs of servicing household bins, making the collection charge less, while all other costs would be offset against general rates which rose as a consequence. In effect, a “cross subsidy” was created so that the direct charge for refuse services no longer reflected the costs of providing the service. The key driver for this change was to enable pensioners to take advantage of a rebate on the additional rates.

Following a recent tender process, Council has approved Cleanaway Pty Ltd as its Waste Alliance partner for a further seven years, with a possible additional three one year contract extensions. This new contract provides for annual costs which are substantially lower than previous years. The opportunity now exists to return to full coverage of waste management costs through the refuse charge with only a modest increase in the fee. The resultant savings in general expenditure not only will help towards repairing the City’s operating deficit position but also can deliver a lower-than-anticipated rate increase of 1.9%.

Council is requested to endorse the change to the charging mechanism for waste management.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.47/6/09 16 June 2009 Council approved a change in the calculation of the receptacle charge for waste services to include only the costs of refuse and recycling collections.
- G.28/4/17 26 April 2017 Council awarded Cleanaway Pty Ltd the contract for waste management services for a seven year period with three possible one year extensions.

Background

In 2009 Council considered options to change the basis of charging for waste services, the prime motivator being a desire to provide additional financial relief for pensioners by transferring some, or all, costs of waste management to be met from general rates. Eligible pensioners and Commonwealth senior card holders are entitled to a rebate on rates of up to 50%.

Charges for waste services can be imposed by local governments either under the provisions of the *Waste Avoidance and Resource Recovery Act 2007 (WARR Act)* or set as fee under the *Local Government Act 1995 (LG Act)*.

A comparison of pensioner rebates is shown in Table 1 below:

Table 1

Type of charge	Local Government Act 1995	Waste Avoidance & resource Recovery Act 2007
Rates	Rebate of up to 50% available, capped at \$650	n/a
Local government fees	No rebate available	n/a
Receptacle charge	n/a	No rebate available

The change adopted meant that a receptacle charge was based only on the direct costs of collecting household waste and the cost of other areas, such as the Waste management Centre and other services was met from general rates. This resulted in a reduction to the collection charge and a matching increase in rates. The advantages of this approach were:

- It maintained elements of the “user pays” principle, albeit in a significantly modified form. This approach to pricing is based on the premise that the beneficiary of a directly-provided service should pay for it.
- Pensioner and senior rebates became available for approximately 59% of waste management expenditure

The award of the tender for waste management services in 2017 substantially reduced waste management costs. A comparison of the cost and revenue profiles for 2017/18 versus the current financial year is shown in Table 2 below:

Table 2

	2017/18 draft budget		2016/17 budget	
	Revenue \$'000	Expenditure \$'000	Revenue \$'000	Expenditure \$'000
Total	(12,693)	12,705	(12,104)	14,672
Waste Management Administration		697		767
Verge Collection		1,236		1,014
Refuse Collection	(10,656)	3,628	(10,067)	5,682
Litter collection	(2)	170	(2)	160
Recycling		1,365		2,053
Tims Thicket Septage	(600)	625	(600)	686
Waste Transfer Station	(1,435)	4,984	(1,435)	4,310

The assumption for 2017/18 is that the an increase in the waste management charge for 2017/18 of 3%, after taking into account the growth in services of approximately 2%, is sufficient to permit the City to return to a full “user pays” principle for this service. Based on this the gap between revenue and expenditure is almost eliminated due to the significant cost reduction.

Comment

At the time of making the change in 2009, an important issue was acknowledged regarding the application of the “user pays” principle and the role of rates. It has been noted that the relevance of “user pays” is particularly applicable where a service is directly provided and an individual, or group of individuals, benefit. In the case of waste management, the benefit is received by households, and others, such as businesses which often make alternative arrangements, manage on a “pay as you go” basis when the City’s services are required. Rates, on the other hand, are a form of wealth tax, and are based on a sliding scale which means a higher tax is paid if a property has a higher value. Rates are an appropriate mechanism to deal with the costs of, for example, road maintenance where the general community benefits from the quality of road surfaces but specific benefit cannot be directly attributed to any particular person or group.

In introducing a “cross subsidy” whereby a portion of waste management expenditure was set against general rates, the distribution of the costs of the subsidy followed the principle of property values driving the amount payable. This meant that owners of higher value properties paid more for the City’s refuse services than others. At the same time, costs also distributed across owners of businesses and vacant

land both of whom tended to access waste services on a “pay as you go basis”. The value of the “cross subsidy” in 2016/17 is approximately \$2.5 million.

In considering how best to address the issue posed by the change in waste management costs, options considered were:

- ***Option 1 : Lower the refuse charge to reflect the savings achieved and impose a higher rate increase.***

The following factors in relation to the application of this scenario are noted:

- For equity purposes, a rate increase of 1.9% would remain in place for business and vacant land owners. It follows that, if the credit for savings is applied to the household refuse charge, then the burden of the offsetting rate increase must fall on households.
- The reduction in the refuse charge would be approximately \$55. The rate increase required on households to offset this is 6.5%. Although the net effect of this proposition is an increase of 2%, the distribution behaves in a similar manner to a revaluation where lower value properties see increases of less than or equal to 1.9% and higher value properties receive greater increases. A summary of the modelling in Table 3 below;

Table 3

GRV	Rates assuming 6.5% increase	Rate increase	Refuse charge reduction	Net increase	Net increase %
\$	\$	\$	\$	\$	
15,500	1,311	80	(55)	25	2.0%
17,665	1,494	91	(55)	36	2.6%
20,000	1,692	104	(55)	49	3.1%
22,500	1,904	117	(55)	62	3.5%
25,000	2,115	130	(55)	75	3.8%
30,000	2,538	156	(55)	101	4.2%
Minimum rate					
1,040	1,108	68	(55)	13	1.3%

Four points should be noted:

- The calculation assumes that no amendment to the draft 2017/18 budget cost base has been made.
- This option is capable of multiple variations where lesser refuse charge reductions can be put forward and matched with lower rate increases than shown here. To that extent the modelling of this option is based on a “worst case” principle.
- The inequity of distribution, noted previously, remains because this option implicitly assumes that the “cross subsidy” remains in place.
- Pensioner rebates remain unaffected.

- ***Option 2 – Increase the refuse charge by 1.9% so that the cost of the service is fully covered and impose a general 3% rate increase.***

This option assumes that, by transferring the “cross subsidy” to be covered by waste management charges, a consequent cost saving is achieved in other operating costs. In addition the waste management charge represents full recovery of this service. Although the City’s budget has been framed against a backdrop of cost constraint, issues such as the recently agreed Enterprise Agreement for staff and the opening of Lakelands Library and Community Centre, together with the demands for asset management expenditure, continue place upward pressure on the cost base.

By taking into account these cost increase factors and the savings achieved from the waste management tender, a 1.9% increase in rates is recommended. The advantages of this approach are:

- It removes the “cross subsidy” from general costs. In returning to the “user pays” principle, previous issues of inequity are removed without significant increases in either rates or waste management charges.
- The proposal is simple and easy to explain. An issue with Option 1 is that any revaluation-type scenario is difficult for many people to understand particularly for those who receive higher-than-average increases. In addition, any variation on Option 1 would not only retain inequity, but would be an arbitrary setting of refuse charge reduction and rate increase. This would make it difficult to provide a rationale for the decision.
- Pensioner rebates remain unaffected.

An important further principle must also be taken into account. Whether the charge for refuse services is set under the WARR Act or the LG Act, it is crucial that costs are not over-recovered. In the case of Table 2 above, the proposal represents a very small under-recovery which represents a conservative approach to the issue. In the event of an over-recovery at a year-end, the excess funds would be transferred to the Waste Management reserve for use on future waste projects.

A further possible option which was considered was to eliminate the charge for waste services and absorb all costs into rates. This course of action has been adopted by some other local governments. However, there are three issues for consideration:

- The approach creates inequity, as waste costs previously charged on a “user pays” principle, are distributed according to GRV’s.
- The attraction of this method being used to allow pensioners to increase the value of their rebate has been diminished by the capping of the rebate. Although some pensioners would benefit under this scenario, approximately 1,500 would receive no benefit at all because they are already capped, and many others would only see a partial benefit as they are pushed through the capping threshold.
- There is a genuine risk that the State Government would act to curtail this approach if this became a popular method of charging policy by local governments. In a climate where every effort is being made to contain or reduce costs, the Government is unlikely to welcome a move which increases its expenditure.

Based on the above, the adoption of a “user pays” principle set out in option 2 is recommended.

Consultation

Elected Member briefing

Statutory Environment

Local Government Act 1995 S6.16-6.19 Fees and charges

Waste Avoidance and Resource Recovery Act 2007 S67 Local government may impose receptacle charge

Policy Implications

None

Economic Implications

The issue under consideration does have a direct economic bearing as it relates to the principles of charging for waste services rather than the financial implications of the charge itself.

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

For some years the principle of charging for waste services has included a “cross subsidy” where some portion of costs have been offset against general rates rather than paid directly by the user. This inequity was created in a previous decision to ensure that pensioners and Commonwealth seniors could maximise their pensioner rebate entitlement.

Following the acceptance of a new tender for these services, the significant savings made give the City the opportunity to return to a full “user pays” model of charging without a significant increase in charges while rebates remain unchanged. As all other alternatives tend to retain an inequitable distribution of costs, Option 2 is seen as the preferred course of action.

RECOMMENDATION

That Council

1. **Endorses the adoption of a full “user pays” model of charging for waste management as outlined in Option 2, noting a proposed increase in the charge of 3% for 2017/18.**
2. **Notes that future charges for waste management services will be based on a full cost recovery model.**

4 **SUBJECT:** Adoption of 2017/18 Rates for Advertising
 CONTACT OFFICER/S: David Prattent/Paul Bates
 AUTHOR: David Prattent/Paul Bates
 FILE NO:

Summary

The City has prepared its draft budget for 2017/18. The following key issues have been identified:

- In common with many growth Councils, the City's population continues to grow at a higher-than-average rate. This results in increasing demand for new facilities, and places additional pressure on existing resources. It is not possible, at this point in the City's development, to provide sufficient resources to fully fund both the demand for the management and upgrade of existing assets and the need to provide new community infrastructure in developing areas.
- Demand and growth in the local economy is uneven. Although major economic developments will occur as a result of advocacy to State and Federal governments, the City has previously identified the need to expand its role in this area. The current local economic climate is difficult and there are concerns regarding the financial capacity of some sectors in the community.

The City is required to advertise its proposed rates in the dollar and minimum rates, together with its objects and reasons for the rates, for the forthcoming year, and request public submissions. Following briefings to Elected Members, Council is requested to approve for advertising the rates outlined in this report, noting the proposed increase of 1.9% for the year.

Disclosure of Interest

Nil.

Previous Relevant Documentation

- SP.02/7/17 2 August 2017 Adoption of 2016/17 Budget and Rates

Background

The 2017/18 budget, which forms the basis for the determination of the requirement for rates revenue, based on a 1.9% increase, and the associated rates in the dollar, has been framed after consideration of the following issues:

External factors

The local economy

Short and medium term consumer confidence in Western Australia have improved during the March quarter following a stumble in the previous period.¹ Living costs continues to be an important issue for consumer confidence in WA and energy and utility pricing as seen in the March CPI figures is a significant issue.

Mandurah is seeing decreasing rents and property values coupled with a sluggish market in both residential property sectors. Despite the continuation of record low interest rates, mortgage stress is evident in some areas. An increasing number of requests for payment arrangements, as a result of financial difficulties, is noted.

¹ CCI WA Survey of Consumer Confidence March 2017

The Mandurah area is continuing to see development in retail centres including Mandurah Forum and Lakelands Shopping centre. The finalisation of these major retail projects in 2017-18 should see some fiscal and economic gains for the City and the wider community. However, these may be offset by a decline in residential activity particularly in the sale of vacant lots.

In some sectors of the community, low interest rates are seen as a boon for investment opportunities. Elsewhere, however, particularly among groups such as retirees, a low interest environment acts to depress income levels. Low inflation tends to act to put downward pressure on wages and, although borrowing becomes cheaper, this dampens economic activity. Perth is seeing low inflation indicators, decreasing property prices and decreasing property rents, in contrast to the Eastern states.

Federal and State Budgets

Budgets create uncertainty and negative sentiment as much as they give cause for optimism. The Federal Budget has resulted in some new tax measures as well as some additional spending initiatives. Even if these are not implemented immediately, tax increases add to a sense of reducing disposable income in a low wage increase environment. The State budget has not yet been handed down but warnings are already being given regarding the level of increases for utility services such as water and electricity.

Internal factors

Provision of community assets

The City's assets include roads, bridges, parks and reserves, buildings and a variety of other items such as boat ramps and plant and equipment. The gross replacement value of these exceeds \$950 million.

In order to ensure that these assets are kept in good order for the benefit of the community, it is important that sufficient funds are set aside for regular maintenance. At the same time, the demands of a growing population place pressure on the City to provide new infrastructure such as community centres in newly-built suburbs and upgrade roads and other structures to manage the increase in usage.

In common with most other local governments in Australia, particularly those experiencing above-average growth, the City finds difficulty in meeting these challenges while also responding to local and government pressure to maintain rate increases at reasonable levels.

Management of environmental assets

Few local governments are faced with a similar environment to the City. Given the City's population, most of its 50 km coastline is under pressure both from the threat of coastal erosion and degradation caused by public use and other factors. Importantly, despite the fact that the water body of the estuary does not fall within the scope of the City's management authority, it has to manage an extensive internal coastline which is suffering from erosion and shoreline damage caused both by tidal surge activity and recreational use.

Rates

Differential rates, as opposed to a single rate in the dollar, can be imposed on land which has one, or a combination of, the following characteristics:

- The purpose for which a land is zoned (e.g. residential, commercial).
- A purpose for which land is held or used as determined by the local government.
- Whether or not the land is vacant land.

A local government cannot impose a differential rate which is more than twice the lowest rate without the approval of the Minister for Local Government. Only one rate in the dollar can be imposed for individual rate categories.

In addition, a local government can impose a minimum rate. If, for an individual property, the GRV multiplied by the rate in the dollar is less than the minimum rate, the minimum rate is payable.

A local government cannot impose a minimum rate on more than 50% of properties in each category. The exception to this is vacant land where, with Ministerial permission, this can be exceeded.

For comparison purposes, the following general rate increases have been previously applied:

2016/17*	2.4%
2015/16	3.4%
2014/15	4.0%
2013/14*	4.9%
2012/13	4.9%
2011/12	3.8%
2010/11*	4.0%

- Denotes revaluation year

Comment

Adoption of the 2017/18 budget

Advertising rates for public submissions does not signify the adoption of the 2017/18 budget. This cannot happen until Council consider all public submissions and formally adopts the budget and rates.

Residential Vacant Minimum rates

The *Local Government Act 1995* requires that the number of minimum rated properties must not exceed 50% of the properties in a particular category unless Ministerial consent is obtained prior to the final approval of rates. Over the years, successive ministers have become increasingly reluctant to approve requests to exceed the limit.

Although the proposed increase to rates in the dollar and minimum rates is 1.9%, in order to maintain vacant land minimum properties below the statutory threshold, it is proposed to limit the increase to the minimum rate for vacant land to 1.1%. The financial impact of this proposal is negligible and represents approximately \$12,000 in foregone revenue.

Rate yield

The rate yield is the total value of rates raised. Normally, the increase in the yield equates to the annual rate, or annual average rate, increase.

The Rate yield in 2017/18 is slightly higher than the average rate in the dollar increase of 2%. This highlights the growth in properties in the City as evidenced by the level of interim rates seen in 2016/17².

Based on the City's draft budget which recommends an average increase of 2%, the following summary shows both the movement in the yield and the change in rating categories:

	2016/17		2017/18	
	Rate in dollar \$	Minimum rate \$	Rate in dollar \$	Minimum rate \$
Residential improved	0.0794	1,040	0.0809	1,060
Business improved	0.0845	1,040	0.0861	1,060
Residential vacant	0.1382	886	0.1410	895
Business vacant	0.1382	1,040	0.1410	1,060
Urban development	0.1000	1,040	0.1019	1,060

Comparative rate yields are as follows:

	Yield		
	2016/17 \$'000	2017/18 \$'000	+/- %
Residential improved	51,591.0	54,261.8	5.1
Business improved	11,328.6	11,898.2	5.0
Residential vacant	6,856.4	5,644.1	-17.7
Business vacant	772.8	701.4	-9.2
Urban development	718.8	617.9	-14.0
Total	71267.6	73,123.4	2.6

The following points are noted:

- Residential improved

The yield increase of 5.0% is impacted by

- The removal of both RAAFA retirement villages from the calculation.
- An increase in improved properties which is reflective of growth. This is, however, offset by a reduction in vacant land revue as property classifications change.
- The reduction in vacant land rate yield also points to the fact that, as vacant land is sold, it is not being replaced by the release of new lots.

- Business improved

The yield increase of 5.1% reflects the growth seen during the year particularly in respect of Halls Head Shopping Centre.

² Interim rates at 30 April 2017 were \$ 1.077 million

Inflation

Household inflation measured as the headline CPI number for Perth for the year ended 31 March 2017 was 1%. In understanding and forecasting developments in overall inflation for the forthcoming financial year, it can be useful to examine separate components of the CPI basket. The following points are noted:

- The March Quarter saw no change in the CPI figure for Perth. Within the quarter however there were some significant increases including automotive fuel (7.7%), electricity (5.9%) and pharmaceutical products (5.0%). These however were offset by rents (-2.4%), furniture (5.8%), new dwelling purchase by owners occupiers (-.8%).
- Although the headline CPI number for Perth is increasing at a lower rate than for the rest of the country, the comment above indicates that many households are experiencing relatively significant inflation.
- The trimmed mean³ measure of CPI is 1.9% compared to the national headline number of 2%. This indicates that core inflation is starting to grow.

The Federal Treasury is forecasting CPI inflation for 2017/18 of 2%⁴. This forecast may have merit as it appears that current CPI is strongly influenced by international events which will have less effect on the index over time. It is likely that the trimmed mean, the more fundamental change in inflation, may be in the range of 2.5%-3.0%.

The City's operating expenditure can be roughly divided equally between labour costs and other operating expenditure such as maintenance costs, supply contracts, and office costs. Inflation as measured through the suite of CPI indices does not have a particular correlation with the City's cost profile, noting that some contracts have pricing schedules linked to Perth CPI. Even if there was a better correlation, the effect of CPI would only be seen on approximately 50% of costs.

Labour cost increases, excluding new staff, are influenced by two factors; the City's Enterprise Agreement (EA), and step increases. The new EA provides for a 2.1% increase which, in combination with step increases, gives an overall labour cost increase of approximately 3.3% for the year.

From the City's internal perspective, a base overall cost increase in the range of 1.6% reflects the twin influences of inflation, EA changes which are been offset by cost efficiencies within the organisation. It is acknowledged that it is not possible to reconcile this cost increase range with pure household data. However, the range is more indicative of the overall "inflation" borne by the City.

Consultation

- Elected Member briefings
- The purpose of this report is to commence the process of engaging the community in providing feedback on the City's proposed rating structure for 2017/18. Following the public comment period of 21 days a further report will be presented to Council.

Advertising will take the form of:

- Posting of notices at the City's administration building and libraries (statutory requirement).
- Newspaper advertising (statutory requirement). In the local press, significant advertisements will be placed outlining the proposed increase and its effect on rates. An advert will also be placed in the West Australian to inform non-resident ratepayers.
- The City's internet site.
- Social media

The City's marketing group will be involved in managing the public communication programme.

³ The trimmed mean measure of inflation removes volatile items such as fuel so that the stable core of inflation can be measured, This is regarded as a more meaningful view of household price movements.

⁴ Federal Budget 2017-18 Budget Paper No. 1

Statutory Environment

Local Government Act 1995:

- Section 6.33 Differential general rates : power to impose
- Section 6.35 Minimum payment
- Section 6.36 Local Government to give notice of certain rates

The City must conduct local advertising and detail each rate and minimum rate and make available the objects and reasons for rating. A minimum period of 21 days must be allowed to permit the community to provide feedback. Any submissions received must be considered by Council prior to the adoption of rates.

Policy Implications

None

Economic Implications

Rates and associated revenues provide approximately 70% of the City's operating revenues and enable the provision of a diverse range of services and infrastructure. In addition to the delivery of services the City's operations bring other economic benefits to the community such as the provision of employment and bringing business to local suppliers. The City also actively seeks to provide economic development opportunities to the community through activities such as the facilitation of tourism.

Strategic Implications

Strategic Implications

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

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 continues to face challenges in providing services and infrastructure to a growing community. Although it is recognised that sections of the community are experiencing financial stress, it is important that the City places an emphasis on ensuring that it will be able to deliver its services and provide community infrastructure into the future. This will not be achievable if revenues are insufficient for the task.

RECOMMENDATION

That Council approves the following rates in the dollar and minimum rates, equivalent to a 1.9% increase, and Objects and Reasons for 2017/18 for the purpose of advertising for public submissions:

Introduction

This statement is provided:

- to inform electors and ratepayers of the City of the objects and reasons for the differential rates being proposed for the 2017/18 financial year;
- to invite submissions from ratepayers on the proposed differential rates and minimum payments;
- in accordance with the *Local Government Act 1995 Section 6.36*.

Submissions must be in writing and ratepayers wishing to do so are invited to lodge their comments by no later than close of business 5.00 pm on Friday 20 June 2017.

Written submissions can be:

- Made on www.haveyoursaymandurah.com.au
- Mailed to the Chief Executive Officer, City of Mandurah, PO Box 210, Mandurah WA 6210.
- Lodged in person at the City's Administration Centre, 3 Peel Street, Mandurah.

Please note that all submissions are provided to Council as public documents and will be disclosed in a Council report.

In order to help with the understanding of how the City manages its rates, this document provides an overview of the rating system in Western Australia as well as explaining the reasons as to why the City sets particular rates.

An overview of rating

Legislation

Please note that all references are to the Local Government Act 1995.

Basis of rates (S. 6.28)

The key element of rating is the establishment of land values. To achieve this, the Minister for Local Government must determine whether the predominant use of land is for rural or non-rural purposes. The categories of land values are:

- Use for rural purposes--- valuation is on the basis of the unimproved value (UV) of the land.
- Use for non-rural purposes – the gross rental value (GRV) of the land.

The Minister has previously determined that land use in the City of Mandurah is predominantly for non-rural purposes and all properties are valued on a GRV basis⁵.

Rates and service charges (S. 6.32)

When it adopts its budget the City must seek funding by imposing a general rate on all properties. This is expressed as a rate in the dollar (RID) which, when multiplied by the GRV's for properties determines the amount of money raised. This RID can be applied:

- Uniformly, through the application of a single rate in the dollar for all types of property.
- Differentially, by applying different rates to certain types of property.

Differential general rates (S. 6.33)

Differential rates can be imposed on land which has one, or a combination of, the following characteristics:

- The purpose for which a land is zoned (e.g. residential, commercial).
- A purpose for which land is held or used as determined by the local government.
- Whether or not the land is vacant land.

A local government cannot impose a differential rate which is more than twice the lowest rate without the approval of the Minister for Local Government.

Minimum payment (S. 6.35)

A local government can impose a minimum rate. If, for an individual property, the GRV multiplied by the rate in the dollar is less than the minimum rate, the minimum rate is payable.

A local government cannot impose a minimum rate on more than 50% of properties in each category. The exception to this is vacant land where, with Ministerial permission, this can be exceeded.

Giving notice of rates to be imposed (S. 6.36)

Before a local government can impose differential rates for the year it must firstly advertise:

- Details of each RID and minimum payment to be imposed.
- An invitation for a submission to be made by an elector or ratepayer in respect of this and any related matters within 21 days.
- Where and how this document may be viewed.

All submissions received must be considered by Council prior to the rates being imposed.

⁵ The Gross Rental Value of a property is the amount of annual rental which the Valuer General determines the property would earn if it were offered on an open rental market.

Objects and reasons for the City's 2017/18 proposed differential rates

The City proposes to impose differential general rates to all gross rental values in its district according to one or a combination of:

- The purpose for which land is zoned.
- Whether or not the land is vacant land.

The following rate categories have been assigned to properties:

Improved land	Vacant land
Residential improved Business improved	Residential vacant Business vacant Urban development

The City also imposes a minimum payment to recognise that properties must contribute a minimum amount for the provision of services and infrastructure which benefit all the community.

Increase in rates for 2017/18

The City proposes to levy a 1.9% increase in the Rate in the Dollar for all categories.

Rates by category

Residential improved land – rate in the dollar \$0.0809

This rate is regarded as the base rate as it represents the most number of properties in the City. This rate aims to ensure that the proportion of rates raised from this category is between 70% and 75% of total rates.

Residential vacant - rate in the dollar \$ 0.1410

This rate is set at a higher level as the City wishes to promote the development of all properties to their full potential. This will act to stimulate economic growth and development in the community.

Business improved - rate in the dollar \$ 0.0861

This rate is set at a higher level to recognise that certain expenditures in the budget are specifically directed towards the economic development of the City. Examples of this are:

- The Economic Development function which is largely directed towards the encouragement of business to locate in the City and to support business organisations.
- The promotion of tourism.
- Costs related to the general improvement of the road streetscapes of the entry roads to Mandurah, including landscaping, tree plantings and the provision of pedestrian and cycle paths.

Business vacant - rate in the dollar \$ 0.1410

This rate is set at a higher level as the City wishes to promote the development of all properties to their full potential. This will act to stimulate economic growth and development in the community.

Urban development - rate in the dollar \$ 0.1019

This rate relates to land held for future development. As with other vacant land rates, this rate is set at a higher level as the City wishes to promote the development of all properties to their full potential.

Minimum rates

The minimum rates for 2017/18 are set at:

- | | | | |
|------------------------|------------|----------------------|----------|
| • Residential improved | \$1,060.00 | • Residential vacant | \$895.00 |
| • Business improved | \$1,060.00 | | |
| • Business vacant | \$1,060.00 | | |
| • Urban Development | \$1,060.00 | | |

Mark R Newman
Chief Executive Officer

5	SUBJECT: 2015-2020	Access and Inclusion Plan: 2016/17 Progress Report
	CONTACT OFFICER/S:	Tim Hartland
	AUTHOR:	Sonya Snowsill /Tim Hartland
	FILE NO:	

Summary

The WA Disability Services Act 1993 (amended 2004) requires that public authorities lodge annual reporting to the State Government's Disability Services Commission (DSC) by 30 June. This report highlights the Access and Inclusion Plan (AIP) achievements and challenges for 2016/17, sets priority actions for 2017/18 and seeks Council Endorsement.

In November 2015, the City adopted the AIP 2015 - 2020 together with the AIP implementation Plan 2015 - 2017. Key projects in 2016/17 include:

- The new Changing Places facility, co-funded by the City in partnership with West Australia Local Government Authority (WALGA) and DSC.
- The Inclusive Workforce Project, co-funded by the City in partnership with Localise and DSC
- Existing Facilities Improvement Plan (An initiative of the Social Infrastructure Plan 2013-43)

Council is requested to approve the AIP 2016/17 Progress Report for submission to the Disability Services Commission.

Disclosure of Interest

N/A

Previous Relevant Documentation

- | | | |
|--------------|-----------|---|
| • G 28/02/17 | 2016/2017 | Tender Number 01-2017– Construction of a Changing Places |
| • G 28/06/16 | 2015/2020 | Disability Access & Inclusion Plan: 2015/16 Progress Report |
| • G.27/11/15 | 2015-2020 | Access and Inclusion Plan - Council Endorsement |

Background

Since 1995 it has been a requirement under the Disabilities Services Act (1993) that all public authorities prepare and implement a Disability Access and Inclusion Plan. This aims to improve access and inclusion to public services for people with disability, (including elderly people), to have equitable access to the organisations facilities and services.

The three main pieces of legislation that influence the way local governments provide services for people with disability, are the WA Disability Services Act (1993), the Building Code of Australia (BCA) and the Commonwealth Disability Discrimination Act (1992) (DDA). Essentially, the BCA provides a set of minimum requirements for new buildings and renovations, whilst the DDA goes further by requiring any business or organisation that provides services and facilities for the general public, to also provide equivalent access to people with a disability.

The City of Mandurah is committed to improving access to its facilities and services, and since adopting its first Disability Access and Inclusion Plan in 2007, has made significant progress towards improving access and inclusion. In 2015, an internal implementation plan (2015–17) was adopted to align with the City's other strategic and operational plans. In 2017, further internal consultation will be undertaken to develop a 2018 - 2020 Implementation Plan and deliverables will be aligned with the new Community Development Plan which is being developed.

City of Mandurah Access and Inclusion Plan 2015 - 2020

The City's AIP 2015 – 2020 covered seven key outcomes:

- Outcome 1: People with disability have the same opportunities as other people to access the services of and any events organised by the City of Mandurah.
- Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of the City of Mandurah.
- Outcome 3: People with disability receive information from the City of Mandurah in a format that enables them to access the information as readily as other people.
- Outcome 4: People with disability will receive the same level and quality of service from the City of Mandurah and its employees as other people receive.
- Outcome 5: People with disability have the same opportunities as other people to provide feedback and make complaints to the City of Mandurah.
- Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by the City of Mandurah.
- Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the City of Mandurah.

Comment

Key Achievements 2016 - 2017

A range of initiatives and projects have been delivered or commenced across the organisation in the 2016/17 period. These initiatives improve access to and inclusion of, people with disability. The full details of these projects and initiatives are provided in **Attachment 1: Statement of Achievement**. A summary of key successes are outlined below.

Changing Places – Transforming Lives

A co-funded partnership with WA Local Government Association (WALGA) and Disability Services Commission (DSC), has enabled the City to design a Changing Places Facility with construction due to be completed in July 2017.

The Changing Places Facility will have the features necessary to comfortably change an adult and will include enough space for two carers, height adjustable change tables, and an electronic hoist with a safe working load of 180kg. The project involves a building extension to the ablution facility located behind the Mandurah Visitors Centre.

The consultative process, included self-identified users and provided City Officers with valuable insight into how the facility would be used and also gave community the opportunity to be involved in decision making and to influence design components. This experience also empowered the group to have a voice and recommend upgrades to other City facilities such as the existing Adult Change Facility at Mandurah Aquatic and Recreation Centre.

Changing Places will help in removing significant barriers that restrict people from engaging in important civic events, activities and spaces. It will provide people the opportunity to participate and be confident that Changing Places will provide the dignity and comfort we all expect.

Inclusive Workforce – Lighthouse Grant

In 2016, the City recognised the need to further develop its capacity to employ people with a disability. The City's Community Development team worked closely with the Human Resources and Libraries Learning Arts and Culture teams, to develop a strategic approach to reviewing workplace culture as well as city policies and plans. This internal cross directorate project (the Inclusive Workforce Project) was made possible with funding from the Lighthouse Grant. This grant was provided by the Disability Services Commission to assist Local Governments to implement projects that support Outcome 7. The projects implemented are intended to directly or indirectly increase employment of people with disability within Local Government.

The projects recommendations and findings will be incorporated into the City's Workforce Development Plan. Key considerations within the recommendations are;

- Forming a Steering Group to offer guidance and leadership in delivery of improved employment outcomes
- Developing a Training and Education plan for City staff relating to employing and working with people with a disability focused on;
 - Improving culture
 - Raising awareness
 - Creating a welcoming workplace for people with disability
- Establishing a pool of people with a disability who are job ready
- Developing a policy for :
 - Infrastructure – workplace improvements to better accommodate people with a disability
 - Recruitment and selection processes to ensure every opportunity is given to people with a disability.

Existing Facilities Improvement Plan (EFIP)

(An initiative of the City's Social Infrastructure Plan 2013-43)

In 2014/15 the status and condition of eight of the City's community facilities were assessed by a cross departmental team of City officers, the 'Existing Facilities Team'. This team brought together expertise, knowledge and diverse perspectives from different business units across the City. One of the outcomes of this group is the Existing Facilities 2015-2020 Improvement Plan (EFIP). A goal of the plan was to ensure the eight identified facilities were safe, compliant, universally accessible, functional, and less costly facilities, by 2020. Accessibility was a key consideration of the group in developing the plan. This project has highlighted the importance of accessibility and has increased officer awareness of the building standards and how they relate to the Disability Discrimination Act.

The EFIP is in its third year of implementation and has provided access upgrades as a component of the City's approved capital budget, to the value of \$128,000 in 2015/16 & \$47,000 in 2016/17. These improvements have been prioritised with the assistance of external access audits. Audits and improvements to access following community facilities were undertaken and completed;

- Madora Bay Hall
- Mandurah (Old) Yacht Club
- Coodanup Community Hall
- Southern Estuary Hall
- Sutton Street Hall
- Greenfields Family and Community Centre
- Nellie Regan Hall
- Merlin Reserve Pavilion

Access Participation and Inclusion Group (API)

The purpose of this group is to “Enable the community to welcome, include and value people of all abilities”. The API group actively promotes and supports all abilities events, programs or activities that:

- Ensure everyone is welcome to participate
- Value each person for their uniqueness and contribution
- Provide a fair go for all
- Broaden and build stronger connections; and
- Offer inclusive, fun social opportunities.

The City’s API group delivered the following initiatives in 2016/2017:

- Casino Royale evening to celebrate International Day of People with a Disability
- Inclusion stall at Children’s Festival with inclusive activities for families
- Inclusion float at the Christmas Pageant
- Funding for five community groups to deliver inclusive events

For 2017/2018, the API group aim to adopt a stronger community engagement approach, aligning with contemporary community development principles and the direction of the community development team. The aim will be to identify interested community champions, who will be actively involved in the planning and delivery of future inclusive community events. API group members aim to build the capacity of people of all abilities and promote active citizenship by providing guidance, connections and frameworks to deliver successful events and to ensure consideration of benefits and outcomes.

Access and Inclusion Advisory Group (AIAG)

In March 1996 Council endorsed the formation of a Disability Access Advisory Committee. In 2007, Council modified a number of Committees to establish Advisory Groups, some of which required representation by Elected Members. The Disability Access Advisory Group (DAAG), now the Access and Inclusion Advisory Group (AIAG), was one of these groups.

The AIAG continues to play an important role in assisting the City’s implementation of the AIP by providing feedback and input on access and inclusion issues. The current committee were formed in November 2015 and meet bi-monthly. Nominations for new members will be advertised in September for the 2017 - 2019 term in line with Local Government elections. The group consists of three Elected Members and twelve community members who have a particular interest in access and inclusion. City officers provide administrative support for the group.

The AIAG members have contributed to a number of City projects including:

- Assisting in raising awareness of community access issues
- Providing feedback on;
 - The Changing Places Project
 - The Eastern Foreshore sea wall and infrastructure project
 - New Mandurah bridge project
 - Mandurah Aquatic and Recreation Centre redevelopment, stages 1 & 2

In 2017 the group continue to be actively involved with the API group. The intention is also to actively recruit community members with lived experience. An invitation has been extended to members of the Changing Places reference group and some are taking the opportunity to attend AIAG meetings as guests.

Nationally Accredited Access Training

The City continues to identify key City Technical officers to attend National Accredited training on legislation requirements and access issues. To date thirty seven (37) City officers have attended the training.

Access Audit training enables City Officers to identify access barriers and understand the importance of access upgrades. It also helps to reduce costly retrofitting and raises officer's confidence when designing new, or upgrading existing, facilities.

AIP 2017/18 Considerations

Community Development Plan

The City's Community Development team are developing an overarching four year plan which will include strategies which align with AIP 2015/2020. Although the AIP will be guided by the Community Development Plan (CDP) the legislative requirements will still apply. The CDP is designed to improve outcomes, drive stronger team collaboration and reduce overlaps.

Progress of Implementation Plan 2015/2017

The AIP 2015-2020 has three years remaining in its term. A second implementation plan will be developed in 2017 for 2017-2020 and will be strongly aligned with the CDP.

Of the twenty one tasks of the implementation plan 2015-2017, there were seven tasks that were unable to be completed and have been reassigned to be delivered over three years from 2017-2020. Disability Services Commission (DSC) acknowledges that tasks and timeframes need adjusting throughout the life of the plan and request the information and modifications are provided to DSC in the annual report. The annual report will be forwarded following Council endorsement. The tasks that will be included in the AIP Implementation Plan 2017-2020 are:

- 2.9.1 Develop an Approved Operating Procedure (AOP) for the use of tactile paving throughout Mandurah
- 2.10 Advocate the benefits of accessible buildings and facilities to the community, including businesses.
- 3.11.1 Ensure the City's Style Guide includes reference to DSCs Accessible Information Checklist.
- 3.12.1 Ensure that City publications carry a notation that information is available in alternative formats
- 3.14.1 Ensure the DSC's Accessible Information Checklist and the City's Style Guide are available on the Intranet.
- 4.15.1 Identify appropriate training and deliver accordingly (customer service teams)
- 7.24.1 Provide employment, work experience, volunteer and traineeship opportunities for people with a disability and liaise with Organisational Development to identify opportunities.
- 7.25.1 Review current process and identify improvements

Statutory Environment

The WA Disability Services Act 1993 (amended 2004) requires public authorities to lodge an annual update to Disability Services Commission (DSC) by 30 June each year.

Policy Implications

The Disability Access and Inclusion Policy (POL CMS 02) was reviewed in 2015 and endorsed by Council in August 2015.

The policy outlines an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

Economic Implications

The AIP 2015-2020 will continue to provide a focus on improving access and inclusion for people with a disability. The tasks identified in the AIP 2015–2020 will be included in future draft annual budgets for Council's consideration.

Opportunities exist for the City to progress its capacity to deliver access and inclusion priorities through further training for relevant officers. Due to staff turnover this is an ongoing process and therefore, further funding for this may need to be considered in future budgets.

Strategic Implications

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

Social:

- Ensure the provision of quality health services and facilities.
- Provide employment and educational opportunities, services and activities that engage the City's young people.
- Provide a range of social, retail, recreational and entertainment experiences for the City's residents and visitors.

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.

Identity:

- Encourage active community participation and engagement.
- Embrace Mandurah's identity as a multicultural community.

Leadership:

- Develop and empower our community leaders to determine, guide and advocate for the City's future.
- Ensure that the City as an organisation behaves as a model corporate citizen.
- Demonstrate leadership on major regional, state and national issues.

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver services and facilities that meet community expectations.
- Build and retain a skilled, motivated and healthy workforce.
- Develop a strong brand of leading local government that meets community expectations.

Conclusion

The Access and Inclusion Plan 2015 - 2020 strategies, actively engages our diverse community, by continuing to plan for disability access and inclusion. The AIP 2015-2020 assisted in achieving a number of the City's strategic outcomes, particularly Our Vision: *A place where community is proud inspired and inclusive*. The AIP will continue to be delivered by a range of business units across the City, led by Community and Social Development. The City will continue to consult with the Access and Inclusion Advisory Group and report to Council annually. Council is requested to endorse the annual report and Statement of Achievements.

Refer **Attachment 1 – Disability Access and Inclusion Plan 2016/2017 Statement of Achievements**

With the permission of Elected Members a presentation which celebrates what has been achieved will be given at the Council Meeting.

RECOMMENDATION

That Council:

- 1. Acknowledges the progress and achievements during 2016/17 in the delivery of the City of Mandurah Access and Inclusion Plan 2015 - 2020 and the continued work of the Access and Inclusion Advisory Group.**
- 2. Approves the Disability Access and Inclusion Plan 2016/17 Progress Report for submitting to the Disability Services Commission for their endorsement.**

Access & Inclusion Plan Progress Report 2016/17

Statement of Achievement

The City of Mandurah is committed to including people with disability through the improvement of access to its facilities and services. Since the adoption of its initial Disability Services Plan, the City has implemented many initiatives and made significant progress towards better access and inclusion. The AIP 2015/2020 outcomes for 2016/17 are outlined below:

Outcome 1:

People with disability have the same opportunities as other people to access the services of, and any events, organised by the City of Mandurah.

- Information about planning processes, electoral processes, Council meetings and complaint processes was provided in clear and precise language and made available in alternative formats on request.
- Mandurah Libraries provide programs that are inclusive and accessible to people of all abilities.
 - Mandurah Libraries continue to build on alternative format resources, including:
 - Large print books – 4,274 books
 - Audio-books collection – 4,784 (Junior, Young Adult and adult) items in different formats, including CD, MP3 and Digital Player.
 - eCollection is available for download on Apple or Android tablet, smart phone or eReader, which includes the following:
 - eAudio collection – 8,347 titles
 - eBooks collection – 4,7547 titles
 - eMagazines – 257 titles
 - Home Library Service - libraries have 266 borrowers registered. This service is for people who have difficulty visiting the library due to illness, frailty or disability, or are caring full-time for someone who is confined to their home.
 - The Human library at the Stretch Festival provided 6 human books. The two most popular included a teenager who was deaf/blind and a young woman with cerebral palsy and both were “booked” in advance. Their stories raised awareness about their everyday lives and also gave readers an opportunity to ask questions that people would not normally ask. These two women were great ambassadors for people with disabilities.
 - Provision of free inclusive computer software and hardware training at the Libraries and Mandurah Seniors and Community Centre.
- City Recreation Centres provide inclusive programs and equipment, including:
 - Gym programs to support people with a disability and rehabilitation programs for people with spinal injuries.
 - Sportability equipment pack
 - Fitness classes for all abilities
- Through the City’s Arts Heritage and Culture Strategy in 2016/17 the Arts and Culture Team has implemented:
 - Training for City and Mandurah Performing Arts Centre volunteers and staff to assist patrons with low vision or who are blind.
 - Audio descriptor and tactile tour for Wearable Art Mandurah in June 2017

- The City's Arts Heritage and Culture Strategy in the 2017/18 aims to:
 - Expand its program to include cultural tours that are accessible to a wider audience
 - Include multi-sensory components when developing their concepts for the public artwork specifically around the new traffic bridge.
 - Use sound (installations and audio descriptors) and textures through the development of The Heritage Trail, which focuses on the Binjareb history around the estuary.
- Mandurah Performing Arts Centre (MPAC) had an internal access audit of their facilities in 2016, which will assist in prioritizing access upgrades in future redevelopment.
- MPAC's supports and promotes "Sensory Friendly Flicks" a social inclusion opportunity for families to attend a series of movie screenings in 2016 with modified lighting, sound and seating to suit children living with autism or sensory processing difficulties. These inclusive community events allow families to enjoy their favorite films in a safe and accepting environment.
- Wearable Art Mandurah - inclusive to all skill levels and abilities:
 - Free workshops provided to develop skills in professional photography and theatrical production, leading to the presentation of the Wearable Art garments on stage in June 2017.
 - Audio descriptor and tactile tour will be offered to patrons who are sight impaired or blind.
- Contemporary Art Spaces Mandurah (CASM) is a destination for positive inclusive engagement and cultural interaction for many community groups including:
 - Community First International Ability Arts Program
 - Nulsun Disability Services
 - Peel Mental and Community Health
 - Ella's House
 - Silver Chain
 - Peel Alzheimer's group
- CASM continues to provide weekly workshop hire to Peel Community Mental Health - Living Skills group who provide art therapy for mental illness, trauma, and associated problems. This provides a safe and supportive environment to engage with CASM's services and other user groups.
- CASM provides two Artist in Residence spaces annually. Katrina Barber, a profoundly deaf visual artist was a CASM artist in residence in 2015. She continued weekly workshop hire as studio space leading to her solo exhibition at CASM in October 2016, and continues to utilise the space for her own professional and personal development throughout 2017.
- Working in partnership with the Alcoa Mandurah Art Gallery (AMAG), and the Mandurah Libraries, CASM now delivers the monthly 'Reflecting with Art' program which tailors half day art discussions and morning tea for People Living with Dementia. Groups are organised through Silver Chain and come from both home care and group care facilities. Community volunteers have been trained to deliver the program.

- Community First International Ability Arts (CFI) program has presented two successful gallery exhibitions in 2013 and 2015.

They engage in group exhibitions including Common Threads Wearable Art 2014, 2015 and 2016 and the Telstra partnership exhibition 'A Digital City in a Connected World' in 2014. CFI continues to make monthly visits to CASM for spontaneous exhibition discussions and curator talks.

- The Stretch Festival's community projects actively encourage the participation of people with disability and disability services providers. During the 2017 Stretch Arts Festival, projects presented by individuals and/or groups with varying abilities included:
 - The Big Draw
 - Take A Load Off (delivered by Community First International)
 - Human Library
 - Stretch Art Trail
 - Volunteer roles by people with a disability
 - Reserved ACROD parking is managed and widely promoted
- City festivals and events consider the needs of people of all ages and abilities, including:
 - Reserved ACROD parking is managed and widely promoted
 - Program information in an accessible format
 - Main stages have ramp access
 - Event layouts
 - Event volunteering opportunities
 - Engaging community and organisation's an access auditor
 - The City's API initiative delivered the following in 2016/17:
 - Funded five community groups to deliver inclusive events. Groups were also provided with City branded materials promoting the Access and Inclusion Plan to a wider community.
 - API Steering Group made up of ten (10) community members, three (3) elected members and local organisations delivered:
 - Casino Royale held on International Day of People with a Disability (3 December) It was attended by ninety people (90) including community, elected members, City officers, key agencies, and 60% people with disability. The event enabled social inclusion with community and people of all abilities.
 - Inclusion stall at Children's Festival stall was very busy all day with 28,000 people attending the Children Festival. At the stall they provided play dough activities.
- City of Mandurah is a Companion Card affiliate providing free entry to people caring for a person with disability.
- Mandurah Aquatic Recreation Centre provided \$500 in vouchers to be used as prizes for the Companion Card Association annual celebration.
- Rubbish services for people with disability or mobility issues continues to be offered.

Outcome 2:

People with disability have the same opportunities as other people to access the buildings and other facilities of the City of Mandurah.

Infrastructure Projects

- The City resumed funding for new paths in 2016/2017 as part of a long term program of upgrading and expanding pedestrian paths to City precincts. Each new path is constructed to current accessibility standards which include:
 - 2.0m wide or wider path
 - Pedestrian ramps with tactile ground surface indicators (TGSIs)
 - Handrails where there is a significant crossing hazardThough this does not specifically target people with disability, the improvements will have a positive impact on increasing access for all.
- Ablution upgrades across existing City facilities include:
 - Compliancy audit
 - Unisex accessible toilet
 - Connecting pathways and kerb ramps
 - Accessible parking
 - A temporary accessible toilet is available during construction
- 1. Repairs and maintenance program to improve access for people with disability i.e. new signage, tactile tiling, paths, ramps and kerbing across various locations in Mandurah.
- 2. Landscape Design through the Public Open Space (POS) approval process ensures developer's designs meet accessible standards. This process also includes consultation with the Access and Inclusion Advisory Group to offer feedback.
- 3. Mandjar Square - the detailed design for the future upgrade works is underway as a part of this access improvements are being addressed including:
 - Remove steps/TGSIs where they do not provide direct legible building access. Replace with walls (designed provide functional/informal seating)
 - Provide consistency in the use of tactile surface indicators (TGSIs)
 - Do not install TGSIs where other sufficient cues exist or can be used (defined edges, raised edges, legible surfaces, contrasting luminance, walls, planting etc.
 - Improve ramp access to Mandurah Performing Arts Centre and Reading Cinemas.
 - Remove access barriers/obstructions from paths of travel including – bollards, signs etc.
 - Designed improvements will be implemented subject to funding being allocated.
- 4. Landscape Design undertook a community engagement approach to review of playground designs and elements. Findings from this help to ensure playgrounds are more accessible and met the needs of community. Officers were able use learnings from training to translate these findings in to considerate accessible design.

Examples of elements are:

- More birds nest swings
- Customized accessible carousel
- Variation of play equipment to include upper body strength play equipment
- Location of play areas
- Compliant steps and hand rails to slides
- Raised play areas
- Flush entrance to playgrounds
- Various types of soft fall making it easier for children and people using mobility devices to navigate playground and play elements.
- More seating and shade

5. Parks and reserve upgrades continue to include a range of accessible features, such as:

- ACROD parking bays
 - Accessible BBQ's
 - Picnic Shelters with accessible tables
 - Connecting pathways at accessible grade
 - A variety of seating styles
- Infrastructure Management processes now incorporate consultation of an external access auditor at the design phase and audits of plans as well as prior to hand over of all major new facilities.
 - Major capital works projects now require the design process to incorporate an access auditor review and engage the Access and Inclusion Advisory Group. This process ensures the City achieves compliance with AS 1428 and avoid possible litigation through the Disability Discrimination Act. Projects for 2016/17 included:
 - Eastern Foreshore Seawall
 - New Mandurah Traffic Bridge

Accessible Facilities

- Mandurah Surf Lifesaving now has beach matting from the centre to the water's edge. This site is trialing matting installed within the storm surge area.
- Eros Beach \$150,000 - final stage of master plan implementation works included new picnic shelters with accessible tables, connecting pathways and new playground.

Caterpillar Playground – Milgar Reserve \$70,000 - Final Stage of staged upgrade including:

- Installation of new equipment - 1 x accessible carousel with rubber under-surfacing, 2 x accessible diggers with rubber under-surfacing, 1 x tornado nest swing with rubber under-surfacing, sand play area with accessible sand table and pulleys, sensory play area with musical instruments and spinning interactive flowers.
- Tactile/sensory paths with embedded stones
- Existing 1.2m wide entry path from car park to playground replaced with 2m wide concrete path lined with shade trees.
- Existing playground fence repositioned and upgraded to make existing fenced liberty swing included as part of the playground rather than a separate add-on.

- Keith Holmes Reserve access audit was conducted by Landscapes Design team as part of Access Audit course requirements in 2013. Recommendations have identified accessible improvements lists. 2016/17 improvements made to the playground to include:
 - Playground under-surfacing replaced with new rubber
 - Some existing equipment replaced including installation of a nest swing and accessible carousel.
 - Shade and seating with connecting pathways
- Playground Replacement 10 year plan – Year 5 of 10 year program \$250,000
- Landscape Design Public Open Space approval process with developers looking for opportunities to maximise inclusion. Accessible grade path to the Madora Bay lookout at Madora Bay East and Tuckey Cove, graded path to tiered lakeside platforms.
- An all-terrain wheel chair is available for free community use. Chair is housed and managed by Mandurah Visitors Centre.
- Mandurah Aquatic and Recreation Centre Redevelopment, incorporated consultation of an external access auditor at design phase and audit. Stage one was completed in 2015 and Stage two was completed in March 2017.
- As part of the City's public toilet upgrades, four key locations underwent capital works upgrades to be fully compliant with AS1428.1 which included:
 - Mandurah Performing Arts Centre
 - Dawesville
 - Henson Street
 - Madora Bay

The public toilet standard adopted by the City is to provide a unisex accessible and ambulant facilities to meet the needs of all of the community.

Outcome 3:

People with disability receive information from the City of Mandurah in a format that enables them to access the information as readily as other people.

- The City new website was released on 23 February 2016 and the project duration was over a 9 month period from initiation to execution. Adherence to WCAG AA (Web Content Accessibility Guidance) was at the forefront of the project and a key consideration in delivering a website which was user-focussed and user-friendly. In order to achieve this objective the project team planned a structured approach to ensure that all content was refreshed and complied with accessibility guidelines. A number of deliverables were achieved:
 - All website content was re-written to adhere to WCAG AA useability requirements.
 - All City content editors and approvers received training for web writing including accessibility.
 - All web images have alternative text (alt tag)
 - Content is easy to read and understand

- Meaningful descriptive links have been included
- The website is user-focussed/friendly

To continue our pursuit of achievement of WCAG AA the next phase of works is currently being carried out to fully optimise all PDF's to this standard, this work should be completed within the next 6 months.

- Audio messages are available on the City's phone system
- Displays are available at City venues to improve access to information for people with disability.
- Information on functions, facilities and services is made available in alternative formats on request.
- The 'You're Welcome Access WA' website: www.accesswa.com.au now contains information on locations of disability services and over one hundred Mandurah facilities including restaurants, parks and community facilities.

Outcome 4:

People with disability will receive the same level and quality of service from the City of Mandurah and its employees as other people receive.

- All Staff Inductions include an Access and Inclusion component with new staff and volunteers attending.
- Staff Information sessions continue to be held on disability access requirements and ways to increase inclusion.
- Since 2013, the City requires key City Technical Officers to attend National Accredited training on legislation requirements and access issues. To date 37 City Officers have attended this training resulting in raised awareness of AS1428 suite and the Disability Discrimination Act. In 2017 six Officers delivering design, compliance, construction and maintenance attended training on "How to Conduct an Access Audit".

Outcome 5:

People with disability have the same opportunities as other people to provide feedback and make complaints to the City of Mandurah.

- Feedback forms: Customer Services employees are available to fill out Customer Feedback Forms and Service Complaint Reports on behalf of customers on request over the counter or over the telephone.
- Service standards and Information booklets: Customer Service have developed two booklets that outline service standards and methods through which people can offer feedback. Customer feedback and complaints can be provided online (web page or email), telephone and through the National Relay Service, or in person.

Outcome 6:

People with disability have the same opportunities as other people to participate in any public consultation by the City of Mandurah.

- Alternative venues were used for community consultation on Council issues and decision-making processes to increase the inclusion of people with disability.

Outcome 7:

People with disability have the same opportunities as other people to access employment and training opportunities with the City of Mandurah.

- In May 2015 the City renewed their contract with Intework for an additional 5 years. Commencing in 2009-10, an ongoing partnership with Intework, an employment support agency, enabled the City to provide forty four (44) people with an intellectual disability from the Mandurah region with employment and training opportunities.
- Six volunteer positions are supported in Mandurah Seniors Community Centre, Library and Billy Dower Youth Centre.
- Community Development Volunteer was a finalist in Peel Volunteer of the Year 2013 Awards for her achievements at the City of Mandurah.
- Equity and Diversity Management plan includes strategies for employing people with a disability.

6. SUBJECT: Reconciliation Action Plan (RAP) 2015-2017 Achievements and Future Direction of RAP Engagement and Consultation Processes
CONTACT OFFICER/S: Tim Hartland
AUTHOR: Tara Hohaia
FILE NO:

Summary

The City of Mandurah began discussions around developing a Reconciliation Action Plan (RAP) in 2010 and endorsed its first RAP in 2012 and its second in 2014. The RAP has provided the City of Mandurah with opportunities to build meaningful, mutually beneficial relationships within the local Aboriginal community. It has also enabled the organisation to deliver some great outcomes for the City and for the Aboriginal community.

City Officers have reviewed the 2015 – 2017 RAP and present achievements for Council's information and acknowledgement. Officers will seek to commence planning for the City's third RAP in the second half of 2017, with a view to then presenting a new RAP for Council's consideration.

This report seeks council endorsement of the achievements from the Reconciliation Action Plan 2015-2017, to thank the existing aboriginal members for their commitment to the current and previous action plan and endorse the development of the next plan.

Disclosure of Interest

N/A

Previous Relevant Documentation

G.13/12/10	15/12/10	Indigenous Reconciliation Update and Future Directions
G. 5/7/12	24/7/12	Reconciliation Action Plan Update and Future Directions
G. 14/6/15	23/6/15	Reconciliation Action Plan Policy
G. 25/12/14	16/12/14	Reconciliation Action Plan 2012-2014 Achievements and 2015-2017 Plan

Background

The City of Mandurah's vision is to create an inclusive community with strong relationships across cultures, based on mutual respect and understanding. Reconciliation involves justice, recognition and healing and recognises the honoured place of the first Australians. Reconciliation also includes taking practical steps towards addressing the disadvantage experienced by many Aboriginal and Torres Strait Islander people in health, employment and education outcomes. The RAP is based on Reconciliation, Australia's three key themes of respect, relationships and opportunities. In order to develop a new plan, a review of the 2015 – 2017 RAP has been undertaken and the outcomes are detailed in this report.

The development and delivery of both previous RAP's has been overseen by the RAP Steering Group. The group consists of six senior Aboriginal community members and six representatives from the City of Mandurah, including the Mayor, Elected Members, CEO and key City Executive and Management representatives. The RAP Steering Group began meeting in August 2011 and have been integral in developing the City's first and subsequent Reconciliation Action Plans. The group has also been instrumental in guiding and monitoring the implementation of the RAP's deliverables. The group has maintained the same membership for six years.

A number of years ago, the group decided that for efficiency reasons a two tiered approach would be adopted. Two distinct types of meeting were scheduled including:

1. Strategic Meetings

These meetings include all RAP Steering Group Members. The meetings are designed primarily to oversee the delivery of the RAP from a strategic perspective. Key directional and strategic discussions are held and decisions made in these meetings.

2. Operational Meetings

These meetings included all Aboriginal representatives, senior management and operational staff from the City, and relevant guests. Elected Members, the Mayor and CEO, although welcome to attend, weren't required to attend. This allowed for a greater focus on operational issues and exposure to a broader range of City projects.

Comment

Review of the City's 2015 – 2017 RAP

The RAP journey has delivered great outcomes. Some key outcomes achieved are outlined below within the three key themes of the plan:

Relationships

- National Reconciliation Week celebrated in 2016 and 2017, Aboriginal community members and City staff invited.
- Aboriginal community invited to significant events delivered by the City of Mandurah
- Distribution list developed for sharing information with the Aboriginal community

Respect

- Cultural awareness training delivered to 81 City Staff and several staff of key City partners
- Acknowledgement of Country now delivered at all Council meetings
- Acknowledgement of Country on the signature block of all City of Mandurah emails
- Welcome to Country offered at all major City, Civic occasions
- Increased support for Aboriginal artists
- Dual naming of a number of parks around the City
- Annual Bindjareb NAIDOC Celebrations supported and delivered (2015, 2016 and planning underway for 2017).
- The Yaburgurt Anniversary Memorial Project supported and delivered
- 'Our Knowledge, Our Land' website has made cultural stories and history available to the public

Opportunities

- Aboriginal Employment Strategy being delivered
- 11 Aboriginal trainees recruited and supported between 2014 and 2017
- 24 Aboriginal students received support to succeed through Student Aspiration Incentive Program (SAIP).
- Certificates of recognition awarded to SAIP students
- Increase to the Indigenous Nursing scholarship for Murdoch undergraduate students
- Governance support offered to Winjan Aboriginal Corporation
- City of Mandurah photo bank of Aboriginal and Torres Strait Islander images increased by 25%
- City of Mandurah increasingly using positive images of Aboriginal people in publications

RAP Steering Group

As the City began the process of reviewing the 2015 – 2017 RAP, it is timely to also review the structure and role of the RAP Steering Group. It is important to ensure that Aboriginal community are increasingly engaged and represented and that the City's processes evolve to meet the changing needs of the community.

The past five years have seen many changes in the community with several groups and individuals emerging who have Aboriginal representation and/or who work closely with Aboriginal community. These groups and/or individuals could offer a great deal in providing information and oversight in the development and delivery of the new RAP and the City's continuing work with the Aboriginal community.

The City is committed to engaging a broader range of groups and individuals in the development and delivery of the new RAP. It is anticipated that engaging a broader range of groups and individuals may also provide more opportunities for stronger inter-generational engagement and consultation.

A great opportunity exists to develop a community engagement process that involves representatives from the following identified groups in the development and delivery of a new RAP:

- Winjan Aboriginal Corporation
- Koolbardies Women's Talking Group
- Aboriginal Youth Development Group
- Yaburgurt Reference Group
- Bindjareb Aboriginal Interagency Network
- Local high school programs, particularly Clontarf Foundation and Goals for Girls (Coodanup College) and Follow the Dream (John Tonkin College)
- Other interested individuals

The City having engaged and consulted with a broader range of individuals and groups within the local Aboriginal community and developed the RAP will then continue to engage with the formation of a strategic group consisting of a wide representative of community. Community groups, service providers and other community members interested in reconciliation could be invited (via EOI process) to express their interest in being involved. City of Mandurah representation would include the Mayor, interested Elected Members, the CEO and the Director People and Communities.

A Terms of Reference would be developed with people having the opportunity to commit for a period of time, potentially for the life of the RAP. Other individuals and groups with particular expertise could be invited to participate as and when needed on a particular issue.

It is anticipated going forward that an operational group internal to the City will also be formed to ensure the effective delivery of the new RAP. This group will likely be made up of representatives from a range of business units within the City. This will ensure a stronger "whole of organisation" approach to the successful delivery of the RAP.

Statutory Environment

Nil

Policy Implications

Nil

Economic Implications

The RAP has a line item in the 2017/18 budget of \$27,000 for its delivery.

Strategic Implications

The following strategy 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.

Identity:

- Encourage active community participation and engagement.
- Embrace Mandurah's identity as a multicultural community.
- 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:

- Develop and empower our community leaders to determine, guide and advocate for the City's future.
- Ensure that the City as an organisation behaves as a model corporate citizen.
- Demonstrate leadership on major regional, state and national issues.

Conclusion

The City has achieved some great outcomes and built strong relationships with the local Aboriginal community as a result of the first two Reconciliation Action Plans. It now has the opportunity to build on this work and broaden its engagement with the local Aboriginal community with the development and delivery of the next RAP.

The next RAP will broaden opportunities for Aboriginal engagement and consultation. Opening up engagement opportunities to a more diverse range of groups and individuals will allow for stronger Aboriginal representation and a stronger, more effective RAP.

RECOMMENDATION

That Council:

- 1. Acknowledge the achievements of the 2015 – 2017 Reconciliation Action Plan.**
- 2. Thanks the six aboriginal members of the steering group for their commitment to the City of Mandurah's Reconciliation Action Plan.**
- 3. Endorse the development of new Reconciliation Action Plan, including a community engagement and consultation process.**

7.	SUBJECT:	Sub-Lease – Peel Thunder Football Club Gymnasium
	CONTACT OFFICER/S:	Ben Dreckow/Craig Johnson
	AUTHOR:	Lesley Petchell

Summary

Peel Thunder Football Club (PTFC) have approached the City with a request for support for a new sublease agreement over portion of their lease area known as the Gymnasium in the Rushton Park Sports Facility.

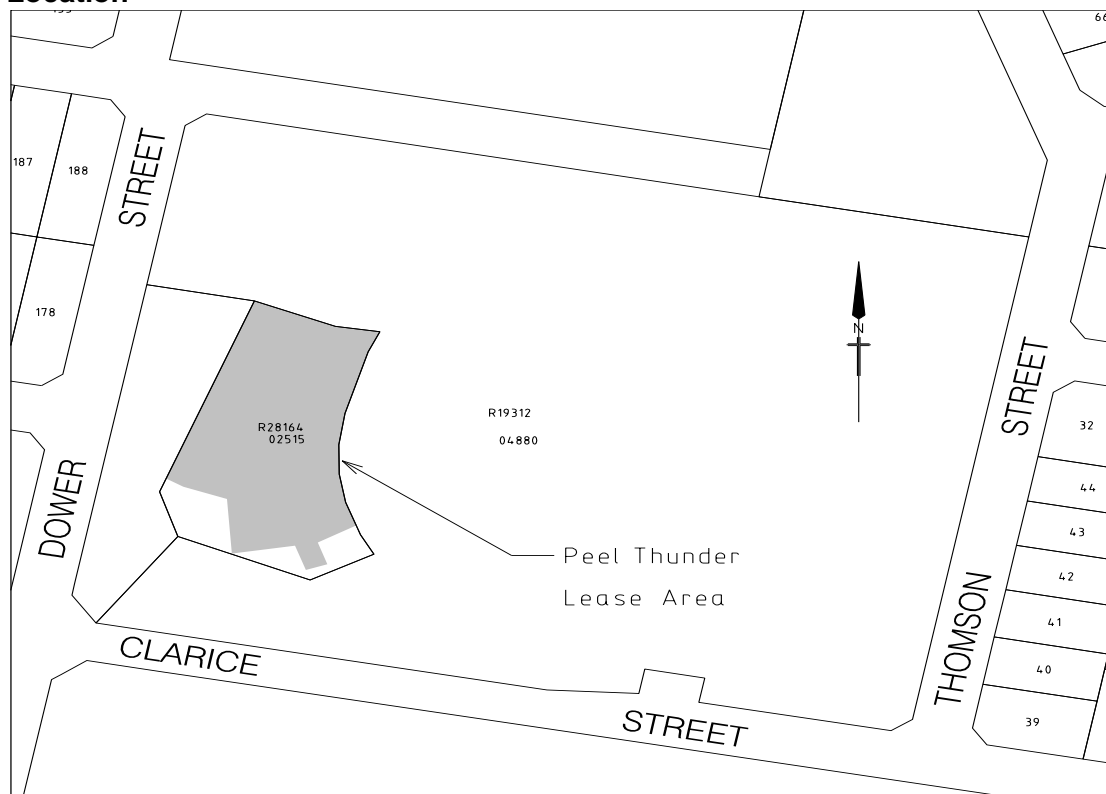
The proposed sub-lease is for an initial two year term expiring in June 2019 with the option of two five year renewals with Bodyworks who will be trading as 'Bodyworks at the Basement'. The annual rent will commence at \$70,000 per annum with the revenue remaining with the club. PTFC will continue to be the head lessee and responsible to ensure all terms and conditions of the current lease are met.

Council is requested to approve a sub-lease between Peel Thunder Football Club and Bodyworks for a portion of Reserve 28164 known as the Gymnasium area at Rushton Park Sports Facility, for a term of approximately two years with two five year options of renewal (2+5+5 years). The sub-lease will also be conditional upon approval from the Minister for Lands, and the commencement date cannot be determined until Ministerial consent has been obtained.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

- G.39/4/13 23 April 2013 Council supported the sublease to BodyaPeel for four years expiring October 2017;
- G.25/3/11 15 March 2011 Council approves a 21 year lease with Mandurah Football & Sporting Club and licence with Mandurah Mustangs over Rushton Park Sports Facility.

Background

The Rushton Park Sports Facility was completed and officially opened in June 2011. The City has entered into a 21 year lease agreement with Peel Thunder and a 21 year licence with Mandurah Mustangs Football Club.

In early 2012, PTFC approached the City with a proposal to sub-lease the Gymnasium area to an external party for the purpose of establishing a private commercial business which would in turn generate an income stream for the club. Council supported a sublease with BodyA Peel which commenced in early 2013 and was due for expiry in October 2017. However the business struggled to remain viable in this location and BodyA Peel relocated to Dower Street and vacated the facility in May 2014, PTFC has continued to run the gymnasium since that time.

Comment

Peel Thunder Football Club (PTFC) have approached the City with a new sublease agreement for a portion of their lease area known as the Gymnasium in the Rushton Park Sports Facility.

The proposed lease is for an initial two year term commencing after the Minister for Lands consent and expiring in June 2019, with the option of two five year renewals with Bodyworks who will be trading as 'Bodyworks at the Basement'. The sub-lease is conditioned by PTFC to ensure that all club players including development squad and Peel Thunderbirds are provided priority membership access. The annual rent will commence at \$70,000 with the revenue remaining with the club. PTFC will continue to be the head lessee and responsible to ensure all terms and conditions of the current head lease are met.

The Lessor will provide:

- The gymnasium facility area for the Lessee to operate on a daily basis
- All Gym Equipment
- Gym Equipment Insurance
- Access to a working telephone system (already installed).

The Lessee will provide:

- All intellectual property and labour for the Peel Thunder Football Club Strength and Conditioning program
- Peel Thunder registered players including development squad and Peel Thunderbirds to priority access to the gym
- Public Liability Insurance
- All costs associated with the operations of the business including electrical, telephone and cleaning expenses.

Under the terms of the lease agreement between the City of Mandurah and Peel Thunder Football Club, Council is required to approve any sub-lease arrangement. In addition, approval is also required from the Minister for Lands as the facility is situated on Crown Land vested to the City, under the Management Order all leases, licenses, sub-leases need approval from the Minister for Lands. The Department of Lands can alter or change conditions of the sub-lease to ensure the continuing

community and recreational use of the facility is protected. The City will not be party to the sub-lease, however a consent to the agreement is a requirement as the managing body of the reserve.

Council is requested to approve a sub-lease between Peel Thunder Football Club and Bodyworks for a portion of Reserve 28164 known as the Gymnasium area at Rushton Park Sports Facility, for a term of approximately two years with two five year options of renewal, with all revenue raised remaining with the club. The sub-lease will also be conditional upon approval from the Minister for Lands.

Consultation

President – Peel Thunder Football Club

Statutory Environment

Local Government Act 1995 Section 3.58 (3) – Disposal of Property

The property was 'disposed' of at Council's Ordinary meeting on 15 March 2011, being the granting of the head lease to Mandurah Football and Sporting Club (Peel Thunder Football Club)

Land Administration Act 1997 Section 18 (2) Minister for Lands Approval

Various transactions relating to Crown land to be approved by Minister. A person must not without authorisation assign, sell, transfer or otherwise deal with interests in Crown land.

Policy Implications

Nil

Economic Implications

Whilst the economic benefits to the City are nil, there are clear financial and operational benefits to Peel Thunder Football Club. In supporting the sub-lease proposal Peel Thunder's financial position is strengthened and in turn should assist the club in meeting their financial commitments to the City.

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.

Conclusion

Peel Thunder Football Club has approached the City, with a request to support a new sub-lease agreement with Bodyworks. The initial term is for two years, with options available to the sub-lessee to extend their tenure by two five year options. (2+5+5 years)

Officers acknowledge that the Gymnasium area within the lease was designed as a dedicated training area for PTFC, however the sub-lease arrangement ensures that the services provided to PTFC are still met while creating a revenue stream aimed at ensuring the financial viability of the club.

Council is requested to approve a sub-lease between Peel Thunder Football Club and Bodyworks for a portion of Reserve 28164 known as the Gymnasium area at Rushton Park Sports Facility, for a term of approximately two years with two five year options of renewal (2+5+5 years) with all revenue raised remaining with the club. The sub-lease will also be conditional upon approval from the Minister for Lands, and the commencement date cannot be determined until Ministerial consent has been obtained.

RECOMMENDATION

That Council:

- 1. Approves the sub-lease between Peel Thunder Football Club and Bodyworks for the Gymnasium area within the Rushton Park Sports Facility for approximately two years expiring in June 2019, with two options of renewal (2+5+5 years) subject to the approval of the Minister for Lands;**
- 2. Acknowledges all costs associated with the preparation of the sub-lease are to be borne by Peel Thunder Football Club;**
- 3. Authorises the Chief Executive Officer to finalise the conditions of the sub-lease agreement.**

8. SUBJECT:	Mandurah Business Development Centre, Lot 201 Reserve Drive Mandurah, Proposed transfer of management
CONTACT OFFICER/S:	Tony Free
AUTHOR:	Tony Free
FILE NO:	

Summary

Council is requested to endorse the City advertising for expressions of interest to facilitate the transfer of the management of the Mandurah Business Development Centre (the Centre) to a not for profit incorporated organisation from 1 February 2018. Council had previously accepted the management of the Centre from March 2017 to 31 January 2018 following the Mandurah Enterprise Centre Management Committee (Mandurah ECMC) relinquishing their lease.

It is recommended that Council agree to the Centre being managed by an external party from 1 February 2018, following an expression of interest process. It is recommended that a five year lease, with a five year option, be offered subject to the organisation being able to demonstrate a knowledge of:

- the skills required to manage small businesses in co-located premises
- small businesses within the Mandurah/Peel region

A further report will be presented to Council following the expression of interest process.

Previous Relevant Documentation

- G.39/12/16 20 December 16 Council resolved to take over the management of the Small Business Centre from the Mandurah Enterprise Centre Management Committee as of 30 March 2017, until 31 January 2018.
- G.16/11/16 8 November 16 Confidential Report – Mandurah Small Business Centre Facility Lease – Consideration of the item deferred to a briefing of Elected Members.
- G.42/12/03 16 December 03 Business Plan – Development and Disposition of Lot 201 Reserve Drive, Mandurah. Council adopted the Business Plan, for advertising purposes.
- G.33/3/03 18 March 03 Council endorsed the concept of the Business Incubator and the use of Lot 201 Reserve Drive, Mandurah, for that purpose.

Background

In March 2003, Council endorsed the concept of establishing a Business Incubator, on the City's freehold land at Reserve Drive.

The facility at Lot 201 Reserve Drive was funded via a Federal Government grant of an initial \$515,000 in June 2004. Council initially agreed to contribute \$130,000 to the project, however, with building costs increasing rapidly at the time, by March 2015, Council agreed to budget another \$75,000 in 2005/06 to ensure the project proceeded. Further funding was also obtained from LotteryWest (\$50,000) and from the Regional Development Scheme (\$10,000).

On completion, the Centre had 15 offices available for use as an incubator, and one office for the centre's manager. The facility contains a central conference/meeting room, which recently received funds for the installation of tele-conferencing facilities. The facility is connected to the NBN (**attachment 1** shows the floor plan).

In December 2016, Council resolved to take over the management of the Centre, from the previous manager, the Mandurah ECMC. The Mandurah ECMC had a lease with the City until 31 January 2018. The Council resolved to take over the management of the lease, thus providing a level of certainty to the existing tenants. The December report referenced the desirability of providing the existing tenants with further certainty beyond January 2018, by June 2017.

Comment

The Mandurah Business Development Centre has transferred to the City's management and continues to operate. The transfer of management has not resulted in any adverse impacts on the tenants, nor any significant issues for the City.

Table one shows the existing tenancies and vacancies that are available at the Centre:

TABLE ONE: Mandurah Business Development Centre Tenants			
Suite #	Tenant Name	Start Date	Expiry Date
2	Vacant		
3	Kylie Coventry Psychologist	12 Jun 08	Periodic*
4	Breast Cancer Care WA	1 Nov 14	31 Oct 17
5	Mandurah Holiday Rentals	2 Mar 16	1 Mar 17
6	4Big Kids	26 Mar 12	Periodic*
7	Vacant		
8	Lo-go Appointments	2 Jul 12	Periodic*
9	COS I.T. (Vacating 14 June 2017)	10 Dec 14	9 Dec 17
10	Seriously Addictive Maths	16 Jun 16	15 Jun 17
11	Vacant		
12	Vacant		
13	Dyslexia Diagnostic Clinic SW	1 May 13	Periodic*
14	Mandurah Accountants	7 Mar 17	Periodic*
15	Vacant		
16	Vacant		

* Periodic Tenancies - either party can give four weeks' notice to vacate

There are a number of options open to Council with respect to the future of the Centre, being:

1. The City continues to manage the Centre
2. The City transfer the management of the Business Centre to another organisation
3. The City puts the building to an alternative use

The options are considered in further detail as follows:

Option one – City continues to manage

Any future local economic development strategy adopted by the City is likely to include a component of supporting local businesses. Thus the Centre, either in its current form or an alternative form, may play a part in that strategy. Should Council determine that the City will continue to manage the Centre, it is suggested that the matter be further reviewed in July 2018, once the City has operated the Centre for over 12 months. That will provide the opportunity for Council to review the performance of the Centre from a financial perspective. Currently with the level of vacancies and the underutilization of the training/conference room, if the City continues to manage the Centre, there will be a net cost to the City perhaps without maximising the benefits to the small business community of Mandurah.

City resources are considered to be better placed focusing on entrepreneurial programs and digital initiatives, consistent with a 21st century economy, rather than a bricks and mortar facility which is more associated with a 1970's and 1980's approach.

Option two – Transfer management to another organisation

Ultimately while the retention of the Centre may be important for the City's support for local businesses, it does not automatically mean that the City needs to manage the facility. Part of supporting local business may include providing a not for profit organisation which has a focus on local business with the opportunity to manage the Centre. Such an organisation is likely to be closer to small business and able to respond to their changing needs more quickly than the City.

If Council were to pursue this option, it is suggested that an open process is followed to allow any relevant party the opportunity to bid. It is proposed that the City would enter into a lease with a not for profit incorporated organisation for five years, with an option for a further five years. The selection of the organisation to manage the centre would be subject to them being able to demonstrate a knowledge of:

- the skills required to manage small businesses in co-located premises
- small businesses within the Mandurah/Peel region

Option three – Alternative use for the facility

Regardless of the outcomes of any further economic development strategy, it is open to Council to put the building to an alternative use, perhaps with a different economic development focus, or perhaps more of a social outcome. While at this stage this option is not recommended, it is an option open to Council. If such an option was to be considered, an inclusive process should be established to ensure that the perspective of all stakeholders is obtained and a clear matrix is established to determine the most appropriate use of the building.

Statutory Environment

The tenants of the facility currently have a non-exclusive licence with the City.

Disposing of Property – *Section 3.58 Local Government Act 1995 (LGA)*

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

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

It is proposed that the City would enter into a lease with a not for profit incorporated organisation for five years, with an option for a further five years. It is proposed that the opportunity to manage the Business Centre would be subject to:

- entry into the lease with the City of Mandurah, with lease fee being at the Community rate

- the licenses entered into between the lessor and the tenants being less than two years
- the lessor being exempt from paying rates however will be required to pay the City's rubbish charge.

Policy Implications

N/A

Economic Implications

The existing non-exclusive licence agreements will return an annual revenue of approximately \$64,500 (inc. GST). Additional revenue is obtained via the hire of the conference room, which has the potential to generate a further \$20,000 - \$30,000 per annum. Three offices currently remain vacant which have the potential to generate a further \$20,000 if occupied.

While costs had been reduced by the previous management of the facility and further savings have been made by the City, with its transfer to the City's management, risks do exist with respect to tenants leaving the facility and new tenants not being found and the conference room hire decreasing. These risks are likely to be at elevated levels the closer to the date of January 2018, without a decision on the centre's future being decided.

Strategic Implications

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

It is recommended that Council endorses the transfer of the management of the Mandurah Business Development Centre from the City to a not for profit incorporated organisation, effective from 1 February 2018. It is proposed that the City advertise for expressions of interest from relevant organisations to manage the Business Centre on behalf of the City. A further report will be presented to Council to appoint the organisation.

NOTE:

- Refer **Attachment 1 Floor Plan**

RECOMMENDATION

That Council:

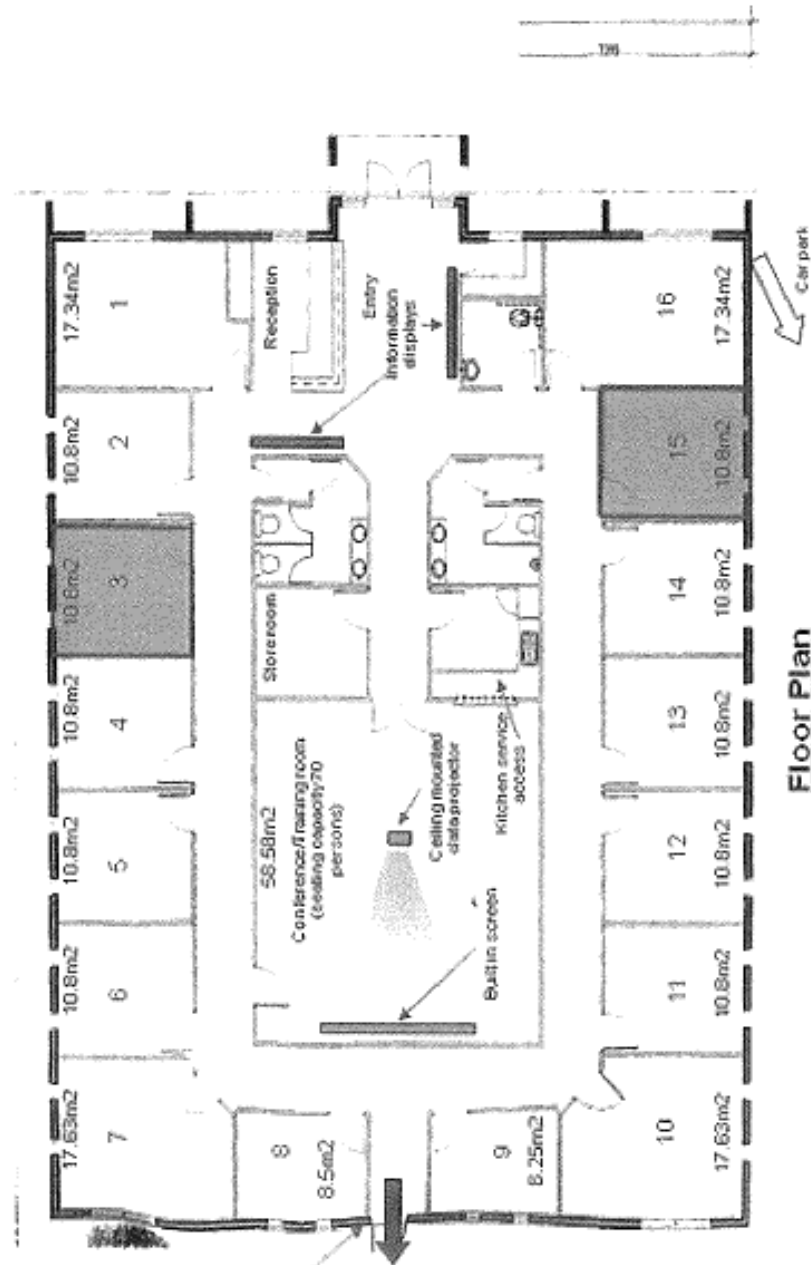
- 1. Endorses the management of the Mandurah Business Development Centre being transferred to an appropriately qualified not for profit incorporated organisation, from 1 February 2018;**
- 2. Approves advertising for expressions of interest from the not for profit sector;**
- 3. Approves the selection criteria for the not for profit to manage the Mandurah Business Development Centre being the ability for them to demonstrate a knowledge of:**
 - the skills required to manage small businesses in co-located premises
 - small businesses within the Mandurah/Peel region
- 4. Acknowledges a further report will be presented to Council to appoint the not for profit incorporated organisation to manage the Mandurah Business Development Centre.**

ATTACHMENT 1

LICENCE AGREEMENT

The Centre has broadband access, is reverse cycle air-conditioned and swipe card entry. All offices are independently lockable. Full specifications available with working drawings

Mandurah Business Development Centre



Floor Plan

9 **SUBJECT:** Bush Fire Management Update and Modifications to Policy
 CONTACT OFFICER/S: Brendan Ingle
 AUTHOR: Brendan Ingle
 FILE NO:

Summary

The City has been undertaking extensive planning and mitigation works in an effort to reduce risk to the community from fire. The following report summarises the extensive mechanical works and prescribed burning that have been undertaken over the last 2 years.

The report also seeks approval to update the City's Bush Fire Prevention and Control Policy. The revisions seek to take a stronger approach to requests for the implementation of key elements of Building Protection Zones, specifically requiring works on overhanging trees and vegetation within 2 metres of dwellings. Also the policy modifications propose to extend exemptions of the restricted burning period. This change will allow all properties over 4000m² to burn garden refuse within the restricted burning period, subject to a burning permit being issued.

Previous Relevant Documentation

G.19/07/16	12 July 2016	Council resolved not to support the clearing of vegetation on City owned and managed land to reduce Bush Fire Attack Levels on individual properties or developments unless mitigation actions have been recognised by the City as being part of its long term fire management planning.
G.25/3/15	24 March 2015	Council agree to maintain an educative approach to Building Protection Zones during 2015/16 and approve the Fire Control Officer having discretion to provide additional green waste vouchers to facilitate the installation of Building Protection Zones.
G.18/9/15	22 September 2015	Council adopted the Bushfire Risk Management Plan relating to fire mitigating activities, relating to prescribed burns and mechanical works.
G.25/2/14	25 February 2014	Council endorsed changes to the City's Bush Fire Prevention and Control Policy, including detailed recommendations regarding the installation of Building Protection Zones
G.25/10/12	23 October 2012	Request by Western Australian Local Government Association for support from local governments to support the introduction of Building Protection Zones

Background

The effective management of fire across the City involves input from a range of sections of the City including City Parks, Environmental Services, Emergency Management, Ranger Services, Planning and Land Services and Building Services.

For the 2017/18 fire season the City will create an internal fire management working group to manage the implementation of mechanical works, prescribed burns, private property Bush Fires Act 1954 inspections, weed management and maintenance and the effective communication of requirements.

The City has been utilising the Bush Fire Risk Management System and training provided by the Department of Fire and Emergency Services to identify and risk assess the interface between development

and vegetated areas across the City. This approach is tenure blind however City owned and managed land will be prioritised to determined required treatments and potential resourcing requirements.

Two City staff attended training in the process of bushfire risk assessment and fuel load assessment to allow the collation of a comprehensive document highlighting the potential risk of the many City managed reserves and landholdings.

Comment

The City has been active in improving its efforts in reducing fire risk across the City both on City owned land and other land tenures. The City continues to work closely with stakeholders and improve internal collaboration to ensure the best outcomes possible in regards to protection of life and property and also environmental values.

Bush Fire Management Plan

Since Council's adoption of a Bush Fire Risk Management Plan, in September 2015, the City has progressed in actioning the recommendations of the report. The City has worked through implementing extensive works schedule outlined in the plan.

The City reserves are being progressively assessed with risk mitigation measures to be recommended. The suggested risk mitigation measures fall into:

- **Fuel Management** - Treatment reduces or modifies the bushfire fuel through manual, chemical and prescribed burning methods;
- **Ignition Management** - Treatment aims to reduce potential human and infrastructure sources of ignition in the landscape;
- **Preparedness** - Treatments aim to improve access and water supply arrangements to assist firefighting operations;
- **Planning** - Treatments focus on developing plans to improve the ability of firefighters and the community to respond to bushfire; and
- **Community Engagement** - Treatments seek to build relationships, raise awareness and change the behaviour of people exposed to bushfire risk.
- **Other** - Local Government Wide Controls will be used to manage the risk. Asset specific treatment is not required or not possible in these circumstances.

Previous Work Undertaken – Implementation of Bush Fire Management Plan

The City has completed extensive works to reduce fire risk and can be summarised below:

- Installation of improved limestone fire breaks at Warrangup Reserve and vegetation thinning in close proximity to nearby properties.
- Installation of improved fire breaks and vegetation thinning in close proximity to properties at the north end of Tim's Thicket Reserve.
- Vegetation thinning to increase set back distances in Donnybrook Turn Florida.
- Installation of limestone fire breaks at the southern end of Caddadup Reserve.
- Extensive of verge fuel reductions south of William Street Melros.

Other mechanical works completed including the installation of improved fire breaks and introduction of slashed buffers include:

- Alder Court
- Cooranga Reserve
- Gordon Rd
- Hexham Close

- Island Point
- Janis Street
- Josephine Te Puni Reserve
- Koolmarl Park (including fuel load reduction)
- Riverside Gardens (as well as dead wood removal, and a 1.8m fence line slashed buffer)
- St Ives
- Yeedong

In addition, two prescribed burns have been able to be completed at Warrangup Springs and Tim's Thicket Reserve. These locations represent two of the highest risk locations recognised within the Bush Fire Management Plan. These burns were undertaken in consultation with local volunteer brigades and DFES with the Department of Parks and Wildlife managing the burn at Tim's Thicket on the City's behalf.

The coordinated approach to undertaking these burns has been an excellent opportunity to make use of external skills whilst still moving forward with reducing fuel loads at these key locations.

The City will continue to investigate opportunities to undertake further fuel reduction burns across the City considerate of resourcing, risk and also environmental values. To assist in the continued development of skills, three City staff attended a Western Australian Local Government Association Workshop on Bushfire Planning and Biodiversity on 22 February. This workshop included current research that has been undertaken in regards to the environmental considerations in managing bushfire, particularly associated with prescribed burning.

Modifications to Bush Fire Prevention and Control Policy

This report also seeks approval to amend the City's Bushfire Prevention and Control Policy. Officers recommend a number of changes are made to the policy as noted in **Attachment 1**.

An important change within the Bushfire Prevention and Control Policy is the extension to allow properties over 4000m² to undertake garden refuse burns to reduce fuel loads, subject to an appropriate permit being issued.

Historically this has not been permitted but this change, would allow larger properties in suburbs such as Pleasant Grove to undertake fuel management on their properties. Permits issued include conditions that set out the requirements of any burning with these conditions being monitored by Ranger Services with the assistance of volunteer brigades.

Recommended changes are also to adopt a revised enforcement approach to Building Protection Zones. The City has for 3 years now provided on site education and advice to land owners in regards to the installation of Building Protections Zones. The proposal is to now follow up requests for works on overhanging trees and vegetation within 2 metres of dwellings with the option of issuing infringements where this is not completed. All other elements of Building Protection Zones will remain as recommendations to owners.

The removal of any subsequent green waste will be important and where any requests for works made advice on disposal options will be provided via seasonal permits to burn garden refuse or the provision of necessary green waste vouchers to remove material created by the creation of the Building Protection Zone.

Consultation

The City has reviewed and formulated a detailed marketing plan to improve communication of fire requirements particularly focused on vacant land owners who are currently the most likely owners to not comply with fire break and fuel hazard requirements.

In addition to the minimum requirement of the Bushfires Act 1954 to advertise requirements within the Government Gazette and also within locally circulating newspapers the following measures will be taken to maximise the chances of land owners noting and understanding bushfire requirements.

- Educative site visits made available
- The use of Variable Message Boards in the lead up to 18 November 2017
- Providing the First and Final Fire Notice with the Rates Notice
- Improved use of the City's Website
- Increased use of social media
- Direct email where emails are available on the City's records
- Emails to properties that have previously received infringements
- Use of the local press

The changes within POL-EMS 01 Bushfire Prevention and Control have been consulted with the Bushfire Advisory Committee as have fire mitigation works that have been completed.

Change of permitted garden refuse burning arrangements will be updated within the City's 2017/18 Fire Notice that is issued with the City's Rates Notice.

Statutory Environment

Council may, in accordance with section 33 of the *Bush Fires Act 1954* (the Act) issue and publicise annually to all landowners requisitions necessary for the reduction of fire hazards within the City.

Policy Implications

Amendments are proposed to POL-EMS 01 Bushfire Prevention and Control. These changes are detailed within ***Attachment 1***.

Economic Implications

In addition to standard maintenance of parks and reserves, additional works identified and implemented in line with the Bush Fire Management Plan adopted by Council equated to approximately \$130,000 in 2016/17 inclusive of a \$50,000 grant from the Office of Bushfire Risk Management.

Labour costs associated with the management and preparation of risk assessment have been undertaken within existing budgeted positions.

The City has budgeted \$100,000 in 2017/18 to complete fire mitigation works and ensure the effective maintenance and management of previous works undertaken particularly related to weed management. The City will seek to prioritise mitigation action over a 10 years cycle.

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.

Social:

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

Leadership:

- Ensure that the City as an organisation behaves as a model corporate citizen.

Conclusion

The City continues to undertake actions to improve preparation for bushfire on City owned land and prepare detailed plans for future actions. The City is committed to ensuring private properties are prepared and compliant with the City's Bushfire Prevention and Control Policy and Bushfires Act 1954 and will seek to effectively communicate these requirements as part of preparations for the 2017/18 fire season.

NOTE:

- Refer ***Attachment 1 Draft POL-EMS 01 Bushfire Prevention and Control Policy.***

Subject to Committee's consent, officers will make a presentation on this item at the meeting.

RECOMMENDATION

That Council:

1. **Note the actions undertaken to improve bushfire management across the City of Mandurah.**
2. **Approve proposed amendments to POL-EMS 01 Bushfire Prevention and Control Policy as detailed in *Attachment 1*.**
3. **Note that changes to the POL-EMS 01 Bushfire Prevention and Control Policy will be reflected in the City's 2017/18 Fire Notice.**



POL-EMS 01

POLICY

BUSH FIRE PREVENTION AND CONTROL (*Bush Fires Act 1954*)

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Policy Objective:

To provide advice on all aspects of preparedness, prevention and the management of bush fires [on properties within the City of Mandurah](#).

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Policy:

The City of Mandurah (the 'City') is committed to formulating and imposing appropriate fire prevention measures necessary to provide a safe environment for the community on properties including rural, urban, occupied and unoccupied land. In doing this, the City has implemented the following measures:

1. FIRE HAZARD REDUCTION AND FIRE BREAK INSTALLATION:

- 1.1 Council may, in accordance with section 33 of the *Bush Fires Act 1954* (the Act) issue and publicise annually to all landowners, requisitions necessary for the reduction of fire hazards within the City.
- 1.2 Delegated Authority has been granted to the Chief Executive Officer by Council to approve the first and final Fire Break and Fuel Hazard Reduction Notice (The Notice) annually, unless substantial changes are recommended by Council's Bush Fire Advisory Committee. Recommendations for substantial alterations to The Notice shall be submitted to Council for consideration of adoption.
- 1.3 The following requisitions have been adopted by Council as a minimum requirement for landowners for the reduction of fire hazards on their property. The below mentioned fire hazard reduction must be complied with by or on the 17 November annually: and maintained until 31 May.

➤ Occupied or Unoccupied Land Less than 2023m²

Where the area of land is less than 2023m² remove all flammable material on the land except living standing trees, from the whole of the land to a height of no longer than 4 centimetres by either mowing, slashing, ploughing, cultivating, scarifying, chemical spraying (followed by slashing down to 4 centimetres) or other approved method by an officer of Council authorised for this purpose. **A four (4) metre fire break is not acceptable.** (Note: Properties with dense vegetation will also need to be thinned out to reduce any significant fire risk to the satisfaction of the City's authorised officer).

➤ Occupied or Unoccupied Land 2023m² and Over

When the area of land is 2023m² and over, provide a trafficable mineral earth firebreak at least four (4) metres wide, with a vertical height clearance of 4.2 metres:

- Immediately inside all external boundaries on the land;
- Immediately surrounding all outbuildings erected on land;
- Immediately surrounding haystacks, fuel storage or other flammable substances or material.

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1.4 BUILDING PROTECTION ZONES

In all areas noted as being within 100m of Bush Fire Prone Vegetation as provided by the Office of Bush Fire Risk Management, the installation and maintenance of Building Protection Zones (BPZ) are recommended.

Building Protections Zones in these areas are recommended to include:

- A 20 metre building protection zone (reduced fuel load) from the walls of any building or infrastructure unless otherwise approved in a Fire Management Plan.
- Reticulated gardens shall be maintained to a height no greater than 0.5 metre (50 cm).
- Loose flammable material within the BPZ should be removed to reduce the fuel load to less than 2 tonnes per hectare and this is to be maintained to this level.
- Wood piles ~~to be~~ stored at least 10 metres from the building.
- ~~Maintenance of~~ a minimum 2 metre gap between trees and shrubs any building or infrastructure.
- ~~Ensure~~ that no trees overhang any building or infrastructure.
- Prune lower branches of trees within the BPZ (up to 2 metres off the ground) to stop a surface fire spreading to the canopy of the trees.
- Trees or shrubs in the BPZ are to be cleared of any dead material.

On land zoned rural residential under the City of Mandurah Town Planning Scheme No. 3, and on all land 4000 square metres and greater south of the eastern and western prolongation of the northern boundary of reserve number R33139 located on William Street, Melros. Building Protection Zones in these areas are required to:

- Maintain a minimum 2 metre gap between trees and shrubs any building or infrastructure;
- Ensure that no trees overhang any building or infrastructure.

~~The City's Bush Fire Control Officers will issue cautions only, for non-compliance with Building Protection Zone requirements rather than the issuance of penalties and/or contractors to undertake works. Any change in enforcement approach in this regard is to be endorsed by Council.~~

~~The City's Bush Fire Control Officers may issue a request for works to be complete for the failure to undertake required Building Protection Zone works and where work are not completed infringements may be issued. Contractors will not be requested to undertake works on the owner's behalf in relation to BPZ non -- compliance.~~

~~issue cautions only, for non-compliance with Building Protection Zone requirements~~

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~~rather than the issuance of penalties and/or contractors to undertake works.~~ Any change in enforcement approach in this regard is to be endorsed by Council.

Applications can be made to the City to remove trees or vegetation in order to create a Building Protection Zone within a tree preservation area as designated in the City's Town Planning Scheme No 3.

These requirements are the minimum standard. Any additional requests may be made in accordance with the relevant section of the Bush Fires Act 1954 by the City's authorised Bush Fire Control Officer.

- 1.5 Annual property fire break and fuel hazard reduction inspections of all urban, rural occupied and unoccupied land by Ranger Services authorised Bush Fire Control Officers will officially commence on the 18 November each year.

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- 1.6 **Variation to the City's Requirements:** If a landowner considers for any legitimate reason it impractical to clear firebreaks as required by The Notice, or if natural features are considered to render firebreaks unnecessary, application may be made in writing to the City or its duly authorised officers, not later than 1 November of each year for alternative locations, or other method of fire prevention on the land. If permission is not granted, the requirements of The Notice must be complied with. Any major fire hazard reduction request which can not be resolved between the applicant and an authorised officer may be referred to the Chief Bush Fire Control Officer for determination.

- 1.7 The City or its authorised officers may, in accordance with section 33 of the Act, arrange for a contractor, workers, machinery or other equipment or workforce necessary to clear land found in contravention of subsection 1.3. The City's contractor may be requested to undertake remedial compliance works to properties found to be in contravention of subsection 1.3.

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- 1.8 Landowners may be served with notice of the contravention and a modified penalty (infringement) may be issued in accordance with the Act.

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- 1.9 Landowners shall be liable for the costs associated with the hazard reduction clearing on their land as stipulated in subsection 1.7 of this policy and those costs shall remain as a debt against the property until paid in full.

BURNING PERIODS

- 2.1 Restricted Burning Period:

The restricted burning period, pursuant to section 18 of the Act shall be between 1 April and 30 November inclusive each year.

- 2.2 Prohibited Burning Period:

The prohibited burning period, pursuant to section 18 of the Act shall be between 1 December and 31 March inclusive each year.

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- 2.3 Limited Burning Times:

Has the same meaning as 'Restricted Burning Period' where a Permit to Burn is required.

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3 CAMP FIRES

Council has resolved to prohibit the burning of camp fires in the district unless specifically approved by the City in writing.

43 BURNING OF GARDEN REFUSE

Council has resolved to prohibit the burning of garden refuse or rubbish within the district of Mandurah that would otherwise be permitted under Section 24F of the *Bush Fires Act 1954*. This prohibition applies to all land zones urban residential under the City of Mandurah Town Planning Scheme No: 3, during the "Limited Burning Times". The effect is that the burning of garden refuse either in an incinerator or on the ground in urban zoned areas is now prohibited at all times of the year.

The following exemptions apply:

1. Exemptions apply to Land zoned rural residential under the City of Mandurah Town Planning Scheme No: 3, and on all land 4000 square metres and greater, south of the eastern and western prolongation of the northern boundary of reserve number R3313 located on William Street, Melros.

Land zoned residential over 4000 square metres and greater.

Residential lots 2023m² and over in the area bounded to the north by Lemongrass Way Falcon west to Old Coast Road, south to the prolongation of Signet Court Falcon within the area known as Pleasant Grove.

These exemptions are restricted to the declared "Restricted Burning Times" as mentioned above and a "Permit to Burn" will be required during these dates. No burning is permitted during the 'Prohibited Burning period' as mentioned above.

Burning Permits may be issued for the entirety of the "Restricted Burning Period" season with appropriate conditions imposed.

These conditions include the following requirement:

- Properties of area less than 2 hectares are to burn no more than 1m³ or less of refuse one time.

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Procedure:		Formatted: Font color: Red, Superscript
Originating Section: Ranger Services		Formatted: Font color: Red
Relevant Legislation: <i>Bush Fires Act 1954</i>		Formatted: Indent: Left: 0 cm
Reviewer: Coordinator Ranger Services Manager Statutory Services		
Delegated Authority: DA-EMS 01 Prohibited Burning Times DA-EMS 02 Bush Fires Act 1954 DA-DBC 02 Planning/Building Application Fees DA-DBC 02 Planning/Building Application Fees		Formatted: Font color: Red, Strikethrough
Approved: Minute G.28/06/02, 18 June 2002		
Reviewed: Minute G.43/12/09, 15 December 2009 Minute G.31/6/12, 26 June 2012 Minute G.25/2/14, 25 February 2014 Minute G.25/3/15, 24 March 2015		
Other References: Previous reference — CS-RA-01 <u>Nil</u>		Formatted: Font color: Red, Strikethrough
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10 SUBJECT: Tender Number 10-2017 – Landfill Disposal Services
CONTACT OFFICER/S: Allan Claydon
AUTHOR: Kyle Boardman/Allan Claydon
FILE NO: F0000123338

Summary

The City of Mandurah invited tenders for Landfill Disposal Services on 22 April 2017.

The City's waste requiring disposal at a registered landfill site includes all waste collected through the weekly refuse collection service, public bin collections, verge collections, illegal dumping and any other waste received at the Waste Management Centre (WMC).

All of the City's waste is to be transported to the nominated landfill site in specialised 53m³ compaction trailers via a prime mover, semi-trailer towing a dog trailer configuration. The volume of material to be transported is approximately 45,000 tonnes per annum.

Council approval is sought to select Cleanaway Pty Ltd as the successful tenderer for Disposal of Landfill Services for a period of three years, with an option for a one year extension at the sole discretion of the City. The contract is to commence on 9 August 2017.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.25/5/10 25 May 2010 Council awarded a contract to Transpacific Cleanaway Pty Ltd under Tender 11-2010 for the disposal of the City's municipal waste, at the schedule of rates offered, for a period of 2 years plus a 1 year option, subject to Council approval. Council also delegated authority to the CEO to negotiate clause variations and award the contract.
- G.33/7/13 23 July 2013 Council awarded a contract to Transpacific Waste Management Pty Ltd for the provision of landfill site to accept the city's Municipal Solid Waste and General Refuse for a period of 2 years, with an option for two one year extensions.

Background

The current contract for Landfill Disposal Services was awarded to Transpacific Waste Management Pty Ltd through the Western Australian Local Government Association (WALGA) Preferred Supplier Panel for Waste Collection Goods & Services (C002/11). The products and services under this Panel were diverse and included a category for Landfill Management Services. WALGA selected eleven (11) companies on the Panel, although only one (1) company had a landfill located outside the metropolitan area that could service waste from the City (Transpacific Cleanaway – Dardanup Landfill). The City submitted a specification through the WALGA's Preferred Supplier Panel (eQuote 06-2013) for the disposal of the City's Municipal Solid Waste and General Refuse.

A written submission was received by Transpacific Cleanaway through the eQuote process and the contract was awarded to Transpacific Cleanaway for a period of two years with two options to extend for a further one year to a total contract period of four years and commenced on 9 August 2013.

To provide continuation of the service a tender for Landfill Disposal Services was advertised in the Saturday 22 April 2017 edition of the 'West Australian' newspaper and in a notice which was displayed on the Administration Centre and Library notice boards.

The tender seeks the provision of the required service for a period of three years, with an option for a one year extension at the sole discretion of the City. The contract will commence on 9 August 2017.

Comment

The Tender closed at 2:00pm on Tuesday 16 May 2017. Tenders were received from the following companies:

1.	Cleanaway Pty Ltd	Malaga WA
2.	SUEZ Recycling & Recovery Pty Ltd	Rhodes NSW

The following weighted qualitative criteria, approved under policy POL-CPM 03 – Selection Criteria for Major Procurements, were used to assess and rank each tender submission:

Description of Qualitative Criteria	Weighting
Relevant Experience	12.5%
Technical Skills & Experience of Key Personnel	12.5%
Resources	12.5%
Methodology	12.5%
Tendered Price	50%

An evaluation panel, comprising of officers from the Works and Services, Technical Services and Waste Management, individually assessed each tender against the weighted qualitative criteria submitted by each tenderer, where Cleanaway Pty Ltd was ranked first in the qualitative assessment.

A member of the City's Governance and Tenders section coordinated and observed the tender qualitative evaluation process and can confirm that the probity and procedural aspects relating to the evaluation were compliant.

Pricing

On completion of the assessment of the qualitative criteria, the evaluation panel decided to use the tenderers rate per tonne costing for the evaluation matrix because this was considered the fairest approach to comparing costs. Prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** by a member of the City's Governance and Tender's section who then carried out a final analysis taking into account competitiveness and combined qualitative and price ranking in order to determine the tender which represented best overall value for money for the City.

As a result, the tendered submission from Cleanaway Pty Ltd was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

Consultation

A reference check has been undertaken with nominated referees and the preferred tenderer is considered to be capable of carrying out the Contract.

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.*

Policy POL-CPM 03 – *Selection Criteria for Major Procurements has been complied with.*

Economic Implications

The schedule of rates contract has a price basis that is variable in accordance with the special conditions of contract, allowing CPI increases at each twelve (12) month contract anniversary date.

The expenditure estimate for the contract is approximately \$1,890,000 per year. The total contract value over 3 years is approximately \$5,840,000#.

Based on a 1% growth in tonnes and the disposal rate increasing in Years 2,3 and 4 by a 2% CPI rate.

For comparison purposes the disposal rate at the major landfills in Perth are as follows:

Millar Road Landfill – Rockingham	\$135.45 per tonne
Henderson Landfill – Cockburn	\$140.91 per tonne
Red Hill Landfill – EMRC	\$150.45 per tonne
Mindarie Landfill – MRC	\$181.81 per tonne

Please note that the above disposal rates exclude GST.

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

Tenders for Landfill Disposal Services were recently invited. Two were received and assessed against both qualitative criteria and price. The result was that the submission from Cleanaway Pty Ltd represented overall best value for money for the City and it is therefore recommended that the City selects Cleanaway Pty Ltd as the preferred tenderer at the cost per tonne offered for a period of three years, with an option for a one year extension at the sole discretion of the City. The contract will commence on 9 August 2017 and the contract rate is subject to an increase in accordance with CPI (All Groups Perth) at each 12 month contract anniversary date.

NOTE:

- Refer ***Confidential Attachment***

RECOMMENDATION

That Council awards Cleanaway Pty Ltd the contract under Tender 10-2017 for Landfill Disposal Services for a period of three years, with an option for a one year extension at the sole discretion of the City. The contract commences on 9 August 2017 and the cost per tonne offered is subject to an increase in accordance with CPI (All Groups – Perth) at each twelve (12) month contract anniversary date.

11 **SUBJECT:** Register of Delegated Authority – Annual Review
 CONTACT OFFICERS: Natasha Pulford / Wido Peppinck
 AUTHOR: Suzanne Gunton
 FILE NO: A00099

Summary

Under section 5.42 of the *Local Government Act 1995* (the 'Act'), Council may delegate any of its duties or powers to the Chief Executive Officer (CEO) [delegated authority]. In accordance with s5.46 of the Act, the CEO is to maintain a register of delegated authority with a further requirement for a complete review of the register to be conducted at least once every financial year.

The review also includes all delegations by the CEO to employees in accordance with the CEO's powers of sub-delegation under s5.44 of the Act, and delegations by Council or the CEO that fall under other legislation such as the *Bush Fires Act 1954* and *Liquor Control Act 1988*.

It does not include a review of delegations to Committees in accordance with s5.16 of the Act, given Council has taken the position not to delegate to the Planning Committee and prohibitions relating to the Audit and Risk Committee's external members making decisions on behalf of the City.

The review for the 2016/2017 financial year is complete and given the review forms part of Council's annual compliance requirements, it must be endorsed by 30 June 2017.

The outcome of the review of the City's 62 delegations resulted in 19 delegations being amended, one new proposed delegation, and reaffirmation of the remaining forty three.

Council is requested to note that amendments to the following delegations and the proposed new delegation are not included within this report and will be subject of a separate report to Council:

DA-LUP 07 Local Development Plans (new)
DA-DBC 10 Development Applications for Non-Residential Development
DA-LUP 03 Structure Plans and Activity Centre Plans
DA-LUP 04 Subdivision

Council is requested to consider and adopt the proposed amendments along with noting the reaffirmation of the remaining forty three delegations.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.36/6/16 28 June 2016 Register of Delegated Authority – Annual Review
- G.15/12/15 15 December 2015 Planning delegations reviewed following introduction of new *Planning and Development (Local Planning Scheme) Regulations 2015*.
- G.38/6/15 23 June 2015 Annual Review: Register of Delegated Authority and Authorised Officers
- G.40/6/14 24 June 2014 Annual Review: Register of Delegated Authority

Background

Local Government has the ability to carry out its statutory functions and duties by way of delegation via local government and other related legislation. To delegate authority provides for the conferral of the ability to exercise a power or duty to a person from a person that is vested with the responsibility to exercise that power or duty.

The primary aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by relevant legislation. Having appropriate delegations in place allow day to day decisions to be made by the CEO, who in turn can sub-delegate these decisions to other staff if statutorily allowable.

As indicated in the summary, the Act requires local governments to keep and maintain a register of Delegated Authority and undertake a review of the register at least once every year. The process for reviewing delegations is a protracted and in-depth exercise where extensive consultation is undertaken with all delegates to determine whether:

- the delegations intent is still relevant and complies with statutory obligations,
- the legislative head of power to provide for the delegation is still current,
- the delegation still assists in improving the efficiency and effectiveness of City operations; and
- probity can continue to be demonstrated.

The previous review was adopted by Council at its meeting of 28 June 2016.

Comment

The City currently has 62 delegations in place. Since the previous review the following new delegations were created:

DA-LWE 08	Infringement Notices	CEO Approved November 2016
DA-LWE 09	Graffiti Vandalism	Council Adopted February 2017
DA-PBH 10	Public Health Act 2016	Council Adopted December 2016

As a result of this review, 1 new delegation was identified, 19 require amendment, and the remaining 43 are unchanged. As previously mentioned, 3 of the amended delegations and the new delegation do not form part of this report and are therefore not included in the following table.

Amended Delegations:

Council is requested to consider the proposed amendments to delegations as follows and as attached to this report (Attachment 1):

DA-CPM 01 Expressions of Interest <i>Reviewed by Manager Financial Services</i> <i>and</i> <i>Manager Governance and Tenders</i>	Function <u>Amend to:</u> Seek and determine expressions of interest for the supply of goods and services in accordance with Division 2, Regulation 21 and 23 of the <i>Local Government (Functions & General) Regulations 1996</i> .	Additional wording added to broaden the scope of the delegation.
	Sub-delegate <u>Include:</u> Corporate Lawyer	Included an additional sub-delegate as it was determined that this senior position was not only a party to the function of the delegation, but in the absence of the Manager Governance and Tenders a second sub-delegate is required.
	Legislative Powers <u>Include:</u> Regulation 23 of the Local Government (Functions and General) Regulations 1996.	This section of legislation relevant to delegation.
DA-CPM 02 Tenders <i>Reviewed by Manager Financial Services</i> <i>and</i> <i>Manager Governance and Tenders</i>	Function <u>Remove:</u> Item 3 relating to providing written notice to each tenderer.	This function does not need to be delegated.
	Sub-delegation <u>Include:</u> Director Sustainable Development. Director Works and Services. Director People and Communities. Executive Manager Strategy and Business Performance.	Directors are required to settle the selection criteria relevant to their projects.
	Conditions and Exceptions <u>Include:</u> Sub-delegation to Directors, Executive Manager Strategy and Business Performance and Manager Financial Services is limited to Part 2) above only.	Manager Governance and Tenders is the only position responsible for publicly inviting tenders for the purchase of goods and services.
DA-CPM 04 Approval of Purchases	Conditions and Exceptions <u>Remove:</u> Reference to Manager Financial Services. <u>Include:</u>	Removed Manager Financial Services as position manages the process therefore should not be reviewing and providing recommendations. Included Corporate Lawyer to cover any absence of the Manager Governance and Tenders.

Report from **Corporate Lawyer**
to **Council Meeting of 13 June 2017**

	Corporate Lawyer.	
	Conditions and Exceptions <u>Replace item 2 with the following wording</u> Purchases approved under this delegation will be reported to Council via the monthly Financial Report.	Amended to reflect the correct process for reporting to Council.
DA-DBC 01 Development Applications for Residential Development <i>Reviewed by Manager Planning and Land Services</i>	Function <u>Include:</u> Addition of item 3 to amend or cancel a development approval, subject to certain circumstances.	Allows provision to amend or cancel a development approval as was added in Deemed Provisions for Local Planning Schemes. This delegation is subject to the original determination being made under delegated authority.
	Legislative Powers <u>Include:</u> Regulation 17A of the <i>Planning and Development (Development Assessment Panels) Regulations 2011</i> .	Legislation is relevant to delegation.
DA-DBC 03 Building and Demolition Permits	Conditions and Exceptions <u>Remove wording:</u> Senior Development Compliance Officer (SDCO). <u>Replace with:</u> All sub-delegates.	All positions within these delegations should hold the appropriate Building Surveyor Qualification and Registration with the WA Building Commission, not just the Senior Development Compliance Officer Position.
DA-DBC 04 Occupancy Permits and Building Approval Certificates		
DA-DBC 05 Building Orders <i>All Building delegations reviewed by Coordinator Building and Development Compliance</i>	Sub-delegation <u>Include:</u> Senior Development Compliance Officer.	Additional position provides delegation to be able to issue Orders in the most efficient manner and to reduce the time to deal with these matters for the benefit of the surrounding owners. This delegation is also conditional on the Senior Development Compliance Officer holding the appropriate Building Surveyor qualification issued by the Building Commission of WA.
	Conditions and Exceptions: <u>Amend:</u> Minor wording changes in item 1. <u>Include:</u> Senior Development Compliance Officer in item 2.	
DA-ECD 01 Trading in Public Places	Title <u>Amend to:</u> Trading Permits.	Amended to be consistent with wording used in the pending new local law.
	Function <u>Amend term</u> 'Licence' to 'Permit'	

Report from **Corporate Lawyer**
to **Council Meeting of 13 June 2017**

<i>Reviewed by Manager Planning and Land Services</i>	Function <u>Remove wording:</u> In accordance with Council's Trading in Public Places Local Law and relevant policy. <u>Replace with wording:</u> In accordance with the relevant Council Local Law and associated Policy or guideline to support the assessment of Trading Permits.	Reference to Trading in Public Places Local Law redundant as forms part of the City's previous Consolidated Local Laws which have been repealed. Reworded so that determinations are made in accordance with any associated/relevant document.
DA-EVM 02 Management Plans <i>Reviewed by Manager Statutory Services</i>	Conditions and Exceptions <u>Include:</u> Addition of second item: Bushfire Management Plans are to be referred to the Technical Discussion Meeting (TDM).	These Plans require assessment for a number of considerations including compliance with bushfire guidelines but also consistency and compliance with existing environmental management plans and legislation.
DA-LUP 02 Endorsement of Applications <i>Reviewed by Manager Planning and Land Services</i>	Function <u>Amend:</u> Titles of Western Australian Planning Commission Forms (Forms 1, 1A and 1C).	Form titles amended to correspond with exact titles used by the WAPC.
DA-LUP 05 Clearance of Subdivision Conditions <i>Reviewed by Manager Planning and Land Services</i>	Function <u>Remove wording:</u> including relevant strata applications with the endorsement of a Diagram or Plan of Survey. <u>Replace with wording:</u> and endorse the Deposited Plan.	Change in terminology to reflect actual practices.
	Sub-delegation <u>Include:</u> Coordinator Development Services.	Included as in practice, position actually undertakes the function of this delegation.
DA-LWE 07 Authorised Officers <i>Reviewed by Corporate Lawyer</i>	Function <u>Remove:</u> Section 9.17 – Content of notice. Section 9.19 – Extension of time. Section 9.20 – Withdrawal of Notice.	Function no longer able to be undertaken by an Authorised Officer following recent changes to LG Act. New delegation created in November to <u>delegate</u> these functions instead. Given the functions under sections 9.17, 9.19 and 9.20 were superseded by this new delegation, they remained dormant

		under the existing delegation and therefore not exercised between November 2016 and the time of this review process.
DA-PBH 01 <i>Public Environmental Health Risks</i>	Function / Conditions and Exceptions /Legislative Powers <u>Remove wording:</u> Health Act 1911. <u>Replace with wording:</u> Health (Miscellaneous Provisions) Act 1911.	All references to the Health Act 1911 amended as the Act was retitled at the time stage 3 of the Public Health Act 2016 was implemented early 2017.
DA-PBH 05 <i>Gaming – Section 55 Certificates</i>		
DA-PBH 06 <i>Liquor Licensing – Section 39 Certificates</i>		
DA-PBH 02 <i>Alfresco Dining Licences</i> <i>* All health delegations reviewed by Principal Environmental Health Officer</i>	Function <u>Remove wording:</u> Part XIII – Eating Areas in Streets and Other Public Places, of the City's Consolidated Local Laws. <u>Replace with wording:</u> The relevant provisions of the City's Local Laws.	The City's Consolidated Local Laws have been repealed. Amended to remove specific reference to existing local law in readiness for pending new Property and Public Places Local Law 2016.

Unchanged Delegations:

The following delegations are still in line with their objective and intent and therefore remain unchanged:

Delegation	Title
DA-CPM 03	Light Vehicle Fleet
DA-CMR 01	Food Premises – Annual Assessment Fees
DA-CMR 02	Sponsorship Agreements
DA-CMS 01	Waiver of Animal Impound / Surrender Fees
DA-CMS 02	Sports Flood Lighting
DA-CMS 03	Cat Act 2011
DA-CMS 04	Dog Act 1976
DA-CNP 01	Waiver / Reduction of Hire Fees for Use of a Community Facility
DA-DBC 02	Planning / Building Application Fees
DA-DBC 08	Illuminated Street Signs
DA-EMS 01	Prohibited Burning Times
DA-EMS 02	Bush Fires Act 1954
DA-FCM 01	Write-off of Debts
DA-FCM 02	Payments from Municipal or Trust Funds
DA-FCM 03	Investment of Funds
DA-FCM 04	Non-rateable Status for Land
DA-FCM 05	Loan Repayment Schedules
DA-GVN 01	Execution of Documents
DA-GVN 02	Electoral Enrolment Eligibility Applications
DA-GVN 03	Destruction of Electoral Material
DA-GVN 04	Execution of Documents not requiring Common Seal
DA-GVN 05	Election of Committee Chairpersons
DA-GVN 06	Legal Representation for Elected Members, Committee Members and Employees
DA-LUP 01	Advertising of Planning Proposals
DA-LUP 06	Preparation and Endorsement of Responsible Authority Reports
DA-LWE 01	Prosecutions – Legal Proceedings
DA-LWE 02	Directions in Relation to Development Matters
DA-LWE 03	Caveats – Withdrawal
DA-LWE 06	Disposal of Impounded Goods / Vehicles
DA-LWE 08	Infringement Notices
DA-LWE 09	Graffiti Vandalism
DA-PKR 01	Crown Land (Reserves) Management Orders to Council
DA-PKR 02	Designated Horse Exercise Areas
DA-PBH 03	Food Act 2008
DA-PBH 04	Food Act 2008 – Appointments
DA-PBH 07	Liquor Licensing – Section 40 Certificates
DA-PBH 08	Liquor and Gaming Permits
DA-PBH 09	Submissions under the Liquor Control Act 1988
DA-PBH 10	Public Health Act 2016
DA-RCS 01	Recreation Centres – Open Hours and Periods of Closure
DA-RDS 01	Acquisition of Land for Road Purposes
DA-TFT 01	Parking Administration
DA-TFT 02	Closing of Certain Thoroughfares to Vehicles

Statutory Environment

Section 5.46(1) of the *Local Government Act 1995* requires that the CEO keep a register of all Delegations of Authority to the CEO and employees, and section 5.46(2) requires that at least once every financial year all delegations are reviewed.

Section 5.44 of the *Local Government Act 1995* permits the CEO to delegate to other employees the exercise of any of the CEO's powers or duties under the Act.

Policy Implications

All delegations make reference to relevant Council policies where applicable.

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.

Conclusion

A full review of the Register of Delegated Authority has been undertaken in consultation with relevant officers and/or delegates. Amendments, where appropriate, have been suggested to ensure:

- the delegations intent is still relevant and complies with statutory obligations,
- the legislative head of power to provide for the delegation is still current,
- the delegation still assists in improving the efficiency and effectiveness of City operations; and
- probity can continue to be demonstrated.

Council is now requested to adopt the revised Register of Delegated Authority, noting a further report will be submitted.

NOTE:

- Refer **Attachment 1 – Revised Delegations**
- A full copy of the current Register of Delegated Authority can be located on the City's website, or alternatively, a hard copy register can be requested from Governance Services.

RECOMMENDATION

That Council:

1. Adopts the following 16 revised delegations:

- **DA-CPM 01** **Expressions of Interest**
- **DA-CPM 02** **Tenders**
- **DA-CPM 04** **Approval of Purchases**
- **DA-DBC 01** **Development Applications for Residential Development**
- **DA-DBC 03** **Building and Demolition Permits**
- **DA-DBC 04** **Occupancy Permits and Building Approval Certificates**
- **DA-DBC 05** **Building Orders**
- **DA-ECD 01** **Trading in Public Places**
- **DA-EVM 02** **Management Plans**
- **DA-LUP 02** **Endorsement of Applications**
- **DA-LUP 05** **Clearance of Subdivision Conditions**
- **DA-LWE 07** **Authorised Officers**
- **DA-PBH 01** **Public Environmental Health Risks**
- **DA-PBH 05** **Gaming – Section 55 Certificates**
- **DA-PBH 06** **Liquor Licensing – Section 39 Certificates**

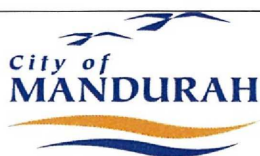
○ **DA-PBH 02 Alfresco Dining Licences**

2. Acknowledges that the following delegations will be the subject of a separate report to Council:

- **DA-DBC 10 Development Applications for Non-Residential Development**
- **DA-LUP 03 Structure Plans and Activity Centre Plans**
- **DA-LUP 04 Subdivision**
- **DA-LUP 07 Local Development Plans (new)**

3. Re-affirms all other existing delegations continue without alteration.

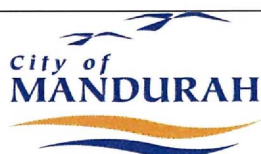
****ABSOLUTE MAJORITY REQUIRED****



DA-CPM 01

DELEGATION OF AUTHORITY EXPRESSIONS OF INTEREST

Function to be performed:	Seek and determine expressions of interest for the supply of goods and services in accordance with Division 2 , Regulation 21 and 23 of the <i>Local Government (Functions & General) Regulations 1996</i> .
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Manager Governance and Tenders Corporate Lawyer
Legislative Powers:	<ul style="list-style-type: none"> • Regulation 21 and 23 of the <i>Local Government (Functions & General) Regulations 1996</i> • Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i>
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.53/9/99, 21 September 1999
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	28 June 2016



DA-CPM 02

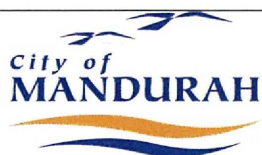
DELEGATION OF AUTHORITY TENDERS

Function to be performed:	<ol style="list-style-type: none"> 1) Publicly invite tenders for purchase of goods and services in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>; and 2) Determine, in writing, the selection criteria for deciding which tender should be accepted in accordance with Regulation 14(2a) of the <i>Local Government (Functions and General) Regulations 1996</i>, excluding tenders for all major purchases in excess of \$2 million. 3) Give each tenderer notice in writing containing particulars of the successful tender, or advising that no tender was accepted, in accordance with Regulation 19 of the <i>Local Government (Functions and General) Regulations 1996</i>.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Corporate Lawyer Manager Financial Services Manager Governance and Tenders Director Sustainable Development Director Works and Services Director People and Communities Executive Manager Strategy and Business Performance
Legislative Powers:	Sections 3.57, 5.42 and 5.44 of the <i>Local Government Act 1995</i>
Conditions and Exceptions:	Nil Sub-delegation to Directors, Executive Manager Strategy and Business Performance and Manager Financial Services is limited to Part 2) above only.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.33/1/08, 29 January 2008
Delegation last	Minute G.36/6/16, 28 June 2016

reviewed:	
Sub-delegation last amended	Minute G. 36/6/16, 28 June 2016

 <div style="text-align: right;">DA-CPM 04</div> <div style="text-align: center;"> DELEGATION OF AUTHORITY APPROVAL OF PURCHASES </div>	
Function to be performed:	Agree to make purchases through the tender exempt provision of Regulation 11(2) of the <i>Local Government (Functions and General) Regulations 1996</i> , for commitments greater than \$150,000.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	N/A
Legislative Powers:	Regulation 11(2) of the <i>Local Government (Functions and General) Regulations 1996</i> Sections 5.42 of the <i>Local Government Act 1995</i>
Conditions and Exceptions:	<ol style="list-style-type: none"> 1. Review and recommendation of purchases to be obtained by Manager Financial Services the Corporate Lawyer and/or Manager Governance and Tenders prior to Chief Executive Officer approval. 2. Purchases approved under this delegation will be reported to Council via the monthly Financial Report.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.37/05/12, 22 May 2012
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016

Deleted: A report will be issued to Council quarterly showing details of any purchases that have been approved in the previous quarter using this delegation.



DA-DBC 01

DELEGATION OF AUTHORITY

DEVELOPMENT APPLICATIONS FOR RESIDENTIAL DEVELOPMENT

Function to be performed:

To determine development applications for residential development as follows:

1. Grant approval for applications in the following circumstances:
 - 1.1 where the application is a permitted or discretionary use in the relevant zone of the local planning scheme;
 - 1.2 where the application seeks variations under the discretionary provisions of relevant local planning scheme, structure plan, activity centre plan, local development plan or local planning policy which are considered to be in keeping with the proper and orderly planning or the locality;
 - 1.3 to make an exercise of judgement against the 'design principles' of the Residential Design Codes as described in clause 2.5 of the Codes;

and to impose any condition, as may be seen fit, in order for the development to relate to the proper and orderly planning of the locality.

This delegation is subject to:

- a) all applications for single houses and ancillary dwellings in addition to outbuildings, external features, boundary walls or fences, patios, pergolas, verandahs, garages, carports, swimming pools, site works and retaining walls being reviewed by the R-Code Review Group, consisting of the:
 - o Manager Planning and Land Services, Coordinator Planning Services or a Senior Planning Officer, and
 - o Coordinator Building and Development Compliance or a Senior Building Surveyor.
- b) all applications for a grouped or multiple dwelling that require discretionary provisions of a local planning scheme, structure plan, activity centre plan, local development plan or local planning policy to be reviewed by the Residential Planning

	<p>Review Group consisting of at least 2 of the following:</p> <ul style="list-style-type: none"> ○ Director Sustainable Development ○ Manager Planning and Land Services ○ Coordinator Planning Services. <p>c) Any person who has made a submission objecting to the application being notified in writing of the City's intention to approve the application and be provided with a further 7 days in which to provide further comment.</p> <p>2. To refuse to grant approval in the following circumstances:</p> <p>2.1 where the application is a use not permitted in Town Planning Scheme No 3;</p> <p>2.2 where the application seeks variations under the discretionary provisions of the relevant local planning scheme, structure plan, activity centre plan, local development plan or local planning policy which are not considered to be in keeping with the proper and orderly planning of the locality;</p> <p>2.3 where an application is determined not to be consistent with the 'design principles' of the Residential Design Codes as described in Clause 2.5 of the Codes;</p> <p>and to set out any refusal reasons as may be seen fit, in order to maintain the proper and orderly planning of the locality.</p> <p><u>3. To amend or cancel a development approval, subject to the original determination having being determined under the circumstances listed above.</u></p> <p><u>The above provision includes applications determined by the relevant Development Assessment Panel, where the Responsible Authority Report was prepared and endorsed under delegation.</u></p>
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	<p>Director Sustainable Development</p> <p>Manager Planning and Land Services</p> <p>Coordinator Approvals</p> <p>Coordinator Building and Development Compliance</p>
Legislative Powers:	<p>Clause 82 and 83 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <p><u>Regulation 17A of the <i>Planning and Development (Development Assessment Panels) Regulations 2011</i></u></p>

Conditions and Exceptions:	Delegation to the Coordinator Building and Development Compliance is limited to applications for single houses and ancillary dwellings, outbuildings, external features, boundary walls or fences, patios, pergolas, verandahs, garages, carports, swimming pools, site works and retaining walls.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.23/12/01, 12 December 2001
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	27 November 2016

 <div style="text-align: right;">DA- DBC 03</div>	
DELEGATION OF AUTHORITY BUILDING AND DEMOLITION PERMITS	
Function to be performed:	To effectively deal with applications for Building and Demolition Permits as provided by: <ul style="list-style-type: none"> • Part 2, Divisions 1-4 and Part 6 Division 4 of the <i>Building Act 2011</i>, and • Part 3 of the <i>Building Regulations 2012</i>.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Coordinator Building and Development Compliance Senior Building Surveyor Building Surveyor Senior Development Compliance Officer
Legislative Powers:	Sections 17, 18, 20, 22, 23, 24, 27, 88 and 127 of the <i>Building Act 2011</i> . Regulations 23, 24 and 26 of the <i>Building Regulations 2012</i>
Conditions and Exceptions:	<p>Sub-delegates <u>are only permitted to undertake this function if they hold the appropriate Building Surveyor Qualification and Registration with the WA Building Commission.</u></p>
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.35/9/11, 27 September 2011 (Date of effect : 2 April 2012 - <i>Proclamation of Building Act 2011</i>)
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last	30 June 2016

Deleted: to the above positions ~~Senior Development Compliance Officer~~ is

Deleted: only when the person acting in the position h

amended:	
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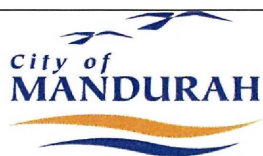
DA-DBC 04

DELEGATION OF AUTHORITY

OCCUPANCY PERMITS AND BUILDING APPROVAL CERTIFICATES

Function to be performed:	To effectively deal with applications for Occupancy Certificate and Building Approval Certificate as required under Part 3, division 4 of the <i>Building Act 2011</i> and Regulation 40 of the <i>Building Regulations 2012</i> .
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Coordinator Building and Development Compliance Senior Building Surveyor Senior Development Compliance Officer
Legislative Powers:	Sections 55, 58, 59, 60, 62, 65 and 127 of the <i>Building Act 2011</i> . Regulation 40 of the <i>Building Regulations 2012</i>
Conditions and Exceptions:	Sub-delegates are only permitted to undertake this function if they hold the appropriate Building Surveyor Qualification and Registration with the WA Building Commission.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.35/9/11, 27 September 2011 (Date of effect : 2 April 2012 - <i>Proclamation of Building Act 2011</i>)
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	30 June 2016

Deleted: to the above positions Senior Development Compliance Officer is




DA- DBC 05

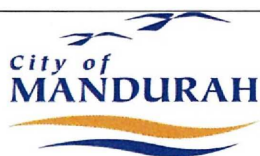
DELEGATION OF AUTHORITY

BUILDING ORDERS

Function to be performed:	<ol style="list-style-type: none"> 1) Effectively deal with building orders pursuant to Part 8, Division 5 of the <i>Building Act 2011</i> in relation to: <ul style="list-style-type: none"> • Building work • Demolition work • An existing building or incidental structure • Dangerous and neglected buildings 2) Specify the way an outward facing side of a close wall must be finished pursuant to section 88 of the <i>Building Act 2011</i>
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Corporate Lawyer Coordinator Building and Development Compliance Senior Development Compliance Officer Senior Building Surveyor Building Surveyor
Legislative Powers:	Sections 88, 110, 111, 114, 117, 118 and 127 of the <i>Building Act 2011</i> .
Conditions and Exceptions:	<ol style="list-style-type: none"> 1) The Coordinator Building and Development Compliance may refer Building Orders may be referred to the Corporate Lawyer or to the Council where it is considered appropriate. 2) Delegation to the positions of Senior Building Surveyor, Building Surveyor and Senior Development Compliance Officer are limited to only perform the functions provided under Sections 88, 111, 114 and 118 of the <i>Building Act 2011</i>.

Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.35/9/11, 27 September 2011 (Date of effect : 2 April 2012 - <i>Proclamation of Building Act 2011</i>)
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	


 <div>DA-ECD 01</div>		
DELEGATION OF AUTHORITY TRADING <u>PERMITS</u>		Deleted: IN PUBLIC PLACES
Function to be performed:	1. To determine a Trading <u>Permit</u> application; or 2. Cancel, suspend or vary an approved <u>Permit</u> ; in accordance with <u>the relevant Council Local Law and associated policy or guidelines to support the assessment of Trading Permits.</u>	Deleted: in Public Places Deleted: licence Deleted: Council's Trading in Public Places Local Law and relevant policy.
Delegator:	Council of the City of Mandurah	
Delegate:	Chief Executive Officer	
Sub-delegation to:	Director Sustainable Development Manager Planning and Land Services Coordinator Approvals	
Legislative Powers:	Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i>	
Conditions and Exceptions:	Nil	
Duration of delegation:	Until next annual review	
Origin of Delegation:	Minute G.23/12/01, 12 December 2001	
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016	
Sub-delegation last amended:	21 November 2016	



DA-EVM 02

DELEGATION OF AUTHORITY MANAGEMENT PLANS

Function to be performed:	<p>To approve management plans, including but not limited to:</p> <ul style="list-style-type: none"> • Foreshore • Wetland • Bushland • Environmental • Tree protection • Wildlife Protection • Bushfire
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Director Sustainable Development Manager Environmental Services Manager Statutory Services Manager Planning and Land Services
Legislative Powers:	Conditions imposed by the Western Australian Planning Commission Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i> .
Conditions and Exceptions:	<ol style="list-style-type: none"> 1) Delegation to the Manager Statutory Services is limited to the approval of Bushfire Management Plans only. 2) <u>Bushfire Management Plans are to be referred to the Technical Discussion Meeting (TDM)</u>
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.33/1/08, 29 January 2008
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	4 July 2014

 <div style="text-align: right;">DA-LUP 02</div> <h2 style="text-align: center;">DELEGATION OF AUTHORITY ENDORSEMENT OF APPLICATIONS</h2>	
Function to be performed:	<p>To endorse the following applications on behalf of the City for land owned or under the care, control and management of the City of Mandurah, subject to a preliminary assessment being undertaken to ensure that the application can be considered favourably by the relevant approval authority:</p> <ul style="list-style-type: none"> • Development Application Form; • Peel Region Scheme <u>Application for Planning Approval</u> (Form 1); • Application to the Western Australian Planning Commission for Approval of <u>Freehold or Survey-Strata Subdivision</u> (Form 1A); • Application to the Western Australian Planning Commission for Endorsement of <u>Approval upon a Diagram or Plan of Survey (Deposited Plan), Survey Strata Plan or Strata Plan</u> (Form 1C); and • Clearing Applications
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Corporate Lawyer
Legislative Powers:	<ul style="list-style-type: none"> • Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i>. • Clauses 82 and 83 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.30/7/04, 20 July 2004
Delegation last	Minute G.36/6/16, 28 June 2016

Deleted: Planning


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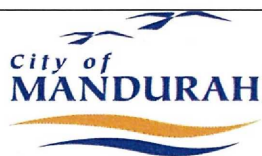
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reviewed:	
Sub-delegation last amended:	

 <div style="text-align: right;">DA-LUP 05</div>	
DELEGATION OF AUTHORITY CLEARANCE OF SUBDIVISION CONDITIONS	
Function to be performed:	To provide for the clearance of conditions of subdivisions and endorse the Deposited Plan , in accordance with a subdivision approval issued by the Western Australian Planning Commission.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Director Sustainable Development Manager Planning and Land Services Coordinator Approvals Manager Technical Services Coordinator Development Services Coordinator Building and Development Compliance (refer to Conditions and Exceptions for limitations)
Legislative Powers:	Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i> .
Conditions and Exceptions:	Delegation to the Coordinator Building and Development Compliance is limited to Strata applications only.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.23/12/01, 12 December 2001
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	21 November 2016

Deleted: including relevant strata applications with the endorsement of a Diagram or Plan of Survey



DA-LWE 07

DELEGATION OF AUTHORITY

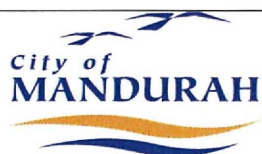
AUTHORISED OFFICERS

Function to be performed:

- 1) Appoint authorised persons/officers to exercise the powers and duties set out in the *Local Government Act 1995* as listed hereunder:

Section	Authority
3.25 (1)	Notices requiring certain things to be done by owner or occupier of land.
3.27	Things local government can do on land that is not local government property.
3.31	Entering property.
3.39	Power to remove and impound.
3.40A (1)	Abandoned vehicle wreck may be taken.
9.11	Enforcement and Legal Proceedings - Persons found committing breach of the Act to give name on demand.
9.13	Enforcement and Legal Proceedings - Onus of proof in vehicle offences.
9.16	Enforcement and Legal Proceedings - Issue Infringement notices.
9.17	Enforcement and Legal Proceedings – Content of notice.
9.19	Enforcement and Legal Proceedings – Extension of time.
9.20	Enforcement and Legal Proceedings – Withdrawal of Notice.
9.24 (1) (2)	Enforcement and Legal Proceedings - Commencing Prosecutions – Offence against the Act or City's Local Laws.
9.29 (2)	Enforcement and Legal Proceedings – Representing Local Government in Court.

	2) Appoint authorised persons/officers to exercise the duties set out in the City's Local Laws.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	N/A
Legislative Powers:	Sections 5.42, 3.24, 9.10 and 9.23 of the <i>Local Government Act 1995</i>
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.30/7/08, 15 July 2008
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016

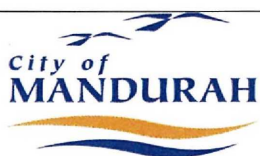


DA-PBH 01

DELEGATION OF AUTHORITY

PUBLIC ENVIRONMENTAL HEALTH RISKS

Function to be performed:	<p>To initiate immediate action where a public/environmental health risk is evident.</p> <p>Where a public/environmental health risk is evident or an offence occurs under the provisions of the <i>Health (Miscellaneous Provisions) Act 1911 (as amended)</i> or supplementary legislation, and immediate action is deemed necessary, delegates are authorised to serve formal Notice to abate the public/environmental health issue/s.</p>
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer Director Sustainable Development Manager Statutory Services Principal Environmental Health Officer
Sub-delegation to:	N/A
Legislative Powers:	Section 26 of the <i>Health (Miscellaneous Provisions) Act 1911 (as amended)</i> .
Conditions and Exceptions:	The delegates shall inform Elected Members of his or her actions in the above regard via the Weekly Update Newsletter.
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.27/9/08, 16 September 2008
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016



DA-PBH 05

DELEGATION OF AUTHORITY

GAMING – SECTION 55 CERTIFICATES

Function to be performed:	To issue a certificate in accordance with Section 55 of the <i>Gaming and Wagering Commission Act 1987</i> .
Delegator:	Chief Executive Officer
Delegate:	Director Sustainable Development Manager Statutory Services Principal Environmental Health Officer
Sub-delegation to:	N/A
Legislative Powers:	Section 55 of the <i>Gaming and Wagering Commission Act 1987</i> .
Conditions and Exceptions:	Delegation provides authority to confirm premises comply with requirements of the: <i>Health (Miscellaneous Provision) Act 1911</i> ; and <i>Local Government Act 1995</i> .
Duration of delegation:	Until next annual review
Origin of Delegation:	28 May 2010
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016




DA-PBH 06

DELEGATION OF AUTHORITY

LIQUOR LICENSING – SECTION 39 CERTIFICATES

Function to be performed:	To issue a certificate in accordance with Section 39 of the <i>Liquor Control Act 1988</i> .
Delegator:	Chief Executive Officer
Delegate:	Director Sustainable Development Manager Statutory Services Principal Environmental Health Officer
Sub-delegation to:	N/A
Legislative Powers:	Section 39 of the <i>Liquor Control Act 1988</i>
Conditions and Exceptions:	<p>Delegation provides authority to confirm premises comply with requirements of the:</p> <ul style="list-style-type: none"> • <i>Health <u>Miscellaneous Provisions</u> Act 1911</i>; • <i>Food Act 2008</i>; • any written law applying to the sewerage or drainage of those premises; • <i>Local Government Act 1995</i>; and • <i>Building Act 2011</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	28 May 2010
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016

 <div style="text-align: right;">DA-PBH 02</div> <div style="text-align: center;"> DELEGATION OF AUTHORITY ALFRESCO DINING LICENCES </div>	
Function to be performed:	To approve or refuse alfresco dining licences in accordance with the relevant provisions of the City's Local Laws.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Director Sustainable Development Manager Statutory Services Principal Environmental Health Officer Manager Planning and Land Services
Legislative Powers:	Sections 5.42 and 5.44 of the <i>Local Government Act 1995</i> .
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.38/7/09, 21 July 2009
Delegation last reviewed:	Minute G.36/6/16, 28 June 2016
Sub-delegation last amended:	8 July 2013

Deleted: Part XIII - Eating Areas in Streets and Other Public Places, of the City's Consolidated Local Laws.

12	SUBJECT:	Tender 10-2016 – Cleaning of Storm Water Drainage Structures and Pipes – Assignment of Contract
	CONTACT OFFICER/S:	Natasha Pulford
	AUTHOR:	Natasha Pulford
	FILE NO:	1063-2017

Summary

Cleanaway Operations Pty Ltd (St Kilda) have advised the City that the contract for RFT10-2016 for the Cleaning of Storm Water Drainage Structures and Pipes requires an assignment to Cleanaway Industrial Solutions Pty Ltd (Kwinana Beach).

Financial research indicates the assignment to be of low risk to the City so Council is requested to approve the assignment of the contract.

Disclosure of Interest

Nil.

Previous Relevant Documentation

- G.12/11/16 08 November, 2016 RFT 10 – 2016 – Cleaning of Storm Water Drainage Structures and Pipes.

Background

Tenders were sought for the provision of Cleaning of Storm Water Drainage Structures and Pipes and a contract was awarded at the Council Meeting on 08th November, 2016 to Cleanaway Operations Pty Ltd.

At the Council meeting held on 8 November, 2016, the City of Mandurah awarded Tender RFT10-2016 for the Cleaning of Storm Water Drainage Structures and Pipes to Cleanaway Operation Pty Ltd (St Kilda).

Comment

Cleanaway Pty Ltd have advised that divisional and structural changes have occurred within the Cleanaway group of companies as a result of Cleanaway Operations Pty Ltd moving from Queensland to Victoria in 2016 where it absorbed an independent waste management firm into its existing operations.

The Cleanaway group of companies has advised that the contract for RFT10-2016 for the Cleaning of Storm Water Drainage Structures and Pipes is affected by those changes and have requested the assignment from Cleanaway Pty Ltd (St Kilda) to Cleanaway Industrial Solutions Pty Ltd (Kwinana Beach).

The process for assignment is conducted by way of a Deed of Assignment. The assignment process requires that the City undertake a preliminary financial check on the assignee to assure the assignment where it was confirmed that company is considered low risk and has recommended trading with the entity.

On this occasion, the entire contract terms and conditions, scope and pricing remains intact with no other variations evident in the near future, based on the assignees preliminary consent to this requirement. A Deed of Assignment of Contract will be prepared to reflect the change of entity once approved by Council.

Consultation

Cleanaway Operations Pty Ltd (St Kilda).
Cleanaway Industrial Solutions Pty Ltd (Kwinana Beach).
Manager Financial Services.
Corporate Lawyer.

Statutory Environment

Part 4 – Provision of goods and services WA *Local Government (Functions and General) Regulations 1996*.

Policy Implications

Nil.

Economic Implications

It is noted that the primary base of the Company has moved to Western Australia from the eastern states.

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

The contract for RFT10-2016 for the Cleaning of Storm Water Drainage Structures and Pipes is required to be assigned from Cleanaway Operations Pty Ltd to Cleanaway Industrial Solutions Pty Ltd (Kwinana Beach).

RECOMMENDATION

That Council approves the assignment of T10– 2016: Cleaning of Storm Water Drainage Structures and Pipes from Cleanaway Operations Pty Ltd to Cleanaway Industrial Solutions Pty Ltd with effect from 15 May 2017.

13 SUBJECT: Mary Street/Pinjarra Road/Old Coast Road Roundabout: Concept Design for Alternative Access to Carpark Facility

CONTACT OFFICER/S: Allan Claydon

AUTHOR: Terry Blanchard

FILE NO:

Summary

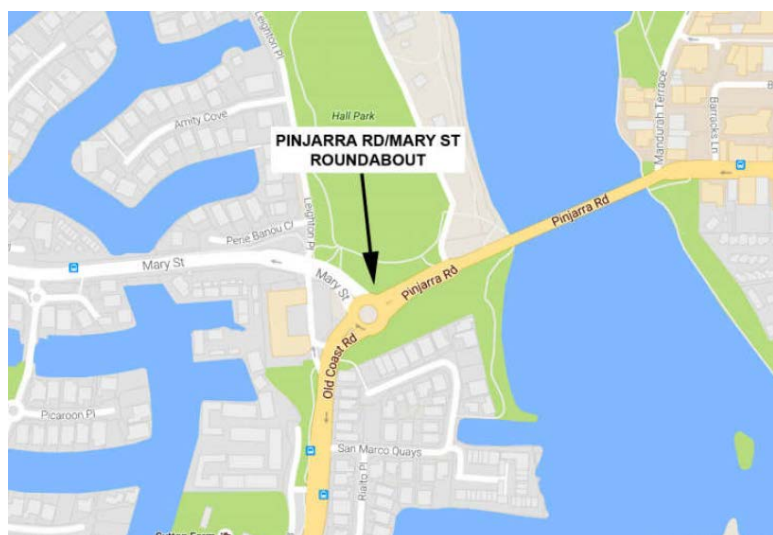
The existing Mandurah Bridge is being replaced with a new bridge. The new structure is on an alternative alignment and has been raised in height. A consequence of the new road construction associated with the bridge works is that access to the carpark located on the southern side is restricted. To ensure a more flexible vehicle access arrangement, a new link road from the carpark to the existing Mary Street roundabout is being proposed.

Council is requested to consider and adopt modifications to the Mary Street/Pinjarra Road/Old Coast Road roundabout to provide access to the existing carpark on the southern side of the Mandurah Bridge.

Disclosure of Interest

Nil

Location

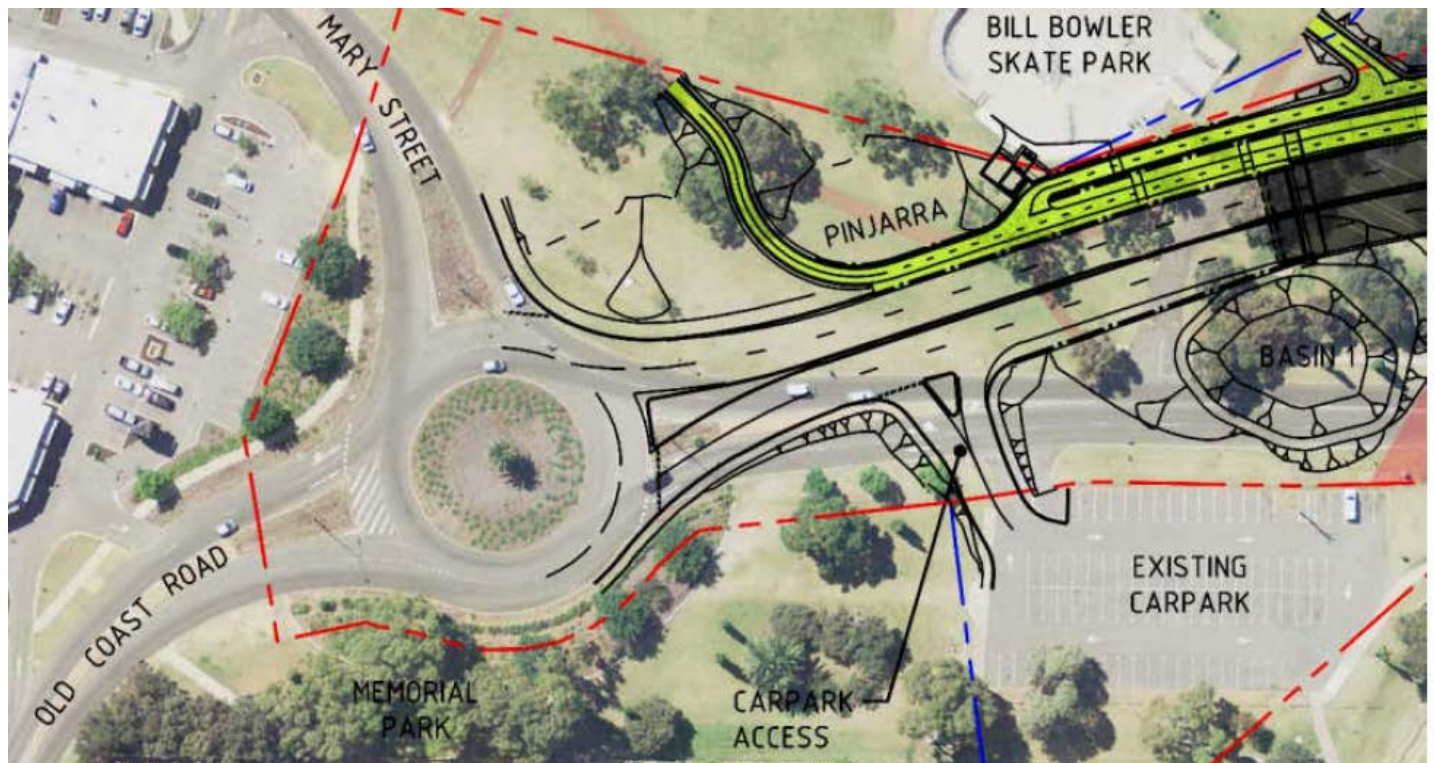


Previous Relevant Documentation

Nil

Background

The design associated with both the new bridge and the existing carpark to the south of Pinjarra Road is shown in the following concept design plan



Access to car parking on the western foreshore will be changed due to the replacement bridge design and location and a review of access to the southernmost carpark has been undertaken.

The bridge and road design associated with the bridge contract retains access to the southern carpark. However, access is restricted and exit is only accessible to those motorists travelling from east to west in Pinjarra Road and across the bridge.

A review of the carpark access has been undertaken and an alternative access design prepared for consideration by Council.

Comment

The outcome of the bridge replacement project has raised the following matters which are considered to be worthy of review. They include:

- Access to the southern carpark will be restricted to those vehicles travelling from east to west along Pinjarra Road and crossing the bridge. There will be no access from motorists using Old Coast Road and Mary Street as the road design has a central medium island extending from the roundabout and continuing across the bridge.
- Access to the carpark has been carefully considered as the driver visibility distance complies with the absolute minimum sight line standard but is not considered desirable. This is exacerbated by the bridge design incorporating both horizontal and vertical curvature of the road. Thus, the need for the central median island.
- Access to parking on the western foreshore on the north side of the bridge will only be available via Leighton Place. **Attachment 1** is included to highlight the new access to parking arrangements.

Alternative Carpark Access Proposal

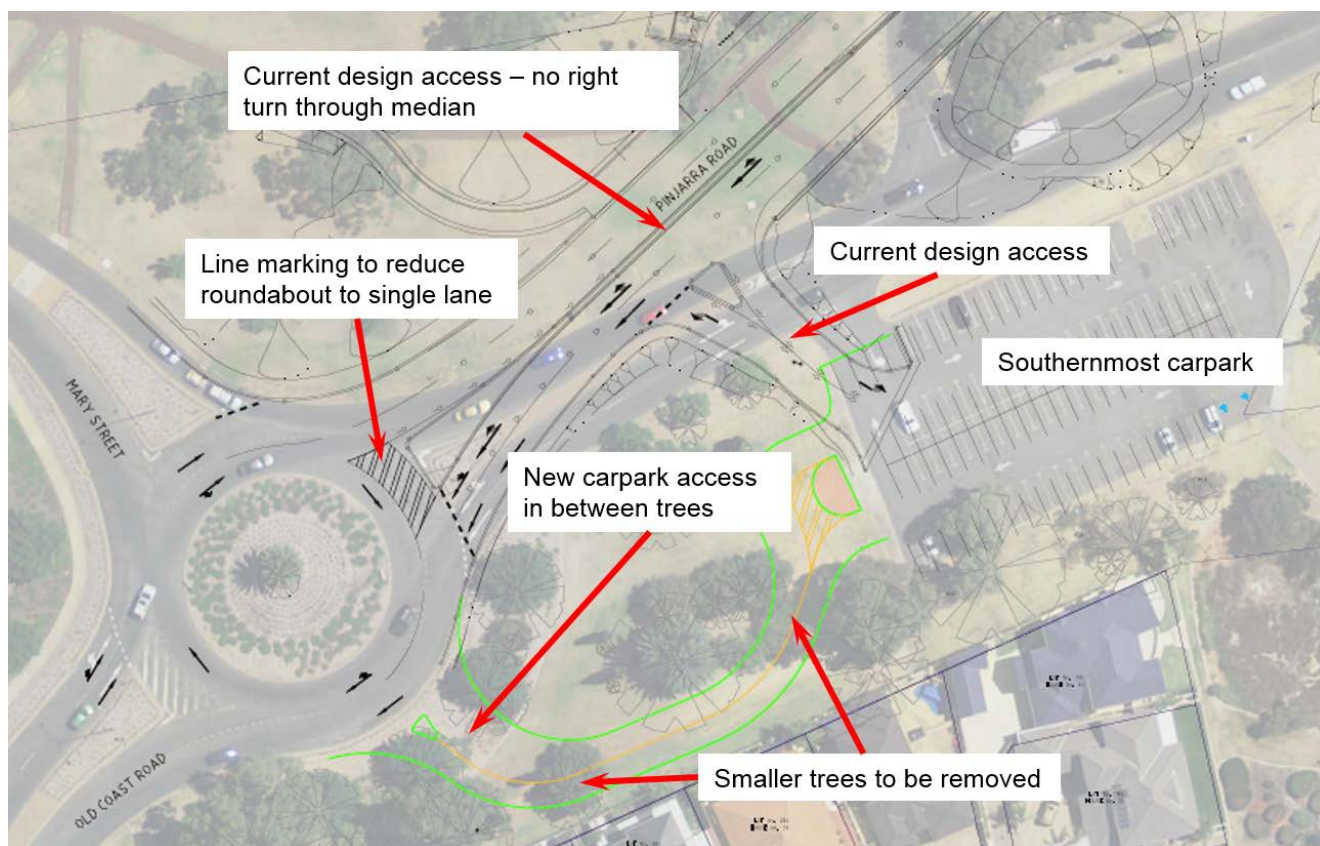
Officers have considered the restricted access to the southern carpark and the likely impacts on the community seeking parking in and around the Western Foreshore. Further consideration has also been

given to the comments made in the 100% design report, undertaken by Main Roads Western Australia, for the bridge replacement project which stated:

“The carpark access location has been optimised to provide reasonable separation to the roundabout while maintaining as far as practicable distance from the bridge to maximise sight distance. The approach shoulder on Pinjarra Road has been widened to enhance sight distance. For a design speed of 60 km/hr and allowing for grade correction the required SIDS is 128 Metres.

Based on these concerns a Road Safety Audit was commissioned to identify any further issues that may arise in the future. In an effort to ensure that the options proposed and commented upon in the audit are valid the City commissioned a private traffic consultant to peer review the audit initially undertaken.

Both consultants were asked to comment on an alternative proposed road access to the carpark which is shown on the following plan.



The proposal access creates a road link from the southern carpark to join the Mary Street roundabout as a fourth leg to the roundabout. The review of this concept was positive along with some minor circulation changes within the carpark to prevent U-turns being completed within the roundabout.

The road design essentially can be fitted between the existing trees however, there are some smaller trees that will require removal.

The existing carpark has 83 parking spaces and if the proposed alternative road access is enclosed, then there is an opportunity to increase the number of bays up to approximately 100 without adversely affecting the reserve area.

Land for the New Access to the Roundabout

The new ingress and egress via the fourth leg of the roundabout can be constructed from the southernmost carpark through land that was the former location of the War Memorial which has been relocated further north on the western foreshore. This land is shown on the following plan.



The land is designated road reserve which was created many years ago as the road was formally a part of the Perth-Bunbury highway.

It would be desirable to construct the alternative carpark access road as soon as possible after the bridge contract works and obligations are completed. Now there is certainty around the bridge construction program this request for approval has been brought forward.

Consultation

It is intended to inform residents abutting the road reserve of the proposed road project and road design. Where possible impacts to residents and the environment are intended to be managed to achieve an outcome for the broader community whilst minimising any negative impacts that may arise.

Statutory Environment

During the investigations for the renewal of the Mandurah Bridge the Department of Aboriginal Affairs advised that this location did not impact on indigenous sites and thus the indigenous consultation and approval process did not apply. Accordingly no consultation on the works at the Mary Street/Old Coast Road/Pinjarra Road roundabout is required under Section 18 of the Aboriginal Heritage Act 1972.

Policy Implications

Nil

Economic Implications

The costs for the changes to the Mary Street/Old Coast Road/Pinjarra Road roundabout are in the order of \$150,000. This includes the realigning of the carpark bays, drainage, and civil works for the roadway and traffic management for connection to the existing roundabout.

Funding for this project is available in the 2017/2018 budget under the Asset Management Reserve account.

Strategic Implications

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

Infrastructure:

- Enhance traffic management and parking infrastructure for the future.

Conclusion

The existing design for a left in left out ingress/egress from Pinjarra Road to the carpark on the southern side of Pinjarra Road and west of the new Mandurah Traffic Bridge is less than desirable. An alternative access would enhance traffic safety and provide greater user accessibility to the carpark south of Pinjarra Road and provide access to greater car parking bays on the western foreshore.

Access from the carpark can be created to form a fourth leg on the Pinjarra Road/Old Coast Road/Mary Street roundabout.

It is recommended that Council endorse in principle, the design for a new access road to link the southern carpark to the Mary Street roundabout.

NOTE:

- Refer ***Attachment 1: Access to Western Foreshore Car parking Based on Original Design of Access to Southernmost Carpark***

RECOMMENDATION

That Council:

1. **Acknowledges the proposed Main Roads Western Australia design for access to the southernmost carpark located on the western foreshore and the requirement to be constructed as a part of the Mandurah Traffic Bridge project.**
2. **Approves in principle, the creation of an additional road connection between the Pinjarra Road/Old Coast Road/Mary Street roundabout as the preferred ingress/egress to the carpark on the southern side of Pinjarra Road and west of the new Mandurah Traffic Bridge.**
3. **Ensure that residents abutting the road reserve for the new access are informed of this project and intended road design.**
4. **Notes the inclusion of \$150,000 for Mary Street roundabout works in the 2017/2018 budget to be funded from the Asset Management Reserve.**

ATTACHMENT 1

Access to Western Foreshore Parking Based on Original Design Access to the Southernmost Carpark

