



MINUTES OF

COMMITTEE OF COUNCIL MEETING

HELD ON

Tuesday 13 August 2019

AT 5.30 PM

**IN COUNCIL CHAMBERS - 83 MANDURAH TERRACE
MANDURAH**

PRESENT:

COUNCILLOR	D LEE [CHAIRMAN]	EAST WARD
MAYOR	R WILLIAMS	
COUNCILLOR	C KNIGHT	NORTH WARD
COUNCILLOR	R WORTLEY	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	S JONES	EAST WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD

OFFICERS IN ATTENDANCE:

MR	G DAVIES	A/CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS AND SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	D PRATTENT	A/DIRECTOR CORPORATE SERVICES
MR	C JOHNSON	A/DEPUTY CHIEF EXECUTIVE OFFICER
MS	M GIARDINI	COORDINATOR EMERGENCY MANAGEMENT
MRS	L SLAYFORD	MINUTE OFFICER

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

The Chairman declared the meeting open at 5.30pm.

APOLOGIES / LEAVE OF ABSENCE [AGENDA ITEM 2]

Councillors Schumacher and Lynn Rodgers on leave of absence, Hon Councillor Riebeling an apology, all Non-Committee members.

DISCLAIMER [AGENDA ITEM 3]

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

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

RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]

Nil.

PUBLIC QUESTION TIME [AGENDA ITEM 5]

CC.1/8/19 K EMERY, HALLS HEAD: ESTABLISHMENT OF A BEACH PATROL SERVICE

1. With the knowledge that there are in fact two long term Mandurah ratepayers who own Professional Lifeguard and Water Safety businesses that have been trading for some years now, and with the commitment by Government, so aptly put by Rob Lucas when he said, and I quote "As a Government, we are committed to driving positive economic and jobs growth, increasing productivity and creating an environment that helps local businesses become more competitive on the national and global stage," end quote. Can Councillors tell me how the report on the establishment of a Beach Patrol Service authored by Craig Johnson / Paul Miller and Diana Pollard, to be presented at tonight's meeting is at all compliant with the Local Government (Functions and General) Regulations 1996 which require compulsory public tenders for goods and services with a value totalling over \$150,000? The total value of this tender is approximately \$690,000 or more than 4½ times this maximum amount.

2. Knowing that there are two locally owned business with the backing of the Australian Professional Ocean Lifeguards Association, along with several on the East Coast already doing exactly this type of work, and more than capable of performing the role you require, not only at a reduced cost but utilising more experienced personnel including a current Bondi Lifeguard, with local knowledge and who would commit to training and employing local labour, considering all that together with the recently released final report of the Productivity Commission's Inquiry into government procurement (Stage 1) which importantly seeks to promote greater local business participation in local government tenders. Can Councillors tell me how the decision you are all being asked to make tonight, to ignore all the other business that provide exactly this type of work and grant this proposed sole-source supply arrangements for the next three years sits in light of the State Government intention, and all of our moral responsibilities to help local ratepayers and businesses, particularly with reference to the Local Government (Functions and General) Regulations 11(2)(f)?

Response

The Acting Deputy Chief Executive Officer advised that during the preparation of the report, an assessment was made that Surf Life Saving WA was the only organisation with the capacity and capability to deliver the scope of the services required. As a result, the recommendation in the report to the Committee of Council was to commence a sole source of supply arrangement through tender exempt provisions.

However, with two other organisations contending that they are also able to manage the service requirements of the proposed contract, it is now recommended that the service be subject to a formal tender with the process to be overseen by an independent probity adviser to ensure transparency.

CC.2/8/19 K ALLEN, FALCON: ESTABLISHMENT OF A BEACH PATROL SERVICE

1. Do Councillors realise that the proficiency standards of an APOLA certified Lifeguard are actually higher than that of SLSWA? i.e. SLSWA swim time for 400 metres is 8 minutes, versus APOLA swim time of 800 metres in 14 minutes?
2. Do Councillors realise that unlike SLSWA which often maintains internal recognition of training, the APOLA training is nationally certified?
3. Do Councillors realise that both Bondi and Coffs Harbour Lifeguards are contracted by councils, to compliment and usually direct volunteer lifeguards?
4. Do Councillors realise that given a chance to bid, the Safewaves' proposal would exclude Sundays, so that volunteer organisations could service those days offering further cost saving?

Response

The Acting Deputy Chief Executive Officer advised that City Officers are not fully across all of the details that relate to the proficiency standards applicable to the training of beach lifeguards. However, as part of the procurement process, the successful service provider will be required to demonstrate their capability to deliver the full scope of the service and compliance with the relevant training and skills and competency standards.

The intent of the City's contracted beach patrol service is designed to compliment the existing volunteer lifeguard services provided by the Port Bouvard and Mandurah Surf Life Saving Clubs. Currently, Club volunteers deliver these services on Sunday's and certain public holidays. The contracted service proposed would supplement these patrols to increase the level of coverage across Mandurah.

CC.3/8/19 S HENDON, FALCON: ESTABLISHMENT OF A BEACH PATROL SERVICE

Ms Hendon asked if the grant funds referred to in the report had been received as a result of increased shark attack and/or drowning fatalities.

Response

The Acting Chief Executive Officer advised that the original grant had been received for assistance with construction of a shark barrier and Falcon Beach. Council subsequently consulted with the community and the option of beach patrols at four locations was viewed as a better option. A request to reallocate the funds was made and permitted.

Due to the next item being the subjected of declarations, at this juncture in the meeting declarations of interest were made.

CC.4/8/19 DECLARATION OF INTERESTS [AGENDA ITEM 9]

- Mayor Williams declared an impartiality interest in Minute CC.5/8/19 – Make Place Update Presentation as he was previously employed at the organisation presenting. Mayor Williams advised that as this was a presentation and no decision was to be determined he would remain in the Chamber for the presentation.
- The Acting Deputy Chief Executive Officer declared an impartiality interest in Minute CC.5/8/19 – Make Place Update Presentation as his spouse is the Chief Executive Officer of The Makers.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 6]

CC.5/8/19 D JOHNSON: MAKE PLACE UPDATE

The Chief Executive Officer of Make Place, Deanne Johnson, delivered a visual presentation outlining organisational and operational changes made within the organisation. An overview of the history of Makers, the new board and its priorities, development of the site location along with future directions and strategic shift were delivered to the meeting.

Councillor Peter Rogers asked what the ideal membership of the Makers would be. Mrs Johnson advised that physically, venue capacity limited the number of persons who could attend at any one time. However, there existed a virtual membership whereby access to online services was available, membership in this regard is unlimited. There was growth in the virtual membership area as the requirement to be based in Mandurah was no longer an obstacle.

DEPUTATIONS [AGENDA ITEM 7]

Nil.

CONFIRMATION OF MINUTES [AGENDA ITEM 8]

CC.6/8/19 CONFIRMATION OF MINUTES

RESOLVED: C Knight / R Wortley

That the Minutes of the Committee of Council meeting of Tuesday 11 June 2019 be confirmed.

CARRIED UNANIMOUSLY: 9/0

QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION [AGENDA ITEM 10]

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil.

REPORTS [AGENDA ITEM 12]

**CC.7/8/19 ESTABLISHMENT OF PROFESSIONAL LIFEGUARD SERVICE (PM/CJ)
(REPORT 1)**

In May 2019, the City sent official correspondence through the Mayor's Office to the Minister for Water, Fisheries, Forestry, Innovation and ICT, Science, seeking approval to re-allocate the \$287,000 grant for the proposed installation of a beach enclosure at Falcon Bay, to support the establishment of a new beach patrol service within the City of Mandurah.

This alternative option is intended to facilitate the delivery of a contracted lifeguard and patrol service at four beach locations within the City for the next 3 years. The proposed service will see a combination of lifeguards and jet-ski and drone patrols employed at key locations to augment beach surveillance activities.

In June 2019, the City of Mandurah was notified that the request had been approved, noting the benefits to the broader Mandurah community. The funding will now be made available to the City via a grant agreement to support the establishment of a Surf Life Saving WA provided beach patrol service at Pyramids Beach, Falcon Bay, Town Beach and San Remo/Madora Beach over the summer period commencing this year (2019/20).

Council is requested to approve the City to commence a sole source of supply arrangement through tender exempt provisions with Surf Life Saving WA to deliver a beach patrol service for the next 3 years (2019/20 – 2021/22) and authorise the Chief Executive Officer to negotiate the conditions of and execute the contract.

Report Recommendation

That Council:

1. *Approves the City to commence a sole source of supply arrangement through tender exempt provisions with Surf Life Saving WA to deliver a beach patrol service for the next three years (2019/20 – 2021/22) incorporating beach patrols at Pyramids Beach, Falcon Bay, Town Beach and San Remo/Madora Beach.*
2. *Authorises the Chief Executive Officer to negotiate the conditions of and execute the contract.*
3. *Acknowledges that funding has been incorporated into the City's 2019/20 budget and will be required year on year to fund the shortfall in the provision of the service and that any decision to extend the service beyond three years would need to be fully funded by the City.*
4. *Notes that a further report will be presented to Council at the conclusion of the 2021/22 period that will evaluate the service and any extension beyond the three years.*

Mayor Williams moved, Councillor Jones seconded the alternate recommendation contained in the additional information provided to the meeting.

RESOLVED TO RECOMMEND: R Williams / S Jones

That Council authorises the advertising of a tender for the provision of a beach patrol service for the years 2019/20 to 2021/22 at the Pyramids, Falcon Bay, Town and San Remo/Madora beaches.

CARRIED UNANIMOUSLY: 9/0

CC.8/8/19 COMMUNITY SPORT AND RECREATION FACILITY FUND SMALL GRANTS (PM/CJ) (REPORT 2)

The Community Sport and Recreation Facilities Fund (CSRFF) is a Department of Local Government, Sport and Cultural Industries - Sport and Recreation program that provides financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

The small grants aim to increase participation in sport and recreation, with an emphasis on physical activity through rational development of sustainable, good quality, well designed and well utilised facilities where the total cost does not exceed \$300,000. The application process for submissions involve local governments undertaking an initial assessment to ensure proposed projects are well planned, prioritised and of positive benefit to the community.

The City has received two applications from clubs as part of the CSRFF Small Grants Round and will be submitting one further application on its own behalf. Details of these applications are:

- City of Mandurah – Falcon Pavilion Toilet and Changeroom Upgrade
- Mandurah Tennis Club - Resurface of Courts 9 - 12
- Dudley Park Bowling Club - Resurface of Bowling Green D and upgrade of sports lighting to LED.

Council is requested to support the ratings and priorities of the three 2019/20 CSRFF Small Grants applications submitted and note that an allowance for the City's contributions towards projects is listed in the 2019/20 capital budget, subject to the projects being approved by the Department of Local Government, Sport and Cultural Industries - Sport and Recreation.

RESOLVED TO RECOMMEND: Peter Rogers / S Jones

That Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant applications from the following clubs / organisations:

- **City of Mandurah**
Project: Falcon Reserve Toilets and Changeroom Upgrade
Ranking: One
Rating: High

- **Mandurah Tennis Club**
Project: Resurfacing of courts 9 - 12
Ranking: Two
Rating: Medium/High
- **Dudley Park Bowling Club**
Project: Replacement of bowling green D and upgrade of sports lighting to LED
Ranking: Three
Rating: Medium/High

CARRIED UNANIMOUSLY: 9/0

**CC.9/8/19 SOUTH EAST DAWESVILLE CHANNEL FORESHORE MASTER PLAN
(JD/CJ) (REPORT 3)**

In July 2017, Council endorsed the South East Dawesville Channel Land Use Plan as a guide to enable the development of a master plan for the public foreshore area of the site.

The City engaged an external consultant to both assist in the facilitation of the community engagement program and to develop the draft master plan for the South East Dawesville Channel Foreshore in line with community and stakeholder feedback.

Community interest in the project was high however differing views on the way forward have been presented. The Channel Heights Residents group has communicated that it does not support the City's staged approach to the master-planning process and would rather see the full site master-planned as public open space as a means to ensure it is used for no other development purposes. Additionally, some members of the Port Bouvard Recreation and Sporting Club would rather the Club retained exclusive use of the foreshore area. However, the wider community has welcomed the City's intent to improve public access to the foreshore area and have provided comprehensive input into the Plan.

Additionally, the City engaged directly with the key stakeholders of the site, the Port Bouvard Recreation and Sports Club and the Department of Education whom have until recently had exclusive access to the northern foreshore within the master-planning site. With significant concerns for the co-location of boat launching facilities, dual use path links and the retention of functional operating space the City has worked closely with the groups to achieve a design that will both support club operations and enable the community to enjoy the space safely when sailing activities are taking place.

One of the key items of feedback throughout the process was the considered lack of parking that is likely to occur when the foreshore is further activated following development. This was acknowledged by City officers and as a result two master plan options have been prepared. Option One delivers the draft South East Dawesville Channel – Foreshore Master Plan within the boundaries identified in the Land Use Plan. Option Two identifies additional parking via a proposed roundabout off Estuary Road which would be located outside of the identified foreshore planning site. Option Two would also offer a designated entry point into the remaining 4.2 hectares of Lot 30624, a preferred feature to the Channel Heights Residents Association as it would eliminate increased traffic via Thisbe Drive into the future.

Following significant community engagement, City officers are seeking Council's endorsement for the South East Dawesville Channel – Foreshore Master Plan Option Two as a guiding document to the future development of the site and note that a funding strategy will be developed for the future staged delivery of the project.

Councillor Darcy moved the report recommendation which was seconded by Mayor Williams. Elected Members acknowledged the community consultation and engagement undertaken. The commitment from Council and the community to improve the site was also applauded.

RESOLVED TO RECOMMEND: M Darcy / R Williams

That Council:

1. **Endorse the draft South East Dawesville Channel – Foreshore Master Plan Option Two as a guiding document to the future development of Lot 30624 – Stage One.**
2. **Note that the next step in planning for the South East Dawesville Channel – Foreshore project is to develop a funding strategy for the future staged delivery of the project.**

CARRIED UNANIMOUSLY: 9/0

CC.10/8/19 BILLY DOWER YOUTH CENTRE OUTDOOR SPACE UPGRADE PROJECT (TH/NL) (REPORT 4)

The Billy Dower Youth Centre (BDYC) outdoor area was identified as needing an upgrade to make it more welcoming. Young people using the centre have co-designed an upgrade to the area which includes urban art on the outside walls, basketball court resurfacing and a “chill out” garden area with decking and seating. This project is proposed to be funded through the use of legacy funds received from a former community member's estate.

Councillor Knight moved, Councillor Peter Rogers seconded the report recommendation. Elected Members acknowledged the tireless work of many officers, over many years, in developing and obtaining this upgrade result.

RESOLVED TO RECOMMEND: C Knight / Peter Rogers

That Council approves the use of a \$32,024 bequest from a former community member for the use of upgrading the Billy Dower Youth Centre Outdoor space.

CARRIED UNANIMOUSLY: 9/0

CC.11/8/19 T04-2019 CONSTRUCTION OF MANDURAH SOUTHERN DISTRICT BUSH FIRE BRIGADE FACILITY (JS/VL) (REPORT 5)

The City of Mandurah invited tenders for the Construction of the Mandurah Southern District Bush Fire Brigade Facility.

The Construction of the Mandurah Southern District Bush Fire Brigade Facility will feature:

- Communications office
- Office
- Meeting and training room
- Two Universal Accessible Toilets
- Kitchen
- Store
- Respiratory Cleaning area and
- 136m² of vehicle storage space

Council is requested to accept Moore Construction Pty Ltd as the preferred tenderer based on the evaluation of tendered submissions.

RESOLVED TO RECOMMEND: S Jones / M Darcy

That Council accepts Moore Construction Pty Ltd as the preferred tenderer for Tender Number 04-2019 for the Construction of the Mandurah Southern District Bush Fire Brigade Facility.

CARRIED UNANIMOUSLY: 9/0

**CC.12/8/19 MANDURAH BUSHFIRE RISK MANAGEMENT PLAN 2019 - 2023 (MG)
(REPORT 6)**

The State Emergency Management Plan for Fire (*State Hazard Plan – Fire*) requires local governments to undertake an integrated approach to developing Bushfire Risk Management Plans, outlining strategies to treat bushfire risk across all land tenures. The City has developed a five year plan aligning with the *WA Bushfire Risk Management Guidelines*.

Bushfire mitigation works are essential and costly, funding has therefore been sought via the State Mitigation Activity Fund to enable 41 treatments on 25 reserves.

Undertaking bushfire risk assessments, identifying assets at risk, and determining suitable treatment options is a rigorous and resource intensive process.

Council is requested to:

1. Endorse the *City of Mandurah Bushfire Risk Management Plan 2019-23*
2. Support the *2019/20 Treatment Schedule* linked to Round 1 Mitigation Activity Funding (\$292,850)

The City's Coordinator Emergency Management gave a visual presentation in regard to this item. Focus of the funding was on human risk and online tools and programs available through the Department of Fire and Emergency Services (DFES) were assisting in this regard. Extensive map access and work information was available to all local governments via DFES. The system prioritizes risk and residual risk following works undertaken. Information available via this resource can assist in many areas including the number of firebreaks in a location and cost of mitigation works required. The meeting was informed that staff in relevant areas had completed fuel load assessment training and were including this in assessment of areas and as a tool to assist with protection of infrastructure. Elected Members discussed actions undertaken and responsibilities of internal groups established in relation to this item.

Councillor Jackson moved, Councillor Knight seconded the report recommendation with the addition of point three:

3. Review the City's bushfire prevention measures on an annual basis with the results of the review being used to inform future works.

RESOLVED TO RECOMMEND: P Jackson / C Knight

That Council:

1. **Endorse the City of Mandurah Bushfire Risk Management Plan 2019- 2023**
2. **Support the proposed 2019/20 Treatment Schedule**
3. **Review the City's bushfire prevention measures on an annual basis with the results of the review being used to inform future works.**

CARRIED UNANIMOUSLY: 9/0

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 14]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 15]

Nil.

CLOSE OF MEETING [AGENDA ITEM 16]

There being no further business, the Chairman declared the meeting closed at 6.30pm.

CONFIRMED:

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[CHAIRMAN]