

## **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, 29 January 2019  
at 5.30pm**

**MARK R NEWMAN**  
Chief Executive Officer  
23 January 2019

## **AGENDA:**

1. **OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS**

2. **ACKNOWLEDGEMENT OF COUNTRY**

3. **ATTENDANCE AND APOLOGIES**

Councillor Lynn Rodgers

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**

Nil

**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. REPORTS (Yellow Pages):**

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2 Financial Report December 2018	9 - 23
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6 Tender T09-2018 Provision of Cleaning Services for Buildings	39 - 43
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12 Appointment of Electoral Commissioner to Conduct Elections	61 – 63
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**18. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

- 18.1 Deputy Mayor Councillor Knight: Cat Management

**19. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**



## **MINUTES OF COUNCIL MEETING**

**HELD ON**

**TUESDAY 18 DECEMBER 2018**

**AT 5.30PM**

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

***PRESENT:***

COUNCILLOR	C KNIGHT [DEPUTY MAYOR]	NORTH WARD
COUNCILLOR	R WORTLEY	NORTH WARD
COUNCILLOR	D LEE	EAST WARD
COUNCILLOR	L RODGERS	EAST WARD
COUNCILLOR	S JONES	EAST WARD
HON COUNCILLOR	F RIEBELING	COASTAL WARD
COUNCILLOR	M DARCY	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	B INGLE	ACTING DIRECTOR SUSTAINABLE COMMUNITIES
MR	G DAVIES	EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR	D PRATTENT	ACTING EXECUTIVE MANAGER FINANCE & GOVERNANCE
MR	B DRECKOW	MANAGER PLANNING AND LAND SERVICES
MRS	L SLAYFORD	MINUTE OFFICER

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

The Mayor declared the meeting open at 5.35pm.

**ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]**

Deputy Mayor Councillor Knight acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respect to their Elders past and present.

**APOLOGIES [AGENDA ITEM 3]**

Mayor Williams, Councillors Schumacher, Jackson and Tahlia Jones are on leave of absence.

**DISCLAIMER [AGENDA ITEM 4]**

The Deputy 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] [OPEN 5.36PM - CLOSED 5.38PM]****G.1/12/18 MR R GENT: MERRIVALE STREET, WANNANUP**

Mr Gent asked when he could expect a response to questions asked at the October 2018 Council meeting and if he could circulate, to Elected Members, a document dated 27 March 2014, with particular reference to item 7 in the document?

*The Chief Executive Officer apologised for the delay in responding and advised Mr Gent would be contacted shortly in regard to the questions. Mr Gent was advised the document could be copied and circulated to Elected Members.*

Mr Gent requested to meet with the Chief Executive Officer.

*The Chief Executive Officer advised that a meeting was not required and reiterated Mr Gent would be contacted shortly.*

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

Nil.

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

**G.2/12/18 LEAVE OF ABSENCE: COUNCILLOR LYNN RODGERS – 1 – 31 JANUARY 2019**

MOTION: F Riebeling / R Wortley

**That leave of absence be granted to Councillor Lynn Rodgers from 1 to 31 January 2019.**

CARRIED UNANIMOUSLY: 9/0

**PETITIONS [AGENDA ITEM 9]**

Nil.

**PRESENTATIONS [AGENDA ITEM 10]**

Nil.

**DEPUTATIONS [AGENDA ITEM 11]**

Nil.

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

**G.3/12/18 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 27 NOVEMBER 2018**

MOTION: R Wortley / F Riebeling

**That the Minutes of Council Meeting held on Tuesday 27 November 2018 be confirmed.**

CARRIED UNANIMOUSLY: 9/0

**G.4/12/18 ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]**

- Hon Councillor Riebeling spoke of the Mandurah State Emergency Service Awards attended by himself and Mayor Williams. The good work of volunteers was acknowledged on the night with over 15 awards given out to members.
- Councillor Wortley reported on the Beach Access Day held on December 2. Various organisations were involved in the day which provided an opportunity for wheelchair bound persons to access the water. Approximately eight persons participated in specialised wheelchairs to enter and enjoy the water.
- Councillor Lee attended the Community Grants Presentation afternoon tea along with Councillors Jackson and Lynn Rodgers. Forty groups were presented with various funding grants with the Nicki Wise Community Services Memorial Scholarship also awarded at the gathering.
- Councillor Matt Rogers updated Council on the 10 Year Bookshop Celebration at the Save the Children Bookshop in the Smart Street Mall. Past and present volunteers who have assisted in raising approximately \$500,000 since the store opening in 2008 were on hand to celebrate the achievements.
- Councillor Lynn Rodgers updated the meeting in regard to the annual Christmas Hamper Appeal which has been operating for 20 years in Mandurah, operate by WestAus Crisis and Support Services. The appeal provides toys and hampers for people in the Peel Region via support and donations from individuals, Government and non-Government organisations, public and private businesses and numerous organisations throughout the area. Funding via Lotterywest also contributed to the success of this appeal.
- Deputy Mayor Councillor Knight informed the meeting of the 2018 Christmas Pageant which was attended by herself along with Councillors Lee and Riebeling. The event attracted many locals and was enjoyed by all.

**G.5/12/18 DECLARATION OF INTERESTS [AGENDA ITEM 14]**

- Councillor Lynn Rodgers declared an impartiality interest in Minute G.18/12/18 – Confidential Item: Funding Extension, because of her position on a Board that operates from the facility. Councillor Lynn Rodgers advised she would not be participating in the discussion or vote on this item.
- Deputy Mayor Councillor Knight declared an impartiality interest in Minute G.18/12/18 – Confidential Item: Funding Extension, because of her position on a Board that operates from the facility. Councillor Knight declared that she wished to remain in the Chamber and would consider this matter on its merits and vote accordingly.

**QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 15]****Questions of which due notice has been given****G.6/12/18 COUNCILLOR PETER ROGERS**

1. Does the City have enough public dog disposal bags located on the Eastern and Western Foreshores and will more disposal units be factored into the redevelopment of the foreshore?

*The Director Works and Services advised there is considered to be sufficient dispensers on both the Eastern and Western Foreshore reserves. There are two dispensers located on the Eastern foreshore, one adjacent to the Dome Café carpark with the other adjacent to the Merchant Tea House adjoining carpark. The Western foreshore has two dispensers, located near Leighton Place and by the King Carnival site.*

*Dog owners have responsibility to pick up excrement after their dogs and to bring bags for that purpose. The City provides numerous bag dispensers throughout the municipality to assist residents and visitors alike.*

**Questions of which notice has not been given**

Nil.

**BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 16]**

Nil.

**RECOMMENDATIONS OF COMMITTEES [AGENDA ITEM 17]**

**NOTE: Council adopted en bloc (moved by Councillor Lynn Rodgers and seconded by Councillor Matt Rogers), the recommendations of the Committee of Council meeting of Tuesday 4 December 2018 with the exception of Items CC.8/12/18 and CC.9/12/18, which were dealt with separately.**

**G.7/12/18 LEASE – RESERVE 45079 MERLIN STREET FALCON SOUTH  
MANDURAH TENNIS CLUB (RL/LP) (REPORT 1) (CC.4/12/18)**

South Mandurah Tennis Club (SMTC) has held a lease over Reserve 45079 Merlin Street, Falcon, since 1994. The Club formally requested, upon the expiry of their current lease on the 28 February 2018, to enter into a new lease agreement with the City.

Officers have been in discussions with the club since late 2017, with the club in a “holding over” of their current lease, to allow officers time to re-assess the leasing and fee structure for sporting clubs. The outcome of this review has resulted in only three clubs varying their fee and leasing structure.

As SMTC is not impacted by the recent review, officers recommend the club's lease now be renewed for a term of five years with a five year renewal term option (5+5 years). With the rental fee aligning with the City's fees and charges schedule for community and sporting groups, which is \$1,000 inclusive of GST per annum.

Council is requested to support the new lease agreement with the South Mandurah Tennis Club, over Reserve 45079 Merlin Street, Falcon, for a term of five years with a five year renewal term option (5+5 years), commencing on or after Minister for Lands consent, together with an annual rental fee of \$1,000 which aligns with the City's schedule of fees and charges. All lease terms and conditions are subject to the approval of the Minister for Lands.

MOTION: Lynn Rodgers / Matt Rogers

**That Council:**

- 1. Approves a lease agreement over Reserve 45079 Merlin Street, Falcon, to the South Mandurah Tennis Club with the following conditions:**
  - 1.1 Tenure term of five years with a five year renewal term (5+5 years);**
  - 1.2 Approval and commencement date subject to the Minister for Lands consent;**
  - 1.3 Annual rent and document preparation fee is to align with the Council approved schedule of fees and charges for sporting and community groups;**
- 2. Authorises the Chief Executive Officer to finalise the conditions of the Lease agreement.**

CARRIED UNANIMOUSLY: 9/0  
*(This item was adopted en bloc)*

**G.8/12/18 HOLIDAY HOMES (AH) (REPORT 2) (CC.5/12/18)**

In April 2018, Council was presented with a petition containing the signatures of 65 residents requesting that Council consider the regulation of the location, size and management of short stay holiday homes within Mandurah. In June 2018 Council resolved, following a Notice of Motion, "that officers prepare a report that considers the establishment of a register of short term residential accommodation (STRA).

Following Council's resolution, officers have undertaken a review of a number of industry based discussion papers and government position papers to investigate alternative approaches to managing holiday homes. The potential impacts of holiday homes on surrounding neighbourhoods are well documented however the method by which these impacts are managed varies from State to State.

Council adopted a 'responsive' approach to Holiday Homes in June 2015, whereby a list of known holiday homes is maintained, with complaints received against a known holiday home being addressed as a matter of high priority. Since this time, of the 131 homes currently on the City's list of Holiday Homes, five properties have been the subject of noise complaints, with officers having been successful in working with landowners to manage issues through

measures such as strengthening guest selection criteria, not allowing leavers, hens or bucks parties, and the provision of clear regulations to guests.

The 'responsive' approach to Holiday Homes is viewed to be an effective method for managing issues arising from Holiday Homes at this stage, with complaints regarding holiday homes comprising only a small percentage of total complaints dealt with by the City. As it is three years since the implementation of this approach however, it is suggested that a re-education campaign be conducted to ensure all owners and of known holiday homes and adjoining properties are;

- (a) Advised of obligations under the Environmental Protection (Noise) Regulations 1997; and
- (b) Advised of the City's complaint handling procedure with regards to Holiday Homes.

MOTION: Lynn Rodgers / Matt Rogers

**That Council:**

1. **Reiterates its 'responsive' approach to Holiday Homes as an effective means of managing issues arising from Holiday Homes due to the minimal impact of holiday homes in Mandurah.**
  2. **Request officers continue to maintain and review on a bi-annual basis, a list of known holiday homes.**
  3. **Request officers undertake a re-education campaign to ensure all owners of holiday homes are:**
    - 3.1. **Advised of obligations under the Environmental Protection (Noise) Regulations 1997, Building Regulations 2012, and City of Mandurah Local Laws;**
    - 3.2. **Advised of the City's complaint handling procedure with regards to Holiday Homes;**
    - 3.3. **Provided with an information pack detailing recommended management practices;**
    - 3.4. **Update communications material on the City's website to provide relevant information for prospective holiday home operators for individual dwellings and those within strata developments;**
    - 3.5. **Liase with the local police with respect to dealing with the noise and anti-social behaviour relating to holiday homes; and**
    - 3.6. **Establishing additional data capture options with the Customer Request Management system in conjunction with the new Enterprise System.**
  4. **Request officers notify adjoining neighbours of known holiday homes of the City's Complaint Handling Procedure and ensure website information is updated accordingly.**
  5. **Request officers develop an audit process for identified holiday homes to ensure compliance with the Building Regulations 2012.**
  6. **Endorse this report as the basis for a submission to the Parliamentary Inquiry into the adequacy of regulation of short term letting in WA.**

CARRIED UNANIMOUSLY: 9/0  
*(This item was adopted en bloc)*

**G.9/12/18 CITY CENTRE PROJECT FRAMEWORK (MN) (REPORT 3) (CC.6/12/18)**

At its meeting of 28 November 2017, Council resolved to support for the establishment of a City Centre business unit to focus on the development and activation of Mandurah's City Centre.

The City Centre project team phased in its commencement since earlier in 2018 with a focus on the City Centre Waterfront project, its Community Reference Group and the implementation of Winter Wonderland 2018. A primary focus for the team was to also engage internally and externally to develop a preliminary framework to identify its overall vision, objective, focus areas, activities and measures.

This report outlines the process and the final framework for Council consideration and an overview of the 2018/19 projects.

MOTION: Lynn Rodgers / Matt Rogers

**That Council:**

- 1. Endorses the City Centre Framework**
- 2. Acknowledges the 2018/19 projects and activities**

CARRIED UNANIMOUSLY: 9/0  
(*This item was adopted en bloc*)

**G.10/12/18 MURDOCH UNIVERSITY SCHOLARSHIPS (TH) (REPORT 4) (CC.7/12/18)**

Since 2005 the City has supported a number of scholarships in partnership with Murdoch University. In 2015 Council endorsed a three year agreement where four annual scholarships were supported, this agreement has now expired. This report seeks consideration from Council for entering into a new three year agreement which builds on the past success, extends support and increases opportunities.

Council approval is sought for three x \$4,000 a year rolling scholarships over three years of study, financially committing the City over five years, commencing in 2019 and resulting in nine students a year being funded at its peak.

It is recommended two scholarships would be available for any undergraduate course of study and one scholarship would be available for an Aboriginal student undertaking any course of study, each being for first year undergraduate students only and one of the three scholarships being awarded for a student studying at the Mandurah Campus only, with the remainder available for either Mandurah or South Street Campuses at the discretion of the selection panel.

Approval is also sought in support of funding Murdoch University's outreach activities for year 10 students to undertake an intensive Science, Technology, Engineering and Maths STEM four day workshop. The Murdoch University supported course is entitled the 'Conoco-Philips Science Experience' and would be available solely to students who reside in Mandurah and at a total cost of \$3,000 per annum over three years.

MOTION: Lynn Rodgers / Matt Rogers

**That Council:**

1. **Approves three scholarships annually, with two being for First Year Undergraduate students and one being for a First Year Undergraduate Aboriginal Student, with a minimum of one Undergraduate scholarship being for the Mandurah Campus only and a maximum of two being for any Murdoch University Campus.**
2. **Allocates annual scholarship funding to Murdoch University as follows:**
  - 2.1. **2019 x \$12,000 3 scholars (2019 cohort) \*three new scholarships**
  - 2.2. **2020 x \$24,000 6 scholars (2019 and 2020 cohort) \*three new scholarships**
  - 2.3. **2021 x \$36,000 9 scholars (2019, 2020 and 2021 cohort) \*three new scholarships**
  - 2.4. **2022 x \$24,000 6 scholars (2020 and 2021 cohort)**
  - 2.5. **2023 x \$12,000 3 scholars (2021 cohort)**
3. **Approves the following eligibility criteria:**
  - 3.1. **Student must be an Australian citizen or permanent resident.**
  - 3.2. **Student must be a current resident of the City of Mandurah.**
  - 3.3. **Student must intending to enrol or be enrolled full-time in an Undergraduate degree at Murdoch University Peel Campus (one scholarship) or at any Murdoch Campus (two scholarships).**

CARRIED UNANIMOUSLY: 9/0  
(*This item was adopted en bloc*)

**G.11/12/18 PROPOSED ANIMALS, ENVIRONMENT AND NUISANCE LOCAL LAW 2019 (NP/SL) (REPORT 5) (CC.8/12/18)**

MOTION: Shane Jones / Lynn Rodgers

As part of the continuing process of updating and improving the City's local laws, a review has now been conducted of the Animals, Environment & Nuisance Local Law 2010.

Amendments are proposed to reduce the need for approvals whilst still retaining an ability to enforce requirements where required. The changes remove duplication with other legislation, provide increased flexibility and bring the local law up to date with the City's preferred approach to legislation enforcement.

As a legal requirement, all local laws are to have a purpose and effect where the following is proposed for the Animals, Environment & Nuisance Amendment Local Law 2019:

**PURPOSE:** to amend provisions within the City of Mandurah Animals, Environment & Nuisance Local Law 2010.

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

Council is requested to adopt the proposed Animals, Environment & Nuisance Amendment Local Law 2019 for advertising.

**That Council:**

- 1 Adopt the proposed City of Mandurah Animals, Environment & Nuisance Amendment Local Law 2019 for advertising.**
- 2 Note that any public and Ministerial responses will be reported to Council for consideration prior to the making of the local law and publication in the Government Gazette.**

CARRIED WITH ABSOLUTE MAJORITY: 9/0

**G.12/12/18 PROPOSED FENCING AMENDMENT LOCAL LAW 2018 (NP/SL)  
(REPORT 6) (CC.9/12/18)**

As part of the continuing process of updating and improving the City's local laws, a review has now been conducted of the Fencing Local Law 2015.

Amendments are proposed to differentiate between the fencing requirements of residential properties with different density requirements.

As a legal requirement, all local laws are to have a purpose and effect where the following is proposed for the Fencing Amendment Local Law 2018:

**PURPOSE:** To amend provisions within the City of Mandurah Fencing Local Law 2015.

**EFFECT:** To ensure the City of Mandurah Fencing Local Law 2015 is as clear and effective as possible.

Council is requested to adopt the proposed Fencing Amendment Local Law 2018 for advertising.

**MOTION:** F Riebeling / D Lee

**That Council:**

- 1 Adopt the proposed City of Mandurah Fencing Amendment Local Law 2018 for advertising.**
- 2 Note that any public and Ministerial responses will be reported to Council for consideration prior to the making of the local law and publication in the Government Gazette.**

CARRIED ABSOLUTELY: 9/0

**G.13/12/18 CONFIDENTIAL ITEM: ROAD DEDICATION (DC/LP) (REPORT 1)  
(CC.10/12/18)**

**MOTION:** Lynn Rodgers / Matt Rogers

- 1 That Council adopts the course of action agreed.**

- 2 That the report and recommendations remain confidential until the purchase of the road land is complete.**

CARRIED UNANIMOUSLY: 9/0  
(*This item was adopted en bloc*)

**NOTE: Council adopted en bloc (moved by Councillor D Lee and seconded by Councillor Shane Jones), the recommendations of the Audit and Risk Committee meeting of Monday 10 December 2018.**

**G.14/12/18 ANNUAL FINANCIAL STATEMENTS 2017/18 (DP) (REPORT 1)  
(AR.3/12/18)**

The audit of the Financial Statements for 2017/18 has now been completed. Although the signed report of the Auditor will not be available until after the Audit and Risk Committee meeting, it is useful to provide a commentary on the unaudited financial statements to aid discussions with the auditor. As the indication by the Auditor is that the audit report will be unmodified, these statements represent the City's final financial position for 2017/18.

Council is requested to note this report which includes the unaudited financial statements.

MOTION: D Lee / Shane Jones

**That Council notes the contents of this report and the unaudited Financial Statements for 2017/18.**

CARRIED UNANIMOUSLY: 9/0  
(*This item was adopted en bloc*)

**G.15/12/18 2017/18 ANNUAL FINANCIAL REPORT (DELOITTE TOUCHE  
TOHMATSU) (AR.4/12/18)**

An overview of the main sections of the report was provided by Deloitte to the Audit and Risk Committee. Committee members were given the opportunity to ask questions.

The Committee noted the contents of the report.

MOTION: D Lee / Shane Jones

**That Council receives the Financial Statements for 2017/18 together with the report of the Auditor.**

CARRIED UNANIMOUSLY: 9/0  
(*This item was adopted en bloc*)

**REPORTS [AGENDA ITEM 18]****G.16 /12/18 FINANCIAL REPORT NOVEMBER 2018 (PB/DP) (REPORT 1)**

The Financial Report for November 2018 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members' consideration.

MOTION: F Riebeling / R Wortley

**That Council:**

- 1 Receives the Financial Report for November 2018.**
- 2 Receives the Schedule of Accounts for the following amounts:**

Total Municipal Fund	\$ 12,691,657.81
Total Trust Fund	<u>\$ 19,700.90</u>
	<u>\$ 12,711,368.71</u>
- 3. Approves unbudgeted expenditure of \*\$46,493 for the integrated renewable energy System project, to be funded from:**
  - WMC – replace air conditioner \$6000\*
  - WMC – column repair \$6,000\*

*\*ABSOLUTE MAJORITY*

CARRIED WITH ABSOLUTE MAJORITY: 9/0

**G.17/12/18 ANNUAL REPORT (GD) (REPORT 2)**

Council's acknowledgement and receipt of the Annual Report for 2017/18 and the selection of a date during February 2019 for the Annual Electors' Meeting is sought. Monday, 4 February 2019 at 7.00 pm in the Tuckey Room is the suggested date and venue for holding the Annual Electors meeting.

Councillor Peter Rogers moved the report recommendation which was seconded by Councillor Wortley. A question in relation to the Local Government Act review being conducted and the mandatory requirement to conduct an Annual Electors meeting was responded to by the Acting Executive Manager Finance and Governance.

MOTION: Peter Rogers / R Wortley

**That Council:**

- 1 Receives the 2017/18 Annual Report for the year ending 30 June 2018.**
- 2 Convenes a meeting of Annual Electors on Monday, 4 February 2019, at 7.00 pm in the Tuckey Room.**

CARRIED UNANIMOUSLY: 9/0

**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: Peter Rogers / M Darcy

**That the meeting proceeds with closed doors at 6.01pm in accordance with Section 5.23(2)(e) of the *Local Government Act 1995*, to allow for the confidential discussion of items.**

CARRIED UNANIMOUSLY: 9/0

*Members of the media, non-senior employees and persons in the gallery left the meeting at this point. The Minute Officer and manager remained with Senior Officers.*

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.01PM

*Having declared an interest in Minute G.18/12/18 Confidential Item Peel Health Hub – Updates to Progress and Completion, Councillor Lynn Rodgers left the Chamber at 6.03pm.*

*Having declared an impartiality interest in Minute G.18/12/18 Confidential Item Peel Health Hub – Updates to Progress and Completion, Deputy Mayor Councillor Knight vacated the Chair and absented herself from the Chamber at 6.04pm to allow Elected Members to discuss her request to participate in the item discussion.*

*With the consensus of the meeting Councillor Peter Rogers assumed the Chair.*

**G.18/12/18**

MOTION: Shane Jones / D Lee

**That Council permit Deputy Mayor Councillor Knight to participate in the discussion and vote on Confidential Item: Peel Health Hub - Updates to Progress and Completion.**

CARRIED UNANIMOUSLY: 7/0

*Deputy Mayor Councillor Knight returned to the Chamber at 6.06pm and resumed the Chair.*

**G.19/12/18 CONFIDENTIAL ITEM: PEEL HEALTH HUB – UPDATES TO PROGRESS AND COMPLETION (MN/DP) (REPORT 1)**

Confidential discussion ensued regarding this issue.

MOTION: F Riebeling / Peter Rogers

**That Council:**

- 1 Expresses its support for the Peel Health Hub.**
- 2 Agrees to reduce the sale price of portions of proposed Lot 200 Allnutt Street by \$100,000 to give a new price of \$404,208 + GST.**
- 3 Keeps this report confidential and makes the recommendation public.**

CARRIED UNANIMOUSLY: 8/0

*Councillor Lynn Rodgers returned to the Chamber at 6.15pm, the Manager Planning and Land Services vacated the Chamber at this time also.*

**G.20/12/18 CONFIDENTIAL ITEM: MAKE PLACE: FUTURE OPPORTUNITIES (AD/DP) (REPORT 2)**

Confidential discussion ensued regarding this issue.

MOTION: R Wortley / Shane Jones

**That Council**

- 1 Acknowledges that Make Place has delivered on all KPI's as set by Council.**
- 2 Approves further funding to Make Place, as provided in the 2018/19 budget, through to June 2019.**

- 3 Requests officers to develop a detailed plan that enables the City to align future funding arrangements with its objectives, strategies and priorities, noting that the preparation of the plan will include the following elements:
  - 3.1 Discussion with the Board of Makers and staff of Make Place.
  - 3.2 An opportunity for Make Place to present to the Council, on their direction and priorities in a workshop setting
  - 3.3 An opportunity for the consultant to work with the Elected Members in developing Council's key areas for outcomes and thus influence the nature of the future KPI's.
- 4 Notes that officers will present a copy of the proposed scope for the consultant to Elected Members.
- 5 Notes that as part of the review officers will be seeking access to financial records and business plans.
- 6 Acknowledges that a further report shall be provided in May 2019, seeking Council's approval to implement the new plan and funding arrangements.
- 7 Keeps this report confidential and makes the recommendation public

CARRIED UNANIMOUSLY: 9/0

#### **G.21/12/18**

MOTION: Shane Jones / R Wortley

**That the meeting proceeds with open doors.**

CARRIED UNANIMOUSLY: 9/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.34PM

#### **G.22/12/18**

MOTION: Matt Rogers / D Lee

**That Council endorses the resolutions taken with closed doors.**

CARRIED UNANIMOUSLY: 9/0

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

There being no further business, the Mayor declared the meeting closed at 6.35pm.

CONFIRMED ..... (MAYOR)



## **Comment**

As we enter the digital age, 'smart cities' provide a glimpse of the future, but a big gap between the hype and the reality remains. Becoming a smart city is not a goal but a means to an end. The entire point is to respond more effectively and dynamically to the needs and desires of citizens. Technology is simply a tool to optimise the infrastructure, resources, and spaces they share.

In order to create smart cities and regions, city leaders must leverage data and technology while also implementing programs that promote civic engagement to help make citizens' lives better and boost economic development.

The theme of Strategy, Technology and Innovation for smarter cities and regions will look at:

- 1 Community Engagement - policy, funding, commerce, inclusion, governance
- 2 Digital Transformation - data, AI, sensors, IoT, cyber security, privacy, blockchain
- 3 Urban Operations - public safety, planning, sustainability
- 4 Urban Infrastructure - networks, 5G, utilities, energy, grid, lighting, water & waste
- 5 Smart Mobility - transportation, autonomous, public transit, ride share

## **Consultation**

Nil

## **Statutory Environment**

Nil

## **Policy Implications**

The formal approval of Council is appropriate for attendance at any interstate seminar or conference that requires air travel. The cost of attending this conference is within the maximum annual amount of \$4,000 per Elected Member for attendance at conferences, seminars and training programs.

## **Risk Implications**

No Risk implications have been identified.

## **Economic Implications**

The cost of the attendance of each delegate at the Local Government 2 day Conference plus Workshop is \$2,195 with costs for travel and accommodation to be estimated at \$1,500.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

### Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.
- Advocate for and facilitate the provision of an integrated movement network.

### Organisational Excellence:

- Listen to and engage with our community
- Ensure the City has the capacity and capability to deliver appropriate services and facilities.

## **Conclusion**

Becoming a smart city is not a goal but a means to an end. The entire point is to respond more effectively and dynamically to the needs and desires of citizens. Technology is simply a tool to optimise the infrastructure, resources, and spaces they share. This is also an opportunity for a Federal and State Government perspective with the smart cities' teams from Infrastructure Australia.

NOTE:

- Refer **Attachment 1** **Cities & Regions 4.0 Summit 2019 Program**

## **RECOMMENDATION**

**That Council approves the attendance of Mayor Rhys Williams and Councillor \_\_\_\_\_ at the Cities & Regions 4.0 Summit 2019 to be held in Melbourne, 12 - 14 March 2019.**

3rd annual



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- Learn how to leverage technology to achieve strategic policy outcomes such as social good, sustainability, resilience and equity
- Cyber-physical convergence – see how disruptive digital technologies embedded within physical structures are improving the way cities function
- Learn how to integrate people, networks, analytics tools, security and platforms to ensure your smart city objectives are achieved
- Participate in the mini-workshops and roundtables designed to find solutions to critical urban challenges
- Develop strategies to support the future growth, economic prosperity and liveability of your city and region

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### OUR SPEAKERS:



**Tim Moonen**  
Professor  
**The Business of Cities**



**Nicola Yates**  
Chief Executive Officer  
**Future Cities Catapult**



**Kes McCormick**  
Associate Professor and Assistant Head,  
International Institute for Industrial Environmental  
Economics (IIIEE)  
**Lund University**



**Stephen Yarwood**  
Urban Futurist, Former Lord Mayor, City of  
Adelaide, and Global Mayoral Advisory Board  
**Airbnb**



**Greg Conkey**  
Mayor  
**City of Wagga Wagga**



**Ian Hatton**  
Chief Innovation & Economy Officer  
**City of Gold Coast**



**Anna Bardsley**  
Policy and Research Senior Advisor  
**Infrastructure Australia**



**Joshua Sattler**  
General Manager Innovation, Growth and  
Development Services  
**City of Darwin**



**Mayor Tracey Roberts**  
Mayor  
**City of Wanneroo**



**Michelle Fitzgerald**  
Chief Digital Officer  
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# INTRODUCTION: SMART CITIES – BEYOND THE HYPE

As we enter the digital age, 'smart cities' provide a glimpse of the future, but a big gap between the hype and the reality remains.

Becoming a smart city is not a goal but a means to an end. The entire point is to respond more effectively and dynamically to the needs and desires of citizens. Technology is simply a tool to optimise the infrastructure, resources, and spaces they share.

In order to create smart cities and regions, city leaders must leverage data and technology while also implementing programs that promote civic engagement to help make citizens' lives better and boost economic development.

This is the focus for the Cities & Regions 4.0 2019 event – How technology be used to make a positive impact on people's everyday lives, jobs, food, safety and mobility – and help shape resilient and sustainable cities.

## KEY THEMES:

1. **Community Engagement** – policy, funding, commerce, inclusion, governance
2. **Digital Transformation** – data, AI, sensors, IoT, cyber security, privacy, blockchain
3. **Urban Operations** – public safety, planning, sustainability
4. **Urban Infrastructure** – networks, 5G, utilities, energy, grid, lighting, water & waste
5. **Smart Mobility** – transportation, autonomous, public transit, ride share

## BENEFITS OF ATTENDING:

Our speaker line-up features world leading smart city authorities and urban futurists, as well as some of Australia's most progressive city & regional leaders, academics and business innovators.

In addition to the inspiring presentations, practical case studies and thought-provoking panels, the deep dive workshops and interactive roundtables will enable attendees to work in collaborative teams to **co-create solutions to the biggest challenges faced by cities & regions today**.

The exhibition showcases some of the most innovative and capable **smart city enablers** in the world today, providing an opportunity for city & regional leaders to find partners and solutions.

And with over 5 hours of dedicated networking time, there will be ample opportunity for you to mingle and form relationships.

This is the best place for city leaders to learn how to **successfully plan and implement smart city projects**, large and small.

**Global view** – Learn how leading cities in the UK, Sweden and Canada are growing their economy, maximising human capital, creating social cohesion and solving environmental problems.

**Australian Cities** – Listen to case studies from City of Sydney, City of Gold Coast, City of Darwin, City of Casey, City of Newcastle, City of Greater Geelong, City of Wagga Wagga and City of Prospect.

**Regional Councils** – Hear leaders from regional councils such as Hamilton City Council, Waverley City Council, Cairns Regional Council and Bathurst Regional Council.

Plus you can get a Federal and State government perspective with the smart cities' teams from Infrastructure Australia and Transport for NSW delivering presentations.

**Where else would you want to be on March 12-14?**

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08:15 Registration and welcome refreshments  
08:50 Opening remarks from chair



**Xavier Goldie**  
Outreach Manager  
Australian Urban Research Infrastructure Network

### CREATING THE FUTURE DIGITAL METROPOLIS

#### INTERNATIONAL KEYNOTE

09:00 **Redefining the liveable city in the metropolitan century**  

- How technology can deliver a better quality of life
- Delivering advanced urban services
- Digital disruption - are city strategies and regulations fit for purpose?
- Staying with the technology curve



**Tim Moonen**  
Professor  
The Business of Cities

#### INTERNATIONAL KEYNOTE

09:30 **What makes a city smart? – challenges and opportunities of Smart City programmes**  

- Using IoT platforms and harnessing data-driven intelligence to identify priorities
- Adopting a bottom up policy approach to enable experimentation, open dialogue, and fast-paced adaptation
- Bringing together people, processes, and technology to enable a holistic customised approach
- Measuring outcomes for continuous iteration and improvement



**Nicola Yates**  
Chief Executive Officer  
Future Cities Catapult

#### REGIONAL KEYNOTE

10:00 **Surviving and thriving - A conversation on resilience**  

- How the trends of urbanisation, globalisation and climate change are forcing a rethink on the way cities are governed
- Shifting away from business-as-usual models of reactive planning and siloed decision-making
- Building urban resilience within a city to survive, adapt, and grow no matter what kinds of shocks they experience
- How should cities and technology companies work together?



**Greg Conkey**  
Mayor  
City of Wagga Wagga

10:30 Networking break & showcase viewing

### CITIZEN ENGAGEMENT & PROJECT COLLABORATION

11:15 **How can cities manage projects and interact with citizens as problem-solvers**  

- Using governance as a solution to the problem
- Overcoming the challenges of procuring for the problem-solution rather than the newest technologies
- Adopting a citizen-centric and problem-led approach
- Asking the right questions, identifying the real issue and then sourcing the right solutions



**Craig Chung**  
Councillor  
City of Sydney

11:45 **Future Cities – infrastructure planning for our growing population**  

- Addressing the growth challenges facing our cities
- The role of data and on-demand technology in providing public transport in low-density areas
- Establishing a positive regulatory environment for technologies that enable consumer-centric service delivery
- Planning for the increased uptake in electric vehicles



**Anna Bardsley**  
Senior Advisor, Policy and Research  
Infrastructure Australia

12:15 **Building collaborative partnerships to support future transport technologies**  

- How technology is helping TfNSW to plan and deliver passenger and freight transport services and infrastructure
- Aligning emerging technologies with existing infrastructure and projects
- Maximising benefits for customers and industry
- Working together with all levels of Government, private sector, academia and investors



**Sherri Fields**  
Principal Manager, Research  
Transport for NSW

12:45 Lunch & Showcase viewing

#### 14:00 BREAKOUT SESSIONS:

The interactive mini-workshop and roundtable sessions will run simultaneously. Attendees will have the option to attend one of the two mini-workshops, or three of the five roundtables.

Mini-workshops are limited to 30 attendees. If you'd like to attend one of these, please make sure you select this option when registering.

#### MINI-WORKSHOP A

##### Solving the urban mobility conundrum

Explore challenges and find solutions to end the gridlock in cities.

Share ideas on how the rise of autonomous vehicles and transport sharing models will impact city design and investment.

Discuss the implications in terms of privacy, cybersecurity, road safety, insurance and city zoning.

Assess if enough is being done and brainstorm solutions on what else smart cities can offer.

Facilitator:



**George Bramis**  
Executive Manager  
Shaping Waverley  
Waverley Council

#### MINI-WORKSHOP B

##### Aligning projects with stakeholders' strategic goals

Roll up your sleeves and get stuck into a topic that causes consternation for most city officials.

This workshop will explore how council leaders can work more effectively with the project stakeholders to develop an actionable smart city business model and plan that meets the objectives of all involved.

Learn how to get senior management buy-in for your smart cities' projects.

Facilitator:



**Nathaniel Bavinton**  
Smart City  
Coordinator  
City of Newcastle

**Roundtable 1** Enabling agile procurement across smart city projects

**Roundtable 2** Defending the Smart City from cyber attacks

**Roundtable 3** How blockchain technology can form the building block for smart city services

**Roundtable 4** Legacy IT - overcoming the biggest barrier to citizen engagement

**Roundtable 5** Harnessing the true potential of geospatial data in smart cities

15:30 Networking break & showcase viewing

#### 16:15 Meeting the needs of smart citizens

- How citizens behaviour, expectations and needs change as technology evolves
- Using digital technology to create a new type of digital urban commons and enhance social connectedness
- Enabling citizens to participate in co-creating their smart city
- How can data drive the smart city?



**Jannat Maqbool**  
Smart Cities Advisor  
Hamilton City Council, New Zealand

#### 16:45 PANEL: Mobile first - Smart apps for smarter citizens

- How is data from mobile devices currently being used to improve people's lives?
- What are some of the new killer apps with the greatest potential to further improve people's lives?
- How is New Zealand collaborating with cities in Australia to develop smart regions?
- The benefits of aligning smart city initiatives with economic development and community wellbeing?

Moderator:



**Xavier Goldie**  
Outreach Manager  
Australian Urban Research Infrastructure Network



**Peter Fitchett**  
Strategic Director, City  
Planning and Infrastructure  
City of Casey



**Ian Hatton**  
Chief Innovation & Economy,  
Officer  
City of Gold Coast



**Jannat Maqbool**  
Smart Cities Advisor  
Hamilton City Council,  
New Zealand



**Steven Bowman**  
Manager, Economic Development,  
Bathurst Regional Council



**Michelle Fitzgerald**  
Chief Digital Officer  
City of Melbourne

17:30 Cities & Regions 4.0 Networking Reception

## EARLY BIRD DISCOUNT

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Report 1 Page 6



08:30 Registration and welcome refreshments  
 08:50 Opening remarks from the chair

**Mark Burry**  
 Founding Director, **Smart Cities Research Institute**  
 Professor of Urban Futures, **Swinburne University of Technology**

### INCLUSIVE CITIES & THE SHARING ECONOMY

#### KEYNOTE

09:00 **Priorities to drive Smart City evolution**

- What organisational and cultural change is needed for planning smart cities?
- Adopting new organisational models and processes to drive innovative approaches and programs
- Integrating the sharing economy model in smart cities

**Stephen Yarwood**  
 Urban Futurist, Former Lord Mayor, City of Adelaide, Global Mayoral Advisory Board  
**Airbnb**

#### INTERNATIONAL KEYNOTE

09:30 **Environmental and financial sustainability in urban development**

- Developing a clear vision and policies for sustainable cities
- Adopting long-term practices in sustainable community development projects
- How to enhance feasibility of smart cities projects
- Building partnerships to develop multi-faceted sustainable projects

**Gerben van Straaten**  
 Chief Executive Officer  
**World of Walas**

#### INTERNATIONAL KEYNOTE

10:00 **Sharing Cities Sweden - A program for the sharing economy in cities**

- Understanding the application of shared economy in smart cities
- Implementation of nature-based solutions for urban challenges
- Overview of key activities to promote sustainable cities in Scandinavia, Europe and around the world

**Kes McCormick**  
 Associate Professor and Assistant Head, International Institute for Industrial Environmental Economics (IIIEE)  
**Lund University**

10:30 Networking break & showcase viewing

### CONNECTING THINGS, SERVICES AND CITIZENS

10:45 **Bathurst community Wi-Fi and Open Data project**  
 An overview of how and why this project is installing Wi-Fi access points and providing internet services to the community.

- Assessing real time communication of tourism, traffic, weather, council, business and service information
- Transmitting real time data back to registered users
- Collecting critical data used for town planning and to support the development of businesses within the community

**Steven Bowman**  
 Manager, Economic Development  
**Bathurst Regional Council**

11:10 **Clever and creative future Geelong – overcoming the challenges of delivering the project's vision**

- Overview of the project's smart cities 2030 vision
- Understanding the challenges in conveying the project and the community visions
- Assessing how projects underneath Clever and Creative Future Geelong are delivering the project's higher purposes
- Lessons learned

**Matthew Szymczak**  
 Acting Manager Digital, Information & Technology  
**City of Greater Geelong**

11:35 **Adopting new technologies for environmental benefit - the Great Barrier Reef project**

- Using smart technologies to monitor the quality of water flowing through one of Cairns' major urban catchments
- Approaches used in the collection and analysis of real-time water quality data
- How this is benefiting the park and facilitating automated and targeted evidence-based management of water quality

**Lynne Powell**  
 A/Manager Business Development and Compliance, Water and Waste  
**Cairns Regional Council**

12:00 **Switching on Darwin program to drive social equity and economic growth**

- Challenges in implementing city-scale smart infrastructure in Darwin including smart services (lighting, parking, wifi)
- Integrating infrastructure with smart services through an open IoT platform
- How this is contributing to city rejuvenation and, together with open data, helping stimulate new partnerships
- Analysing how the projects is helping create business growth, new jobs opportunities, and combating social and safety challenges

**Joshua Sattler**  
 General Manager Innovation, Growth and Development Services  
**City of Darwin**

12:25 **The making of a connected city – City of Prospect**

**Case Study**

- Installing networked remote sensors to better manage council assets
- Using open datasets to make evidence-based decisions
- Giving rate payers confidence that Council funds are being expended efficiently and effectively

**Jennifer Uebergang**  
 Economic Development Officer  
**City of Prospect**

12:50 **How local government can plan and prepare for rapid housing development**

- How smart housing infrastructure can help ensure future prosperity
- Working in partnership with all levels of government to support big and small cities
- Improving housing affordability and access to local jobs to develop regional areas

**Justin Madden**  
 Cities Leader VIC/SA  
**ARUP**

13:15 Lunch & Showcase viewing

14:30 **BREAKOUT SESSIONS:**

Attendees will have the option to attend one of the four mini-workshops. Mini-workshops are limited to 30 attendees. If you'd like to attend one of these, please make sure you select this option when registering.

#### MINI-WORKSHOP C

**Dealing with future technology uncertainties**  
 Making the right investment decisions in the face of accelerating change and emerging tech is a difficult task.

In this interactive hands-on discussion, attendees brainstorm ideas on how to create a structure that minimises the risk involved with technological uncertainty.

Facilitator:



**Sander van Amelsvoort**  
 Director, Policy & Research  
**Committee for Melbourne**

#### MINI-WORKSHOP D

**Attracting skilled talent to my city**  
 Share ideas on how your city can attract skilled and talented people that will form the building blocks for activating your smart city.

Develop community engagement and policy inclusion strategies to activate regional cities and drive economic growth.

Facilitator:



**Wendy Carroll**  
 Cluster Champion  
**Jobs for NSW**

#### MINI-WORKSHOP E

**Does bigger data mean better lives?**  
 How can local government leverage data to inform policy strategy, enable innovation and stimulate economic growth?

Share your perspectives on how to establish a commercial model for data management.

Facilitator:

**TBA**

#### MINI-WORKSHOP F

**Funding smart city projects**  
 If you're interested in learning how to attract investors through a creative approach to funding and financing-new sources of revenue, new business models for recovery and value capture-then this session is designed for you.

Explore the full range of options for funding, financing, and procurement.

Facilitator:



**Katherine O'Regan**  
 Executive Director  
**Cities Leadership Institute**

16:00 Afternoon tea & showcase viewing

16:30 **Using A.I. and machine learning to build next generation city services**

- How are governments and companies using AI in cities?
- Learning more about how people use cities
- Improving infrastructure and optimising the use of resources
- Increasing public safety in cities
- How can city leaders exploit conversational A.I. and machine learning to deliver more personalised, digital services to their citizens?

**Roger Rooney**  
 Smart City Evangelist and Delivery Expert  
**ACT Government**

17:00 **CLOSING PANEL: Unlocking the marketplaces of tomorrow**

- How can technology help achieve sustainable development goals in cities?
- What are the roles of the public and private sectors?
- How can leaders plan and prepare for the uncertainties of constantly changing technologies?

Moderator:

**Mark Burry**  
 Founding Director  
**Smart Cities Research Institute**

**Katherine O'Regan**  
 Executive Director  
**Cities Leadership Institute**

**Kes McCormick**  
 Associate Professor & Assistant Head, International Institute for Industrial Environmental Economics  
**Lund University**

**Gerben van Straaten**  
 Chief Executive Officer  
**World of Walas**

**Jacyl Shaw**  
 Practice Director - Digital Innovation  
**GHD Digital**

17:30 Closing remarks from Chair and end of conference



## POST-SUMMIT IN-DEPTH LEARNING SESSIONS:

### IN-DEPTH LEARNING SESSION A:

#### Adopting shared services to improve citizen experience

This workshop uses a systematic approach to understand the applications of shared services to meet the needs of smart cities projects.

In a highly interactive environment, the facilitator explains how the methodology can be used to improve citizen experience by improving processes from project inception to delivery. This methodology is a first step toward implementing holistic approaches to achieve sustainable urban growth.

The methodology helps us understand the foundational role of process management in meeting key goals, and tackling related issues such as privacy, performance, special analytics and environmental suitability.

This workshop is suitable for all smart city leaders interested in obtaining a holistic process management approach across their projects.

#### This session will include:

- Understand how can shared services help achieve sustainable urban growth
- Discover how the methodology to revolutionise city mobility
- Assess the benefits of process automation and management
- Gain a holistic approach to smart cities through shared services tools



**Peter Marklew**  
Consulting Services Manager  
**itvision**

### IN-DEPTH LEARNING SESSION B:

#### Employing smart city strategic approach from planning and design

This workshop is a designed to help attendees develop town planning and urban design through smart thinking and application.

During this highly interactive session, smart cities and regions leaders will have the opportunity to explore a full range of planning and urban design examples and case studies.

Through a series of interactive roundtables discussions, you'll be able to identify some of your projects key pain points that, if overseen at early stages, can avoid project delays and budget blowouts.

#### This session will include:

- Overview of the importance of strategic planning and design in smart cities
- Understand why adopting smart cities strategic approach from early stages
- Assess a range of case studies analyses to help you identify challenges and how to avoid project delivery delays



**David Klingberg**  
Director  
**Smart Planning & Design**

“Exceeded my expectations”

Toowoomba Regional Council

**2 SUBJECT:** Financial Report December 2018  
**CONTACT OFFICER/S:** David Prattent/ Paul Bates  
**AUTHOR:** Paul Bates

### Summary

The Financial Report for December 2018 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members' consideration.

### Disclosure of Interest

Nil

### Previous Relevant Documentation

- SP.3/7/18 02/07/2018 2018/19 Budget Adoption

### Comment

### Financial Summary

Operating Summary	YTD Actuals '000's	YTD Budget '000s	YTD Variance '000s	2018/19 Current Budget '000s	2018/19 Forecast '000s
<b>Operating Revenue</b>	101,794	98,396	-3,398	110,222	111,223
<b>Operating expenditure</b>			0		
Direct Labour	24,889	25,740	851	51,456	51,580
Allocation of Administration Expenses	-4,787	-5,218	-431	-10,440	-10,440
Operating Costs	22,999	27,450	4,451	54,217	54,539
<b>Total Operating expenditure</b>	<b>43,101</b>	<b>47,972</b>	<b>4,871</b>	<b>95,232</b>	<b>95,678</b>
<b>Operating (surplus)/ deficit before depreciation</b>	<b>-58,693</b>	<b>-50,424</b>	<b>8,269</b>	<b>-14,990</b>	<b>-15,545</b>
Depreciation	15,031	15,025	-6	30,063	30,063
<b>Operating (surplus)/ deficit</b>	<b>-43,661</b>	<b>-35,398</b>	<b>8,263</b>	<b>15,073</b>	<b>14,518</b>
<b>Other Inflows</b>					
Grants & Contributions	2,562	3,938	1,376	7,879	7,775
Capital Revenue	16,424	16,166	-258	25,098	25,227
<i>Surplus (deficit) brought forward</i>				5,232	5,068
<b>Other outflows</b>					
Capital Expenditure	12,742	18,912	6,170	39,630	40,038
Repayment of debt	2,734	2,734		5,052	5,052
Transfer to reserve	1,100	1,100		1,180	1,100
Profit Sale	165	165		165	165
<b>Total outflows</b>				<b>46,027</b>	<b>46,355</b>
<b>(Surplus)/ Deficit</b>				<b>651</b>	<b>459</b>

YTD Operating revenue is \$3.4 million higher than budgeted, this is a result of a few revenue items been received at the beginning of the financial year. There is also some areas that have higher than budgeted revenue and these are highlighted below.

YTD Operating expenditure is also \$4.4 million underspent and this is in part a result of the timing of expenditure throughout the year. Projects and programs will be further advanced towards the second half of the year, this YTD expenditure will reflect this as the year progresses.

### Key Operating Activities

The Financial report outlines 12 key areas which are important to an understanding of how the City is performing throughout the year. These areas account for 93.72% of the operating budget for the City of Mandurah. Table 1.1 below outlines the key areas YTD position for the month of December.

**Table 1.1**

	YTD Actuals 000s	YTD Budgets 000s	YTD Variance 000s	YTD % Variance	Forecast 000s	Annual Budget 000s
<b>Expenditure</b>						
Building Services	973	1,000	28	97	2,001	2,001
City Centre Activation	215	417	202	52	1,235	835
City Events	599	662	63	91	2,084	2,084
City Works	6,992	7,101	109	98	14,206	14,206
Citybuild	7,917	8,205	288	96	16,500	16,416
Cityparks	11,104	11,815	711	94	23,893	23,637
Cultural Development	381	588	208	65	1,177	1,177
Economic Development	1,207	1,389	183	87	2,649	2,779
Environmental Services	983	1,136	153	87	2,273	2,273
HHCRC	507	558	52	91	1,084	1,084
Libraries & Learning	2,247	2,344	97	96	4,689	4,689
MARC	3,558	3,601	43	99	7,081	7,081
Rates Section	1,145	961	-184	119	2,312	1,922
Waste Management	5,299	6,540	1,241	81	13,085	13,085
<b>Income</b>						
Building Services	-547	-596	-49	92	-1,189	-1,193
City Events	-144	-50	94	288	-432	-432
City Works	-18	-13	5	141	-25	-25
Citybuild	-790	-583	207	136	-1,187	-1,166
Cityparks	-507	-442	66	115	-884	-884
HHCRC	-161	-170	-9	95	-383	-383
MARC	-2,068	-2,133	-65	97	-4,651	-4,651
Rates Section	-79,088	-77,482	1,606	102	-79,166	-78,338
Waste Management	-12,430	-11,823	606	105	-13,398	-13,051

### City Centre Activation

The City Centre Activation team is actively planning projects and developments. This team has started to implement some programs including activation of City Centre during the APES games and alfresco trial project.

### Economic Development

Economic Development expenditure is tracking on budget with slight underspend forecast.

### City Events

The City Events team are currently tracking on budget. In December the Christmas Pageant and New Year's Eve events were delivered by the events team. The Christmas pageant is expected to go over budget by \$4,500, however the overall events budget is not expected to be overspent.

### Environmental Services

Environmental Services are tracking within budget parameters. The current underspend is due to projects still in planning phase.

### Recreation Centres

The MARC is operating within the current budget. Overall the operating expenditure is slightly under expected levels with no individual business area currently exhibiting any material variance issues. Operating revenue is tracking on budget.

The Halls Head Recreation Centres operating expenditure is tracking on budget.

### Libraries

The Libraries and Learning operating expenditure is currently tracking within budget parameters. The labour expenditure for Mandurah and Lakelands library are overspent by 9% and 39% respectively:

- The Lakelands Library salary budget variance report was explained in a prior report and will be adjusted at budget review
- Mandurah Library operating variance has improved from October with the Labour budget slightly improving to 9% from 10% in November. The gradual changes to staffing arrangements will continue to see this variance improve over the financial year.

### Works and Services

#### *City Build*

The City Build team is currently operating under budget by \$288,000. Given the size of the budget this is not significant.

#### *City Works*

The City Works team is currently operating under budget by \$109,000. Given the size of the budget this is not significant.

#### *City Parks*

The City Parks team is currently operating under budget by \$711,000. The underspend for City Parks appears to be mainly attributable to seasonal phasing with higher monthly expenditure expected in the fourth quarter of the financial year. This will be monitored closely through the next quarter. Amendments to budget seasonality are difficult with the existing financial system but is an issue which will be addressed during the next budget cycle. As a comparison, in 2017/18 the December variance was \$705,000 yet the end of year variance was only \$94,000.

#### *City Works Revenue*

City Works revenue is on budget for December.

City Build Revenue

City Build are over budget by \$207,000 for the month of December. This is due to a timing difference with lease revenue been charged quarterly, and an increase in facility usage revenue.

Waste Management

The Waste Management operating expenditure is under budget by \$1,241,000. Due to the Christmas close down period, invoices for waste collection were unable to be processed before end of December. This is therefore resulting in temporary variance in the December report.

Building Services

Within the Building Services Revenue, building application revenue is \$79,000 lower than expected for December. If this trend continues over the rest of the year there could be a reduction in revenue received of approximately \$130,000.

Rates Revenue

Interim rates revenue is currently \$950,000 higher than total budget for the year. The forecast for the rates revenue has been increased by only \$575,000. The forecast is lower than current revenue levels due to the need to allow for the possibility of an objection to the valuation of the interim rates.

**Capital Projects**

The table below shows current forecast by asset class with asset class year-to-date under/ overspend

<b>Job Type</b>	<b>YTD Actuals 000s</b>	<b>Forecast 000s</b>	<b>Annual Budget 000s</b>	<b>CMT 000s</b>	<b>% Completed</b>
1631 - Land	19	0	0	2	0
1632 - Buildings	2,787	9,873	9,593	1,590	29
1634 - Bridges	203	1,080	1,090	8	19
1635 - Parks	1,419	4,485	4,788	740	30
1636 - Roads	3,761	9,256	9,197	1,324	41
1637 - Drainage	223	1,615	1,341	28	17
1639 - Coastal & Estuary	257	2,568	2,514	173	10
1640 - Equipment	187	358	340	58	55
1641 - Machinery	1,467	4,118	4,102	941	36
1643 - Other Infrastructure	176	555	535	15	33
1644 - Eastern Foreshore Seawall	53	330	330	-75	16
1646 - Lakelands DOS	2,190	5,801	5,801	646	38
<b>Total</b>	<b>12,742</b>	<b>40,038</b>	<b>39,630</b>	<b>5,449</b>	<b>32</b>

Key Capital Projects

<b>Project</b>	<b>2018/19</b>		<b>Comment</b>
	<b>Actuals \$'000</b>	<b>Budget \$'000</b>	
Lakelands District Open Space	2,835	5,800	<i>Project status: Irrigation installed. Planting of grass competed on middle oval.</i>
Port Bouvard Surf Life Saving Club	117	1,788	<i>Project status: Project commenced</i>

Report from **Chief Executive Officer**  
To **Council Meeting of 29 January 2019.**

Falcon Bay seawall	45	700	<i>Project status: Stage 1 complete and tender process for stage 2 underway.</i>
Waste Management Centre walking floor	805	805	<i>Project status: Complete</i>
Mandjar Square	668	1,068	<i>Project status: Stage 3 works in front of Cinema is 80% complete and Stage 4 in front of MPAC works to commence early 2019.</i>
Gibson Street Upgrade	365	796	<i>Project status: Civil works complete and inspection of pavement complete and awaiting results. Street lighting and power poles work still to be scheduled.</i>
Dower St Intersection	685	685	<i>Project status: Relocation of services in progress. Civil works to be done in 2019-20.</i>
Casuarina Drive	421	531	<i>Project status: Project continuing as planned</i>

### Carryover Projects

Carryover projects from 2017/18 are 42.04% spent at the end of December compared with 39.6% at end of November. Details on the project expenditure and progression can be found in Attachment 2.

### Balance Sheet information:

	<b>31 December 2018</b>	<b>31 December 2017</b>
General Debtors		
<i>Debtors</i>	\$ 579,188	\$ 931,066
<i>Other Debtors*</i>	\$ 546,367	\$ 814,472
<b>Total</b>	<b>\$ 1,125,555</b>	<b>\$ 1,745,538</b>

\*Includes *Grants & Contributions, Marina & ATO.*

Rates Debtors – All**	\$ 20,029,439	\$ 18,748,791
Deferred Pensioner Rates	\$ (1,258,352)	\$ (1,095,431)
<b>Net rates collectible</b>	<b>\$ 18,771,087</b>	<b>\$ 17,653,360</b>

\*\* *Debtor value includes rubbish collection, ESL charges & debt recovery legal costs.*

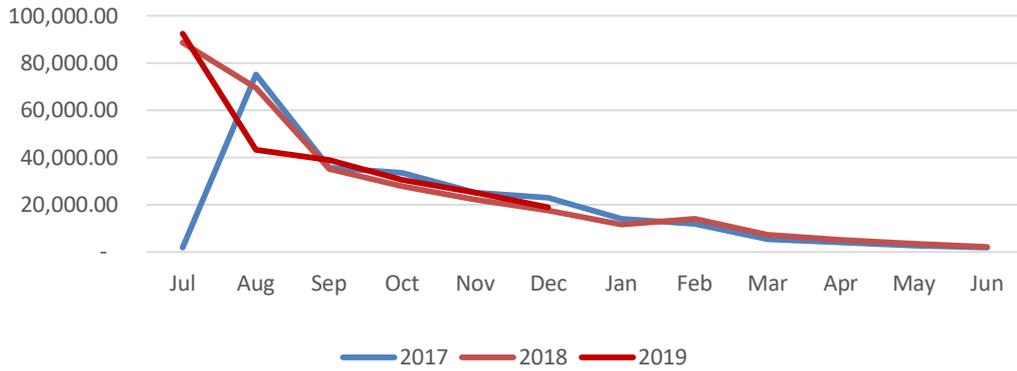
The 2018/19 rates notices were issued on the 20 July 2018. The rates were due for payment, or instalment election, on the 24 August 2018. Third instalment date was 7 January 2019 for ratepayers who have chosen to pay in 4 instalments.

Current rates balance are marginally higher than last year even though the rates were issued earlier in 2018/19. Graph 1.1 below outlines the rates balance figures for the last three years. The current year rates debtors is highlighted in red. The graph shows some fluctuations that results from the timing of when rates are raised and also interims throughout the year. However the City is tracking in the same trend patterns of the last two years. If we continue in our current trajectory we should have a rates balance at 30<sup>th</sup> June 2019 similar to the last 2 years.

### **Graph 1.1**

**Report from Chief Executive Officer  
To Council Meeting of 29 January 2019.**

**Rates debtors**



Creditors\* \$ 185,521 \$ 97

\*Creditor values vary from month to month depending on the timing of weekly invoice payment processes

	<b>31 December 2018</b>	<b>31 December 2017</b>
<i>City's Current account</i>	\$ 10,933,368	\$ 6,321,377
<i>Bonds &amp; Deposits</i>	\$ 244,653	\$ 273,659
<i>Visitors Centre</i>	\$ 48,780	\$ 24,507
<i>Marina</i>	\$ 213,273	\$ 223,086
<b>Total</b>	<b>\$ 11,440,074</b>	<b>6,842,629</b>

Schedule of accounts

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

Total Municipal Fund	\$ 7,864,904.74
Total Trust Fund	\$ 38,966.35
	\$ 7,903,871.09

The average monthly payment of creditors for last 12 months has been \$10,126,569. The month has been less than average due to the Christmas Closedown period. The payments relating to payroll for the month was 3,262,365.05.

Report from **Chief Executive Officer**  
To Council Meeting of 29 January 2019.

**Cash Holdings**

	Rating	Allocation	Total Fund	Muni Fund	Bonds & Deposits	Reserves	Monthly Return (annualised rate)
		%	\$	\$	\$	\$	%
			000	000	000	000	%
<b>Investment Type: Fixed Term</b>							
Bankwest	AA-	21.17%	15,262	12,019	84	3,159	2.63%
Bendigo & Adelaide Bank	A-	1.42%	1,026	-	-	1,026	2.70%
Westpac	AA-	34.30%	24,731	11,733	3,301	9,696	2.48%
NAB	AA-	27.55%	19,861	12,091	-	7,770	2.53%
ANZ	AA-	0.04%	29	29	-	-	1.50%
<b>At Call</b>							
WA Treasury Corporation	AA+	0.36%	257	-	-	257	1.45%
Westpac	AA-	15.16%	10,933	10,933	-	-	1.47%
<b>Total investments</b>		100.00%	72,099	46,806	3,385	21,908	2.37%

Market average int. rate - UBS Australian Bank Bill Index

2.09%

	Earned to 31-Dec-18	Annual Budget	Forecast to 30-Jun-19
<b>Interest earned</b>			
Reserve	274,020	750,000	750,000
Municipal and other funds:			
Municipal investments	387,903	555,000	555,000
Other interest (note 1)	124,935	200,000	200,000
<i>Sub total - muni &amp; other funds</i>	512,838	755,000	755,000
<b>Total</b>	<u>786,858</u>	<u>1,505,000</u>	<u>1,505,000</u>

**Notes:**

(1) Other interest includes trading bank accounts, bonds & deposits, deferred rates.

**Statutory Environment**

Local Government Act 1995 Section 6.4 Financial Report

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

**Policy Implications**

Nil

**Economic Implications**

Nil

**Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

Organisational Excellence:

- Deliver excellent governance and financial management.

NOTE:

- Refer ***Attachment 1***     ***Financial Schedule***  
          ***Attachment 2***     ***Carryover Expenditure***

**RECOMMENDATION**

**That Council:**

- 1     **Receives the Financial Report for December 2018.**
  
- 2     **Receives the Schedule of Accounts for the following amounts:**  
      **Total Municipal Fund            \$ 7,864,904.74**  
      **Total Trust Fund                 \$ 38,966.35**  
  **\$ 7,903,871.09**

## City of Mandurah Operating Revenue December 2018

Co-Ordinator	YTD Actuals 000s	YTD Budget 000s	Forecast 000s	Annual Budget 000s	YTD Actuals % Variance of YTD 000 s Budget	
<b>Chief Executive Officer</b>						
Chief Executive Officer	0	-23	-47	-47	-23	1
Economic Development	-41	-38	-76	-76	3	109
<b>Chief Executive Officer Total</b>	<b>-41</b>	<b>-61</b>	<b>-123</b>	<b>-123</b>	<b>-20</b>	<b>68</b>
<b>Director Sustainable Development</b>						
						<b>e due to casual labour to cover long service leave</b>
Building Services	-547	-596	-1,189	-1,193	-49	92
City Centre Activation	-1	0	0	0	1	0
Community Development	-52	-51	-102	-102	1	101
Community Safety	-66	-10	-10	-10	56	659
Cultural Development	-71	-68	-135	-135	4	105
Emergency Management	-73	-36	-73	-73	37	201
Environmental Health	-292	-162	-325	-325	130	180
Environmental Services	-1	-14	-27	-27	-13	7
Land Administration	-13	-9	-18	-18	4	143
Manager Libraries & Learning	-91	-126	-253	-253	-36	72
1 Planning	-123	-142	-284	-284	-19	87
Ranger Services	-557	-544	-953	-963	13	102
Seniors and Community Centre	-207	-213	-372	-372	-6	97
Statutory Services	0	-1	-2	-2	-1	0
Youth Development	-69	-44	-88	-88	25	158
<b>Director Sustainable Development Total</b>	<b>-2,163</b>	<b>-2,016</b>	<b>-3,830</b>	<b>-3,844</b>	<b>147</b>	<b>107</b>
<b>Director Works &amp; Services</b>						
Asset Management	-1	-1	-2	-2	0	86
Chalets	-371	-375	-750	-750	-3	99
City Works	-18	-13	-25	-25	5	141
Citybuild	-790	-583	-1,187	-1,166	207	136
Cityfleet	-29	-21	-42	-42	8	139
Cityparks	-507	-442	-884	-884	66	115
Design Services	-4	-5	-10	-10	-1	71
Development Services	-1	0	-1	0	1	0
Director Works & Services	-1	-1	-2	-2	0	112
General Operations	0	0	-1	-1	0	32
Landscaping Services	-2	-2	-3	-3	0	115
Marina & Waterways	-1,976	-1,222	-2,374	-2,444	754	162
Project Management	-2	-3	-6	-6	-1	72
Survey Services	-4	-3	-7	-7	0	110
2 Technical Services Manager	-16	-47	-50	-95	-31	34
Waste Management	-12,430	-11,823	-13,398	-13,051	606	105
<b>Director Works &amp; Services Total</b>	<b>-16,151</b>	<b>-14,541</b>	<b>-18,742</b>	<b>-18,488</b>	<b>1,611</b>	<b>111</b>
<b>Executive Manager Finance &amp; Governance</b>						
Financial Accounting	-2	-1	-1	-1	2	340
Financial Services	-1,701	-1,745	-3,535	-3,535	-44	97
Legal Governance & Tenders	-11	-13	-26	-26	-2	86
Rates Section	-79,088	-77,482	-79,166	-78,338	1,606	102
<b>Executive Manager Finance &amp; Governance Total</b>	<b>-80,803</b>	<b>-79,241</b>	<b>-82,729</b>	<b>-81,900</b>	<b>1,562</b>	<b>102</b>
<b>Executive Manager Strategy &amp; BP</b>						
City Events	-144	-50	-432	-432	94	288
Customer Service	-21	-22	-45	-45	-2	93
Elected Members	0	0	-1	-1	0	34
HHCRC	-161	-170	-383	-383	-9	95
Human Resources	-1	0	0	0	1	0
MARC	-2,070	-2,133	-4,651	-4,651	-63	97
Organisational Development	-3	-19	-39	-39	-17	13
Records Management	-1	0	-1	-1	0	179
Recreation Services	-137	-95	-222	-222	42	145
Strategy & Business Performance	-1	0	0	0	1	0
Systems & Technology	-57	-3	-6	-6	54	1,935
Visitor Centre	-40	-43	-87	-87	-3	92
<b>Executive Manager Strategy &amp; BP Total</b>	<b>-2,635</b>	<b>-2,537</b>	<b>-5,867</b>	<b>-5,867</b>	<b>98</b>	<b>104</b>
<b>Total</b>	<b>-101,794</b>	<b>-98,396</b>	<b>-111,290</b>	<b>-110,222</b>	<b>3,398</b>	<b>103</b>

## City of Mandurah Labour December 2018

Co-Ordinator	YTD Actuals 000s	YTD Budgets 000s	Forecast 000s	Annual Budget 000s	YTD Variance 000s	YTD % Variance
<b>Chief Executive Officer</b>						
Chief Executive Officer	230	212	424	424	-19	109
Economic Development	262	263	527	527	2	99
<b>Chief Executive Officer Total</b>	<b>492</b>	<b>475</b>	<b>951</b>	<b>951</b>	<b>-17</b>	<b>104</b>
<b>Director Sustainable Development</b>						
Building Services	474	505	1,010	1,010	31	94
City Centre Activation	95	193	386	386	98	49
Community Development	267	312	624	624	45	86
3 CommunitySafety	152	119	238	238	-33	128
Cultural Development	185	176	353	353	-8	105
Director People & Communities	31	154	308	308	123	20
Director Sustainable Development	132	150	300	300	18	88
Emergency Management	50	63	125	125	13	80
Environmental Health	448	500	1,000	1,000	52	90
Environmental Services	373	382	764	764	9	98
Land Administration	196	209	418	418	13	94
4 Manager Community & Social Development	112	93	185	185	-19	120
Manager Libraries & Learning	909	867	1,733	1,733	-42	105
Planning	372	382	763	763	10	97
Ranger Services	714	704	1,407	1,407	-10	101
Seniors and Community Centre	190	201	402	402	11	95
Statutory Services	109	108	215	215	-1	101
Youth Development	258	285	570	570	27	91
<b>Director Sustainable Development Total</b>	<b>5,065</b>	<b>5,402</b>	<b>10,803</b>	<b>10,803</b>	<b>336</b>	<b>94</b>
<b>Director Works &amp; Services</b>						
Asset Management	245	294	589	589	49	83
Chalets	6	2	4	4	-4	288
City Works	1,470	1,452	2,904	2,904	-18	101
Citybuild	975	957	1,920	1,913	-19	102
Cityfleet	267	255	510	510	-12	105
Cityparks	3,641	4,036	8,052	8,072	395	90
Design Services	196	206	413	413	10	95
Development Services	211	246	492	492	35	86
Director Works & Services	230	231	462	462	1	100
General Operations	352	349	698	698	-3	101
Infrastructure Manager	104	113	226	226	9	92
Landscaping Services	208	227	453	453	18	92
Marina & Waterways	439	458	917	917	19	96
Project Management	141	152	304	304	11	93
Survey Services	173	171	342	342	-2	101
5 Technical Services Manager	138	102	204	204	-36	135
Waste Management	111	114	229	229	3	97
<b>Director Works &amp; Services Total</b>	<b>8,909</b>	<b>9,365</b>	<b>18,717</b>	<b>18,731</b>	<b>457</b>	<b>95</b>
<b>Executive Manager Finance &amp; Governance</b>						
Financial Accounting	357	360	720	720	2	99
Financial Services	107	102	205	205	-5	105
Legal Governance & Tenders	283	285	570	570	2	99
Management Accounting	181	178	356	356	-3	102
Rates Section	246	235	471	471	-11	105
<b>Executive Manager Finance &amp; Governance Total</b>	<b>1,175</b>	<b>1,161</b>	<b>2,321</b>	<b>2,321</b>	<b>-14</b>	<b>101</b>
<b>Executive Manager Strategy &amp; BP</b>						
City Events	206	224	449	449	18	92
Customer Service	407	432	863	863	25	94
6 Elected Members	195	168	336	336	-27	116
HHCRC	250	271	545	545	21	92
Human Resources	242	225	449	449	-17	108
Manager Recreation Services	38	41	83	83	3	92
MARC	2,278	2,242	4,457	4,457	-36	102
7 Marketing & Communications	418	369	738	738	-49	113
Organisational Development	381	402	804	804	21	95
Records Management	192	210	419	419	18	92
Recreation Services	342	379	759	759	37	90
8 Strategy & Business Performance	284	248	540	496	-36	114
Systems & Technology	601	668	1,337	1,337	68	90
Visitor Centre	162	162	325	325	1	100
<b>Executive Manager Strategy &amp; BP Total</b>	<b>5,994</b>	<b>6,042</b>	<b>12,102</b>	<b>12,058</b>	<b>48</b>	<b>99</b>
<b>Total</b>	<b>21,634</b>	<b>22,444</b>	<b>44,894</b>	<b>44,863</b>	<b>810</b>	<b>96</b>

## City of Mandurah Other Employee Costs December 2018

		YTD	YTD		Annual	Actuals
		Actuals	Budget	Forecast	Budget	YTD % of
		000s	000s	000s	000s	YTD
Co-Ordinator		e 000 s Budget				
<b>Chief Executive Officer</b>						
	Chief Executive Officer	31	33	66	66	94
	Economic Development	44	52	104	104	84
	<b>Chief Executive Officer Total</b>	<b>75</b>	<b>85</b>	<b>170</b>	<b>170</b>	<b>88</b>
<b>Director Sustainable Development</b>						
e to casual labour to cover long service leave						
	Building Services	95	93	186	186	102
	City Centre Activation	15	24	48	48	64
9	Community Development	53	39	77	77	137
	Community Safety	19	14	29	29	135
	Cultural Development	17	12	23	23	149
	Director People & Communities	9	23	47	47	38
	Director Sustainable Development	22	32	64	64	68
	Emergency Management	11	13	26	26	82
	Environmental Health	76	76	152	152	99
	Environmental Services	73	68	135	135	108
	Land Administration	34	35	70	70	97
	Manager Community & Social Development	16	22	44	44	76
	Manager Libraries & Learning	131	132	264	264	99
	Planning	59	66	132	132	89
10	Ranger Services	111	98	196	196	113
	Seniors and Community Centre	28	32	63	63	89
	Statutory Services	25	24	49	49	104
	Youth Development	40	34	67	67	119
	<b>Director Sustainable Development Total</b>	<b>833</b>	<b>836</b>	<b>1,672</b>	<b>1,672</b>	<b>100</b>
<b>Director Works &amp; Services</b>						
	Asset Management	45	52	104	104	86
	City Works	221	244	488	488	91
	Citybuild	106	102	203	203	104
	Cityfleet	44	48	95	95	93
	Cityparks	418	416	832	832	101
	Design Services	33	32	64	64	104
	Development Services	25	30	59	59	85
	Director Works & Services	37	47	94	94	80
	General Operations	68	73	146	146	92
	Infrastructure Manager	22	22	44	44	99
	Landscaping Services	46	43	85	85	107
	Marina & Waterways	67	61	123	123	109
	Project Management	27	28	55	55	98
	Survey Services	31	29	59	59	105
	Technical Services Manager	38	30	60	60	125
	Waste Management	18	19	38	38	95
	<b>Director Works &amp; Services Total</b>	<b>1,245</b>	<b>1,274</b>	<b>2,549</b>	<b>2,549</b>	<b>98</b>
<b>Executive Manager Finance &amp; Governance</b>						
	Financial Accounting	53	50	101	101	106
	Financial Services	13	22	43	43	59
	Legal Governance & Tenders	58	57	114	114	101
	Management Accounting	26	26	52	52	103
	Rates Section	34	32	65	65	104
	<b>Executive Manager Finance &amp; Governance Total</b>	<b>184</b>	<b>187</b>	<b>375</b>	<b>375</b>	<b>98</b>
<b>Executive Manager Strategy &amp; BP</b>						
	City Events	31	32	64	64	97
	Customer Service	68	63	126	126	108
	Elected Members	37	41	81	81	91
	HHCRC	27	27	55	55	97
	Human Resources	66	86	172	172	77
	Manager Recreation Services	8	8	16	16	92
11	MARC	302	253	505	505	120
	Marketing & Communications	55	48	96	96	115
	Organisational Development	70	90	181	181	78
	Records Management	30	32	63	63	95
	Recreation Services	61	60	120	120	102
	Strategy & Business Performance	36	35	70	70	105
	Systems & Technology	104	116	231	231	90
	Visitor Centre	21	22	44	44	95
	<b>Executive Manager Strategy &amp; BP Total</b>	<b>916</b>	<b>912</b>	<b>1,825</b>	<b>1,825</b>	<b>100</b>
<b>Total</b>		<b>3,253</b>	<b>3,295</b>	<b>6,591</b>	<b>6,591</b>	<b>99</b>

City of Mandurah Other Operating Costs December 2018							
Co-Ordinator	YTD Actuals 000s	YTD Budget 000s	Forecast 000s	Annual Budget 000s	CMT 000s	YTD Variance 000 s	% of YTD Budget
<b>Chief Executive Officer</b>							
12 Chief Executive Officer	185	148	297	297	22	-36	125
Economic Development	718	891	1,653	1,783	0	173	81
<b>Chief Executive Officer Total</b>	<b>903</b>	<b>1,039</b>	<b>1,949</b>	<b>2,079</b>	<b>23</b>	<b>136</b>	<b>87</b>
<b>Director Sustainable Development</b>							
Building Services	34	32	65	65	0	-2	105
City Centre Activation	105	200	800	400	48	95	52
Community Development	239	221	441	441	20	-19	108
13 Community Safety	109	74	149	149	6	-35	147
Cultural Development	179	400	801	801	89	222	45
Director People & Communities	7	94	189	189	0	87	8
14 Director Sustainable Development	31	16	32	32	10	-15	191
Emergency Management	118	114	228	228	30	-4	104
Environmental Health	130	191	382	382	79	61	68
Environmental Services	269	419	838	838	58	150	64
Land Administration	14	31	61	61	4	17	46
Manager Community & Social Development	6	6	12	12	0	0	102
Manager Libraries & Learning	397	535	1,071	1,071	77	138	74
Planning	21	31	61	61	5	9	69
Ranger Services	180	172	353	344	15	-8	104
Seniors and Community Centre	108	130	260	260	12	22	83
Statutory Services	1	3	5	5	0	2	33
Youth Development	88	94	187	187	17	6	94
<b>Director Sustainable Development Total</b>	<b>2,035</b>	<b>2,762</b>	<b>5,936</b>	<b>5,527</b>	<b>470</b>	<b>727</b>	<b>74</b>
<b>Director Works &amp; Services</b>							
Asset Management	32	74	154	149	13	43	43
Chalets	221	347	669	694	30	126	64
City Works	1,276	1,360	2,722	2,722	96	84	94
Citybuild	3,918	4,296	8,673	8,597	456	379	91
Cityfleet	787	879	1,760	1,760	22	93	89
Cityparks	2,662	3,020	6,319	6,042	1,006	358	88
Design Services	13	35	70	70	0	23	36
Development Services	26	72	165	145	21	47	36
Director Works & Services	36	38	75	75	6	2	96
General Operations	65	73	146	146	6	8	89
Infrastructure Manager	24	48	97	96	7	24	51
15 Landscaping Services	140	120	278	239	66	-21	117
Marina & Waterways	703	1,313	2,592	2,690	74	610	54
Project Management	31	33	66	66	3	2	94
Survey Services	72	69	152	139	1	-3	104
16 Technical Services Manager	105	83	196	166	5	-22	126
Waste Management	4,952	6,189	12,384	12,384	140	1,237	80
<b>Director Works &amp; Services Total</b>	<b>15,063</b>	<b>18,051</b>	<b>36,518</b>	<b>36,180</b>	<b>1,952</b>	<b>2,988</b>	<b>83</b>
<b>Executive Manager Finance &amp; Governance</b>							
Elections	0	0	0	0	0	0	0
Financial Accounting	142	97	194	194	48	-45	146
Financial Services	68	108	217	217	0	40	63
Legal Governance & Tenders	138	263	525	525	23	124	53
Management Accounting	1	2	3	3	0	0	82
17 Rates Section	591	419	1,227	837	17	-172	141
<b>Executive Manager Finance &amp; Governance Total</b>	<b>940</b>	<b>888</b>	<b>2,166</b>	<b>1,776</b>	<b>88</b>	<b>-52</b>	<b>106</b>
<b>Executive Manager Strategy &amp; BP</b>							
City Events	161	205	1,171	1,171	56	44	79
Customer Service	40	42	84	84	22	2	96
18 Elected Members	575	439	879	879	14	-136	131
HHCRC	75	106	176	176	6	30	71
Human Resources	57	35	71	71	3	-22	162
Manager Recreation Services	8	5	10	10	0	-3	165
MARC	497	626	1,157	1,157	90	129	79
Marketing & Communications	181	171	341	341	71	-10	106
Organisational Development	117	130	260	260	10	13	90
Records Management	64	80	160	160	60	16	80
19 Recreation Services	346	280	566	566	13	-67	124
Strategy & Business Performance	82	104	208	208	2	22	79
Systems & Technology	1,829	2,463	3,525	3,522	101	634	74
Visitor Centre	23	24	48	48	1	1	97
<b>Executive Manager Strategy &amp; BP Total</b>	<b>4,058</b>	<b>4,710</b>	<b>8,657</b>	<b>8,654</b>	<b>448</b>	<b>652</b>	<b>86</b>
<b>Total</b>	<b>22,999</b>	<b>27,450</b>	<b>55,226</b>	<b>54,217</b>	<b>2,981</b>	<b>4,451</b>	<b>84</b>

Note	Directorate	Business Unit	Variance	Actuals as % of YTD Budget	Comment
	<b>Operating Revenue</b>				
1	Sustainable Communities	Planning	(18,870)	87%	Minor variance due to decrease in planning applications
2	Works & Services	Technical Services Manager	(31,343)	34%	Supervision fees. 2018 only received \$40k against \$95k budgeted revenue. May need to revise revenue at budget review.
	<b>Labour Costs</b>				
3	Sustainable Communities	CommunitySafety	(33,046)	128%	Variance due to projects labour covered by a \$41,000 underspend in materials.
4		Manager Community & Social Development	(18,880)	120%	Variance due to staff reassignment. To be amended at Budget Review
5	Works & Services	Technical Services Manager	(35,823)	135%	To be fixed at Budget Review. position not included in salaries budget.
6		Elected Members	(27,340)	116%	Variance due to casual labour to cover long service leave and also work volume.
7	Strategy & Business Performance	Marketing & Communications	(48,914)	113%	Variance due to casual labour to cover long service leave
8		Strategy & Business Performance	(35,591)	114%	Variance due to costs related to Mandurah Matters. Offset with a reduction in systems & technology labour
	<b>Other Employment Costs</b>				
9	Sustainable Communities	Community Development	(14,107)	137%	Variance primarily due to unforeseen superannuation sacrifice. With costs matched by city inline with Enterprise agreement
10		Ranger Services	(12,506)	113%	minor variance
11	Strategy & Business Performance	MARC	(49,814)	120%	minor variance
	<b>Other Operating Costs</b>				
12	Chief Executive Office	Chief Executive Officer	(36,466)	125%	Variance as a result of invoices paid in the month of December (\$62.5k Peel Regional Leaders 2018/19 contribution and \$25k Mandurah Culinary Science School Feasibility Study). Will smooth out over the remainder of the year.
13	Sustainable Communities	CommunitySafety	(34,817)	147%	Variance due to Projects still to commence and labour costs split.
14		Director Sustainable Development	(14,569)	191%	Night patrol costs to be funded from City Centre Activation
15	Works & Services	Landscaping Services	(20,563)	117%	Consultants utilised for Locality Street Tree Masterplan, Compu-Stor scanning services and other Landscaping Architectural Services.
16		Technical Services Manager	(21,909)	126%	Consultants utilised for Traffic Engineering and Compu-Stor scanning services Plan B. Operating Project Job Estimation Software implementation and training in September, project over budget by \$7,450.
17	Finance & Governance	Rates Section	(172,050)	141%	Concession costs increase inline with Access housing Concession rate charges
18	Strategy & Business Performance	Elected Members	(135,807)	131%	Variances to reduce over the year.
19		Recreation Services	(66,680)	124%	Variance due to increased costs for recreation events and variance will be discussed as part of budget review

## City of Mandurah Carryover Projects 2018-2019

	Actuals	Actuals + CMT	Current Budget	Remaining Current Budget	% Completed Inc CMT	
<b>Sustainable Communities</b>						
<b>Environmental Services</b>						
MARC/Waste Transfer Station - Solar Plan Phase 5	0	0	360,993	360,993	0.00%	Will be progressed in 2019 once harmonics issues are rectified.
<b>Manager Community &amp; Social Development</b>						
CCTV Infrastructure	186,139	197,302	191,340	-5,962	94.86%	Progressing with additional funds from September meeting. Completed. Overspend to be funded from underspend in building works.
Mandurah Family & CC Playground	50,575	50,575	38,503	-12,072	131.35%	Completed
Mandurah Family & Community centre	115,859	115,859	155,000	39,141	74.75%	Completed
Museum Courtroom Interpretation Project	0	55,009	52,941	-2,068	103.91%	Project progressing with expected completion late 2019.
SCC Storeroom and Kitchenette	26,692	138,210	147,896	9,686	93.45%	Construction commenced in December. Completion April 2019.
<b>Works &amp; Services</b>						
<b>Ablutions</b>						
Owen Ave Ablution	5,000	24,674	41,489	16,815	59.47%	Completed
<b>Boardwalks</b>						
Cicerellos-Dome Boardwalk Renewal	19,215	19,215	20,000	785	96.08%	Completed
Mandurah Foreshore Boardwalk Renewal	220,544	457,727	447,597	-10,130	102.26%	Works has recommenced with completion due February 2019.
Seascapes Village POS Boardwalk	17,516	17,516	42,704	25,188	41.02%	Completed
<b>Bridges</b>						
Mandurah Ocean Marina Footbridge	186,466	193,787	196,972	3,185	98.38%	Completed
New Bridge boardwalk extension stairway	15,000	15,000	254,190	239,190	5.90%	Approval provided in September on funding. Works to commence second half of 2018/19.
Old Mandurah Bridge	264	264	495,484	495,220	0.05%	Artwork tender is currently underway.
<b>Carpark</b>						
CP Mandurah Marina	168,941	170,461	161,120	-9,341	105.80%	Near completion. Finishing bricklaying.
<b>Cityparks Major Projects</b>						
Falcon Bay Foreshore development Stage 1	232,831	232,831	234,064	1,233	99.47%	Progressing. Expected completion mid 2019.
Novara Foreshore Stage 2	38,308	43,308	49,280	5,972	87.88%	Commenced in September.
<b>Cityfleet</b>						
Trucks and Buses Carryover	326,364	422,364	414,360		230.77%	Completed
Parks and Mowers Carryover	110,091		117,358		0.00%	Completed
Heavy Vehicles Plant and Equipment carryover	0	143,000	145,000		102.14%	Waiting on delivery in Early 2019
<b>Cityparks</b>						
Mandurah Road Central Park	3,863	3,863	3,863	0	100.00%	Completed
Orion Rd Reserve Improvements	38,730	38,730	39,933	1,203	96.99%	Completed
Parks & Reserves Signage	980	8,290	8,290	0	100.00%	Completed
Pinjarra rd Landscaping	14,369	14,369	28,882	14,513	49.75%	Finishing in May as cannot plant in summer.
Southern Operations - Storage Shed	10,919	10,919	10,919	0	100.00%	Completed
Tickner Park Exercise Equipment	5,895	5,895	5,747	-148	102.57%	Completed
Watersun Drive toddler playground	22,913	22,913	23,862	949	96.02%	Completed
<b>Drainage</b>						
DR Wamba Place	0	0	130,413	130,413	0.00%	Commence in January. Completed in February. Can only be done in summer months.
<b>Infrastructure Management</b>						
Eastern Foreshore	52,998	-23,675	329,558	353,233	-7.32%	c/o adjustment
MARC Systems Intergration	10,744	39,602	150,000	110,398	26.40%	First stage of design on pool filtration and geothermal switchboards. Due for completion June 2019.
MPAC - Lift Instalation	120,658	121,148	128,330	7,182	94.40%	Commenced with completion expected in December.
RS - MARC Redevelopment Stage 2	0	7,458	7,458	0	100.00%	Ongoing 6 month inspection. Finishing on 29 April 2019.
SL Peelwood Parade Reserve	41,761	208,898	293,050	84,152	71.28%	Contractor has been engaged to commence works.
<b>Marina &amp; Waterways</b>						
C&E - Falcon Bay Seawall	31,633	31,633	188,662	157,029	16.77%	Completed. Remaining funds to be used for stage 2.
Marina Floating Public Jetty	930	930	232,874	231,944	0.40%	Progressing
<b>New Road Construction</b>						
Dower St - Pinjarra Rd Intersection	304,376	684,772	685,583	811	99.88%	Work undertaken by utility provider
Gibson St	36,065	36,065	36,082	17	99.95%	Completed. Overspend relates to costs for next stage.
NEW Dower St - Reconstruct/Widen	209,350	208,396	207,016	-1,380	100.67%	Utility work progressing. Should be completed by end of December.
Sutton Street finalise new road link	24,482	24,118	15,000	-9,118	160.79%	Completed . Invoices to be received for completed work.
<b>Operations Centre</b>						
Operations Centre Transportable	72,149	78,955	56,739	-22,216	139.16%	Completed. Overspend due to intergration with cityparks building.
<b>Road Rehabilitation</b>						
Glencoe Parade Stage 3	44,630	44,630	31,524	-13,106	141.57%	Completed.
Lakes Rd Lighting, verges surface work	5,686	826	5,686	4,860	14.52%	Completed. Overspend relates to costs for next stage.
<b>Shared Paths</b>						
SP Kooljack St	29,205	29,205	45,540	16,335	64.13%	Completed waiting on final invoices to be paid.
SP Ramp to Marina Boadwalk	16,046	16,046	25,292	9,246	63.44%	Completed waiting on final invoices to be paid.
SP Sievewright Street	52,164	52,164	28,875	-23,289	180.65%	Completed
<b>Traffic Management</b>						
TM Pinjarra Rd/ Randell St	57,517	57,517	47,499	-10,018	121.09%	Near completion. Waiting on line marking.
<b>Waste Management</b>						
Bypass lane to new weighbridge at WTS	0	0	35,000	35,000	0.00%	Works progressing expected completion early 2019.
Tims Thicket Septage Ponds upgrade	0	15,000	380,946	365,946	3.94%	Project on hold. Funds to be placed in reserve until ready to commence.

## City of Mandurah Carryover Projects 2018-2019

	Actuals	Actuals + CMT	Current Budget	Remaining Current Budget	% Completed Inc CMT	
WMC - Waste Handstand Upgrade	0	0	67,420	67,420	0.00%	Being designed. Works expected to be completed in early 2019.
WMC Install Walking Floor Main Shed	804,552	804,552	804,552	0	100.00%	Completed
<b>Strategy &amp; Business Performance</b>						
<b>Manager Recreation Services</b>						
Bortolo Reserve Sports Lighting	127,944	142,365	188,870	46,505	75.38%	Completed
Coote Reserve BMX Track	0	0	60,000	60,000	0.00%	Community consultation. Expected completion June 2019.
Ocean Road Reserve - Sports Grnd Lights	248,064	278,412	320,000	41,588	87.00%	Lighting completed, minor landscaping to be finalised.
Port Bouvard Surf Life Saving Club	117,872	77,655	1,788,236	1,710,581	4.34%	Contract been finalised with succesful tenderer. With progress being undertaken in second half of 2018/19.
Grand Total	4,226,300	5,338,752	9,977,992	4,527,885		

0.4235622

**3**      **SUBJECT:**                      Shared Oval Agreement– Lakelands Reserve  
          **CONTACT OFFICER/S:**        Ben Dreckow  
          **AUTHOR:**                        Lesley Petchell

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### **Summary**

With the completion of the secondary school in Lakelands known as Coastal Lakes College, and the construction of two of the three sports ovals which will be completed by February 2019, officers have entered into discussions with the Department of Education regarding the implementation of a shared oval agreement over the site.

In line with the *Lakelands Shared Use School, Sport and Recreation Facilities Master Plan 2014*, the project will provide a shared and efficient use of land that will deliver outcomes for both the City and the Department of Education. This new agreement will ensure sport and recreation activities and facilities are made available to the City's northern suburbs.

The final agreement will include shared use of three ovals, utilised for sporting and active open space, toilets and change rooms, hard courts and additional sport specific infrastructure such as cricket wickets and training nets, together with car parking facilities.

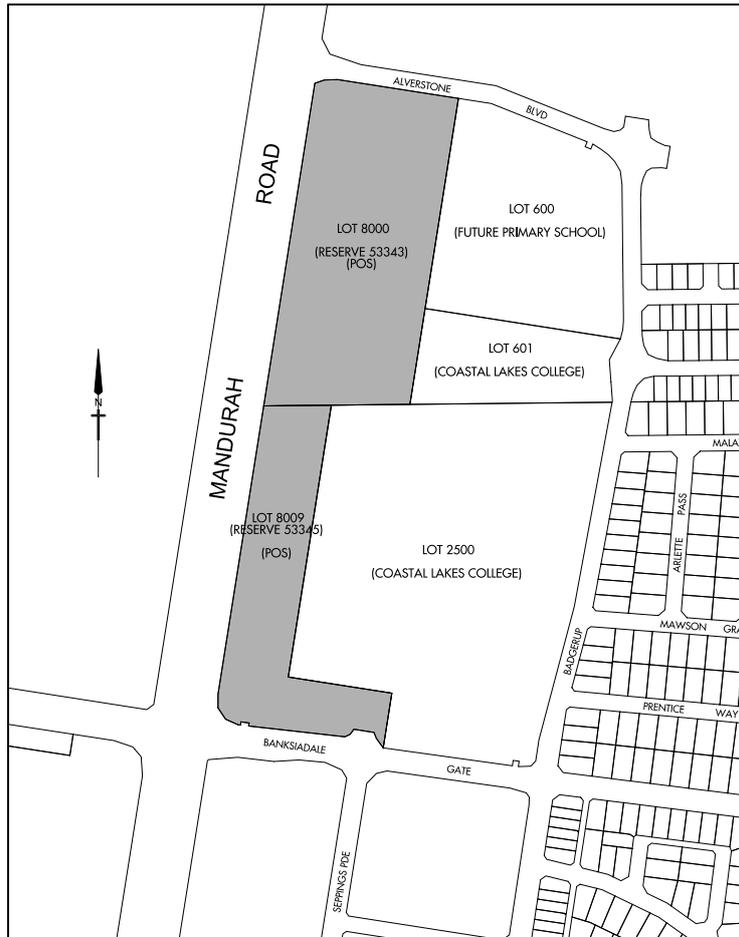
The agreement will initially include all the above amenities excluding the third oval which will be located adjacent to the future primary school site. The third oval will be added to the agreement at a later date via a variation to the licence, the timing of which will be subject to the completion of the primary school site which is yet to be determined.

Council is requested to support a Licence for a Shared Use Agreement with the Department of Education over portions of Reserves 53343 and 53345, and the Department of Education land, for a period of 21 years, subject to the approval of the Minister for Lands.

### **Disclosure of Interest**

None

## Location



## Previous Relevant Documentation

- G.10/9/17 12 September 2017 Council approved the strategy and timeline for the delivery of the Lakelands District Open Space, together with funding streamed from borrowings and unbudgeted capital expenditure totalling \$3.8m.
- G.30/3/13 30 March 2013 Council endorsed the Lakelands Shared Use School Sport and Recreation Master Plan; and noted that the staging options, timeframes, costs and potential funding partners for the project.

## Background

The need for district level public open space for the purposes of active sport and recreation in Mandurah's northern corridor was first identified in 2010 with the release of the Peel Region Sport and Recreation Plan.

In 2014 the City developed the Lakelands Shared Use School, Sport and Recreation Facilities Master Plan.

The project in partnership with the Department of Education, has involved the consolidation of developer public open space contributions (between two landowners), the co-location of primary and secondary school sites and strategic land acquisitions to form an education and public recreation precinct situated immediately north of the new Lakelands Shopping Centre.

It was agreed the City would be responsible for the construction of the open space with the southern ovals to be completed in time for the scheduled opening of the high school in 2019. The Department of Education's commitment being a capital contribution of \$850,000 towards the costs of the development.

Stage 1 of the high school will see the first intake of students at the start of the 2019 school year.

### **Comment**

Coastal Lakes College is due to come on line in 2019, with initially opening its doors to students in Year 7 and expanding each year before finally catering for all students Years 7-12 by 2024.

With this first intake of students two of three ovals will also be completed in readiness close to the commencement of 2019 school year, the City have commenced discussions with the Department of Education, with a view of entering into a shared use licence agreement for a term of 21 years, which will see the cost sharing for the maintenance, repairs and upkeep of the Lakelands District Open Space Sporting Facility.

The City currently holds seven shared use licence agreements with the Department of Education. The development of shared use agreements is in accordance with the *Better Government Agreement – Memorandum of Understanding on Capital Resource Sharing*, which is aimed at maximising community infrastructure through joint usage between the schools and the general community.

The trigger for the City to complete the licence agreement has been the dedication of the land to the Crown and the creation of the sites as Reserves 53343 and 53345. Documentation was lodged at Landgate in late December 2018, and will grant management of the land to the City with power to licence the land.

The shared use agreement will ensure reciprocal use of facilities such as toilets and change rooms from the school site, not just the ovals that will double as public open space, but also hard courts and sport specific infrastructure such as cricket wickets and training nets together with car parking facilities.

The agreement will require a two staged approach, wherein the City managed Crown land and the Senior College shared space will form the basis of the agreement. There will be a requirement to negotiate the addition of the third oval once the Primary School site is developed, it is anticipated this will be managed by way of a variation to the original shared use licence. The timing for the variation will be subject to the completion of the primary site which is yet to be determined.

Council is requested to support a Licence for a Shared Use Agreement with the Department of Education over portions of Reserves 53343 and 53345, and the Department of Education land known as Lots 2500, 600 and 601 for a period of 21 years, subject to the approval of the Minister for Lands.

### **Consultation**

Department of Education  
McLeods Solicitors  
State Solicitors Office  
Department of Planning, Land and Heritage

### **Statutory Environment**

*Land Administration Act 1997 – Section 18(2)* – A person must not without authorisation grant a lease, licence under this Act, or a licence under the Local Government Act 1995, in respect of Crown land in a managed reserve.

*Local Government Act 1995 – Section 3.58* - Disposal of Property “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.* – A disposition of land is exempt if the land is disposed of to a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth. As such disposal of land to the Department of Education via a licence agreement is exempt from compliance with Section 3.58

## **Policy Implications**

Nil

## **Risk Implications**

None identified

## **Economic Implications**

The City will share ongoing costs for the maintenance of the ovals, and other infrastructure on a 50 per cent basis with the Department of Education. The annual cost is estimated at \$56,100 per annum, which will be shared 50/50.

As Stage one is anticipated for early February 2019, a portion of maintenance costs have been allocated in the 2018/19 budget, under maintenance for shared ovals. The City's share for maintenance for this period is anticipated to be \$14,025.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

### Social:

- Provide opportunities, services and activities that engage our young people
- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

### Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

### Identity:

- Encourage active community participation and engagement

### Organisational Excellence:

- Listen to and engage with our community
- Ensure the City has the capacity and capability to deliver appropriate services and facilities
- Deliver excellent governance and financial management

## **Conclusion**

With the Coastal Lakes College due to come on line in February 2019, coupled with the completion of the construction of two of the three ovals, officers have commenced discussions with the Department of Education regarding the shared use agreement.

The agreement will ensure public open space and complementing facilities are made available to the school and the community, while sharing the upkeep and maintenance costs 50/50 with the Department of Education.

Council is requested to support a Licence for a Shared Use Agreement with the Department of Education over portions of Reserves 53343 and 53345 and Lots 2500, 600 and 601, for a period of 21 years, subject to the approval of the Minister for Lands.

- Refer

***Attachment 1 Lakelands Reserve – Shared Use***

## **RECOMMENDATION**

### **That Council:**

- 1. Approves a Licence over portions of Reserve 53343 and Reserve 53345 and Lots 2500, 600 and 601 Mandurah Road and Banksiadale Gate Lakelands, with the Department of Education for the purpose of a Shared Oval Agreement for a term of 21 years.**
- 2. Approves the cost sharing for maintenance to be shared equally between the City and the Department of Education.**
- 3. Acknowledges approval and finalisation of the agreement is subject to the consent of the Minister for Lands.**
- 4. Acknowledges and approves a variation to the licence that will incorporate the shared use of portions of the Primary School site when constructed.**
- 5. Acknowledges each party will cover their own legal costs in relation to the preparation of the Licence Agreement.**
- 6. Authorises the Chief Executive Officer to finalise the terms of the agreement and the variation of licence.**



**4 SUBJECT:** Assignment of Lease – Blue Manna Boat Hire  
**CONTACT OFFICER:** Ben Dreckow  
**AUTHOR:** Lesley Petchell  
**FILE NO:** Reserve 46854 – 2C Fathom Turn Mandurah

### Summary

The lessee of Blue Manna Boat Hire (BMBH) (Kylemark Pty Ltd) have advised officers they have entered into a contract of sale for the business. This contract is conditional upon the assignment of the existing lease to the prospective purchaser Anncar Pty Ltd as trustee for Anncar Family Trust, trading as Blue Manna Boat Hire.

The current lease was approved by Council in September 2011. Through a resolution of Council in July 2014, the lease was assigned to the current operators Kylemark Pty Ltd. At the commencement of the lease in 2011 the annual rent was \$8,500, since that time annual CPI's have been applied.

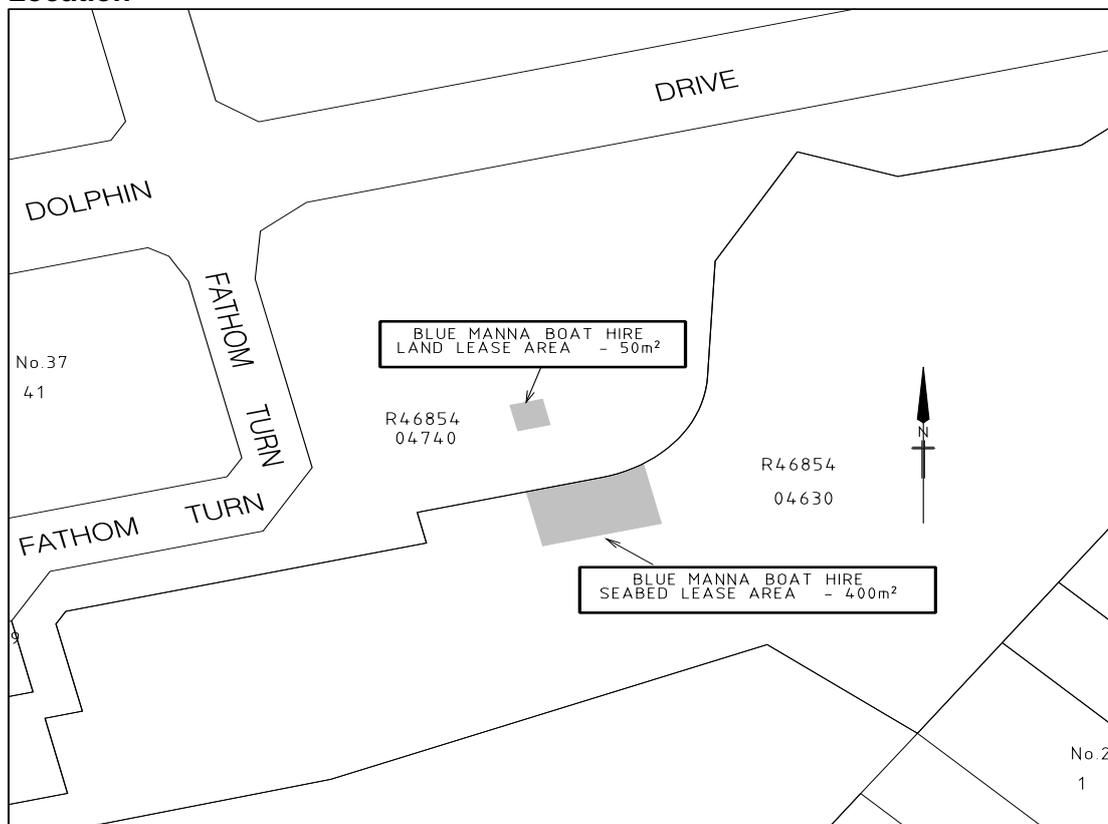
The tenure includes both seabed and land areas within the Mandurah Ocean Marina, with a term of two years and seven months still remaining before final expiry of the lease which is due on the 31 July 2021.

Council is requested to approve the assignment of the lease of Blue Manna Boat Hire from Kylemark Pty Ltd as trustee for Frogley Trading Trust, to Anncar Pty Ltd as trustee for Anncar Family Trust trading as Blue Manna Boat Hire. The remaining term and conditions of the current lease will remain in place and will be subject to the Minister for Lands approval.

### Disclosure of Interest

Nil

### Location



### **Previous Relevant Documentation**

- G.25/7/14 22 July 2014 Council supported the assignment of lease for Blue Manna from Michael and Beverley Whiting to Kylemark Pty Ltd for the remaining term of the current lease;
- G.37/9/11 27 September 2011 Council approved the lease to Blue Manna Boat Hire for a five year term with five year renewal commencing 1 August 2011 with final expiry 31 July 2021;
- G.30/6/11 28 June 2011 Council resolved to advertise the proposed lease agreement with Blue Manna Boat Hire, no submissions were received.

### **Background**

Blue Manna Boat Hire has been in operation at the Mandurah Ocean Marina since 2001, it was originally a lease entered into by the Western Australian Land Authority (WALA) as landlord, and later with the creation of the Crown Reserves within the Mandurah Ocean Marina precinct, transferred to the City as landlord in 2004.

The original lease was for a maximum 10 year term, which was renewed in September 2011 by granting a five year term with a five year renewal option (5+5 years) with its current expiry due July 2021.

BMBH have run a viable and successful business out of the Mandurah Ocean Marina since its inception in October 2001, the business offers a diverse water experience for tourists and locals alike. Their fleet of self-drive boats allows non licensed persons access to the waterways for dolphin and other wildlife sightseeing, canal tours, and general boating fishing and crabbing.

### **Comment**

Officers have been approached by BMBH advising they have received an offer to purchase their business, which is conditional upon the lease with the City being transferred to the new operators, Anncar Pty Ltd as trustee for Anncar Family Trust, trading as Blue Manna Boat Hire.

The Director of Anncar, currently runs the Mandurah Boat and Bike Hire (MBBH) operation located in Mandjar Bay, The husband and wife team will continue to operate both businesses in their current locations, with one partner being the sole director of Mandurah Boat and Bike Hire and the other being the sole director of Blue Manna Boat Hire.

The new company Anncar Pty Ltd was only recently formed in November 2018, and therefore is too new to accurately assess. There is currently no issues recorded in respect of debt or bankruptcy against the director nor is there any court action pending. The director does have some history with the City as the co-owner of Mandurah Boat and Bike Hire since February 2015, all outstanding rent and outgoings due by Mandurah Boat and Bike Hire have always been paid in a timely manner. Although not conclusive, there is nothing to suggest that Anncar Pty Ltd is not a suitable purchaser of MBBH.

Council is requested to approve the assignment of the lease of Blue Manna Boat Hire from Kylemark Pty Ltd as trustee for Frogley Trading Trust, to Anncar Pty Ltd as trustee for Anncar Family Trust trading as Blue Manna Boat Hire. The remaining term and conditions of the current lease will remain in place and will be subject to the Minister for Lands approval.

### **Consultation**

Kylemark Pty Ltd – Blue Manna Boat Hire  
Anncar Pty Ltd – Director (purchaser of Blue Manna Boat Hire)  
Hentech Pty Ltd – Mandurah Boat and Bike Hire

## **Statutory Environment**

*Local Government Act 1995 (LGA)* - Section 3.58 Disposal of Property

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

In accordance with Section 3.58 of LGA the property was disposed of at Council's Ordinary meeting on the 27 September 2011, being the granting of a lease to Blue Manna Boat Hire.

*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**

None

## **Risk Implications**

It is considered a low risk to the City to approve the assignment of the lease to Anncar Pty Ltd, the new company director has previous experience in the local tourism industry with his connection to Mandurah Boat and Bike Hire. The recent implementation of a stepped process for the management of commercial rental arrears, will also ensure that the risk of loss of rent is significantly reduced.

## **Economic Implications**

All costs associated with the assignment of lease, including the City's fees as outlined in the schedule of fees and charges 2018/19 and Solicitors costs for the preparation of the assignment are the responsibility of the lessees.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

### Social:

- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

### Economic:

- Develop a strong and sustainable tourism industry

### Organisational Excellence:

- Deliver excellent governance and financial management

## **Conclusion**

To enable the sale of Blue Manna Boat Hire to proceed, the relevant parties require approval from Council to assign the head lease to Anncar Pty Ltd. Officers have conducted as good due diligence as practical on the director of the new company Anncar Pty Ltd.

Council is therefore requested to approve the assignment of the lease for Blue Manna Boat Hire from Kylemark Pty Ltd as trustee for Frogley Trading Trust to Anncar Pty Ltd as trustee for Anncar Family Trust trading as Blue Manna Boat Hire for the remaining term and conditions of the current lease, subject to the approval of the Minister for Lands.

## **RECOMMENDATION**

### **That Council:**

- 1. Approves the assignment of Blue Manna Boat Hire from Kylemark Pty Ltd as trustee for Frogley Trading Trust to Anncar Pty Ltd as trustee for Anncar Family Trust, trading as Blue Manna Boat Hire.**
- 2. Acknowledges that the remaining term and all conditions of the current lease will remain in place.**
- 3. Acknowledges that the assignment is subject to the approval of the Minister for Lands**
- 4. Acknowledges all costs associated with the assignment are to be borne by Kylemark Pty Ltd as trustee for Frogley Trading Trust and Anancar Pty Ltd as trustee for Anncar Family Trust.**

**5**      **SUBJECT:**                      Request for Loan - South Mandurah Football Club  
          **CONTACT OFFICER/S:**        Craig Johnson  
          **AUTHOR:**                        Craig Johnson / Paul Miller

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### Summary

In March 2018 Council supported the South Mandurah Football Clubs application to the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund (CSRFF), small grants round for the construction of new unisex Change Room facilities. The South Mandurah Football Club is planning to construct a new unisex change room facility adjacent to the Club's leased area at Falcon Reserve. The proposed design for the new change rooms cater for male and female sports, junior and senior players, participants of all abilities and ages in addition to external community groups and casual community hirers.

In July 2018, the South Mandurah Football Club received notification from the Department of Local Government, Sport and Cultural Industries that their CSRFF application had been successful receiving funding of \$60,454.55.

The club had a change of committee in November 2018 and upon notification of the successful grant application, the committee undertook a review of the project. This review identified a funding gap in the clubs contribution due to cost differences quoted from the initial concept design to the detailed design that has now been received by the club.

Council is requested to support the Club's construction of a new unisex change room at Falcon Reserve and approve an interest free loan of \$20,000 repayable over 5 years.

### Disclosure of Interest

Nil

### Location



South Mandurah Football Club  
Lynda Street, Falcon

**Previous Relevant Documentation**

- G. 17/3/18 27 March 2018 Council supported the South Mandurah Football Club CSRFF small grant application and noted if the application was successful, the City will list the amount (\$60,454.55) for consideration as part of the 2018/19 capital budget process.

**Background**

During the football season, Falcon Oval is used up to 6 days a week for training sessions with 15 games of football played on the oval on weekends. Currently, the amenities for participants are located within the Falcon Pavilion at the southern end of the ground and designed primarily to meet the needs of male participants. The existing change rooms do not meet the current male and female participation needs of the clubs and will not accommodate their expected future growth. The building of 2 new unisex change rooms is designed to complement the City of Mandurah’s plans to upgrade the existing change rooms and will see a total of 4 change rooms available to service the reserve.

The South Mandurah Football Club has previously submitted applications for the construction of new change room facilities in the March and July 2017 small grants round, for the Department of Local Government, Sport and Cultural Industries Community Sport and Recreation Facilities Fund (CSRFF). Unfortunately this project did not receive funding from the Department of Local Government, Sport and Cultural Industries and the Club resubmitted an application in the March 2018 round. The Club was notified in July 2018 that their application had been successful for \$60,454.55.

**Comment**

The South Mandurah Football Club unisex change room project was developed with the below funding strategy:

South Mandurah Football Club – Project	
Project	Construction of Change Room Facilities
Location	27 Lynda Street, Falcon
Years Applied for	2018/19

Funding Partner	Cash	In kind
South Mandurah Football Club	\$22,727.27	\$37,727.28
Dept. of Local Government, Sport & Cultural Industries – CSRFF Grant	\$60,454.55	-
City of Mandurah	\$60,454.55	-
<b>Sub Totals</b>	<b>\$143,636.37</b>	<b>\$37,727.28</b>
<b>Total Project Cost</b>	<b>\$181,363.65</b>	

The total project cost of \$181.363.65, was based on the initial concept design provided by the building company the club has engaged for the project. At this time detailed design and costings were subject to the outcome of the CSRFF funding application. The City has also been working with the club, ensuring the facility is to be constructed as per City standards in terms of design, materials, fixtures and fittings.

In November 2018, the South Mandurah Football Club elected a new committee, which commenced a full review of the project. Through this review and the completion of the detailed design process, a cost difference of \$18,636.35 from the initial concept design has been identified.

The deadline for the CSRFF grant acquittal and completion of the project is 15 June 2019, which requires the club to commence construction by February 2019 to ensure it meets the grant acquittal requirements. Due to this timeframe, it is not possible for the club to engage in fund raising activities that will provide the funding shortfall, in time with the acquittal deadline.

The club is still able to commit their \$ 22,727.27 cash contribution with the club providing bank statements as evidence of their cash savings. The in kind contribution of \$37,727.28 will be made up of club sponsors assisting with volunteer labour and materials. The Club currently has no outstanding debts with the City and has in the past repaid two interest free loans to the City. Previously the Club has undertaken renovation works to upgrade toilet facilities, install reserve lighting and install CCTV to increase security for the premises.

### **Consultation**

Consultation has occurred with the South Mandurah Football Club, the City of Mandurah and Department Local Government, Sport and Cultural Industries.

### **Statutory Environment**

N/A

### **Policy Implications**

#### Policy CNP-05 Recreation Facility Development

Council may contribute a portion of funding towards the development of sport and recreation facilities in accordance with its Sport and Recreation Facility Development Procedures. The remaining funding must be provided by the applicant club or association or through a combination of club contributions and other funding sources such as grants, sponsorship, voluntary labour, donations etc.

#### Policy POL-FCM 03 – Loans to Sporting Clubs and Community Organisations

Loans can only be made available to organisations for the purchase of capital items or to meet obligations to contribute to the provision of facilities. Loans will not be made to assist with day-to-day operating matters. Loan contributions over \$50,000 to the provision of facilities may also be funded on an interest-free basis subject to a resolution of Council.

### **Economic Implications**

The loan amount of \$20,000 will be provided from the City's Interest-Free Loan Reserve which currently has a balance of \$144,000.

### **Risk Analysis**

The risk to the City is categorised as low due to the loan amount being relatively small. At \$20,000 over 5 years, the repayments would total \$4,000 per year, equating to \$76.95 per week. The club has previously repaid two interest free loans to the City. In addition the City gains a valuable community asset available for other user groups as required.

### **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

#### Social

- Provide a range of social, recreational, entertainment and learning experiences for our residents and visitors.

Infrastructure

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Identity

- Encourage active community participation and engagement.

Organisational Excellence

- Ensure the City has the capacity and capability to deliver appropriate services and facilities

**Conclusion**

The existing change rooms at Falcon Oval do not meet the current male and female participation needs of the South Mandurah Football club and will not accommodate their expected future growth of the various clubs that use the facilities. The proposed building of 2 new unisex change rooms is designed to complement the City of Mandurah's plans to upgrade the existing change rooms and will see a total of 4 change rooms available to service the reserve.

The club is in a position to meet its cash and in kind contributions for the new unisex change room project as detailed in the initial funding strategy, with the now identified funding shortfall not foreseeable at the time of concept design. The assistance of the City in the provision of an interest free loan will allow for the club to complete the project providing the city and the club with a valuable piece of sporting infrastructure.

NOTE:

- Refer **Attachment 1 Letter of Request from South Mandurah Football Club**

**RECOMMENDATION**

**That Council:**

1. **Approves an interest-free loan of up to \$20,000 from the Interest-Free Loan Reserve with a repayment term of five years. \***
2. **Requests the Chief Executive Officer (Manager Financial Services) to finalise loan arrangements with the South Mandurah Football Club.**

**\*ABSOLUTE MAJORITY REQUIRED**



## South Mandurah Football and Netball Club

To the City of Mandurah Council

My name is Greg Barnard and I'm the new President of South Mandurah Football and Netball Club, recently replacing Darren Dews. I'm writing this letter as we have hit a road block in our efforts to raise funds, in the starting and completion of our new changerooms. Firstly, thankyou very much for the initial generous grant you made available for our project. We have been in constant consultation with our chosen builder Ryza Homes, and recently he informed us that the new quote for expenditure far exceeds the initial quote. We were initially quoted \$181,000 for the total build, of which we as a club would need to put forward \$22,725, given the two major grants we had already been allocated. The new quote on the build sits around \$200,000, which obviously leaves us \$19,000 short.

I am asking on behalf of our members could the Council please consider our club for a loan of \$20,000 to cover the shortfall, as stated above. I have provided a supporting email from Ryza Homes which is the last quote for the build. Our club could comfortably manage a loan of that size over a period of four years. I have also attached the current balance of our Building Fund which sits at \$23,000, to this email. Ryza Homes has assured our club that given approval for this loan would mean an approximate start date in the first two weeks of March, which would mean the build completion date would sit in late June or early July.

Former President Darren Dews has worked tirelessly for two years to get this build started, and the actual build has been spoken about, but then put on the shelf for the last fifteen years. We are so close now as a club to improving the facilities at Falcon Oval, and the benefits of building this new facility are endless as regards to helping our club, but also the wider Mandurah community. On behalf of our members, thankyou for your consideration on this matter, and regardless of decision we look forward to a prosperous relationship with the Mandurah Council going forward, thankyou.

**Regards**

Greg Barnard

President

South Mandurah Football & Netball Club

0418 668 266

<b>6</b>	<b>SUBJECT:</b>	Tender Number T09-2018 – Provision of Cleaning Services
	<b>CONTACT OFFICER/S:</b>	Simon Hudson / Natasha Pulford
	<b>AUTHOR:</b>	Natasha Pulford / Vicki Lawrence
	<b>FILE NO:</b>	F0000171982

### Summary

The City of Mandurah invited Tenders for the provision of cleaning services for buildings and as a result of the evaluation of tendered submissions, Council is now requested to accept the following tenderers as the preferred tenderers:

1. Separable Portion One: Indigenous Managed Services.
2. Separable Portion Two: Office Cleaning Experts Pty Ltd.
3. Separable Portion Three: Indigenous Managed Services.
4. Separable Portion Four: Indigenous Managed Services.
5. Separable Portion Five: Office Cleaning Experts Pty Ltd.

Council is also requested to note the use of alternative qualitative selection criteria to that in City policy Selection Criteria for Major Procurements in order to support the achievement of key strategies relating to the attraction of local industries to increase opportunities for the unskilled labour market and the unemployed.

### Disclosure of Interest

Nil.

### Previous Relevant Documentation

- G.18/5/15      26 May 2015      Council awarded CMC Property Services Pty Ltd the contract under Tender 02-2015 for the Cleaning Services of Office and Community Facilities for a period of three years, commencing on 1 July 2015.
- G.19/5/15      26 May 2015      Council awarded Office Cleaning Experts Pty Ltd the contract under Tender 03-2015 for the Cleaning Services for Recreation Facilities for a period of three years commencing from 1 July 2015.

### Background

The current contract for Cleaning Services of Office and Community Facilities was awarded to ARA Property Services Pty Ltd (previously known as CMC Property Services Pty Ltd) and the current contract for Cleaning Services for Recreation Facilities was awarded to Office Cleaning Experts Pty Ltd. Both are due to expire during February 2019.

To provide continuation of the services, a tender for the Provision of Cleaning Services was advertised in the Wednesday 10 October 2018 edition of the 'West Australian' newspaper, the Wednesday 10 October 2018 edition of the Coastal Times, the Thursday 11 October 2018 edition of the Mandurah Mail and was also displayed on the notice boards at the Administration Centre and the relevant Libraries.

The tender seeks the provision of the required services for a period of five years, with three annual optional extensions based on success with the previous year's performance. A further 'bonus' year may also be granted for contractors who exceeded the expectations of the performance indicator related to increasing opportunities for the unskilled labour market and the unemployed.

**Comment**

This tender combined all facilities that required cleaning into one tender which includes all office buildings, recreation centres, community facilities and halls. In order to maximise opportunities for local businesses to tender, the tender was broken down into separable portions as follows:

1. Portion One – Offices and Penholders.
2. Portion Two – Public Buildings – Central.
3. Portion Three – Public Buildings and Operations Centres North of the City.
4. Portion Four – Public Buildings and Operations Centres South of the City.
5. Portion Five – Aquatic and Recreation Centres.

The tender contains several differences compared with the previous approach:

- *The use of a relatively wide range of separable portions*  
Until now the contracting methodology has been to award two contracts; recreation facilities and office and community facilities. Companies tendering would have to demonstrate significant capacity and capability to meet the requirements of these contracts. As part of the move to provide an environment which would allow local businesses to be able to compete, a greater number of smaller contracts was implemented as a way of facilitating this.
- *Longer contract period*  
For any business, the certainty of available work is a key to expansion and hiring activity. While a three- year contract covers a relatively short period, a five-year contract is a more attractive proposition. This is particularly the case when there are three further one-year extensions available depending on the achievement of performance targets. Although attractive to any business, this contract approach can provide the catalyst for local business to develop operating and skills capacity and expand.
- *An opportunity for long-term unemployed people*  
A specific weighting was introduced into the tender scoring to have tenderers actively participate in making employment opportunities available to local long-term unemployed job seekers. The City has collaborated with the Commonwealth Mandurah-Murray Employment Facilitator and the Department of Jobs and Small Business in order to introduce the requirement for successful tenderers to target local job seekers to employed under the contracts, with collaboration an ongoing partnership for the full duration of the contracts. For a company which successfully manages this aspect of the contract, there is also an additional one-year extension on top of those described above.
- *A wide range of contract management stipulations*  
Contracts for cleaning are concerned primarily about the achievement of specified standards. In addition to this, there are a number of requirements regarding employment ranging from the use of local job-seekers to ensuring the payment of correct wages to staff and treating staff appropriately. The City introduced a number of new requirements for tenderers to address within their tendered submissions with respect to these matters, along with contract transition, ongoing contract management planning and stakeholder collaboration.

The tender closed at 2:00pm on Thursday 15 November 2018. No submissions were received after the closing deadline. Submissions were received from the following:

1.	Alpha Corporate Property Services Pty Ltd	Dandenong South VIC
2.	ARA Property Services Pty Ltd	Hawthorn VIC
3.	Aus Clean Wa Pty Limited	Halls Head WA
4.	Bellrock Cleaning Services Pty Ltd	Malaga WA
5.	Charles Service Company	West Perth WA
6.	Delron Cleaning Pty Ltd	East Perth WA
7.	DMC Cleaning	Kalamunda WA

Report from **Chief Executive Officer**  
to **Council Meeting** of 29 January 2019

8.	Facilities First Australia Pty Ltd	Macquarie Park NSW
9.	GJK Facility Services	Collingwood VIC
10.	GWC Total Management	East Perth WA
11.	Iconic Property Services Pty Ltd	Mt Lawley WA
12.	ICS Service Solutions	Norwood SA
13.	Indigenous Managed Services	Mandurah WA,
14.	Intelife Group Limited	Balcatta WA
15.	Office Cleaning Experts	Perth WA
16.	Quell Clean	Falcon WA
17.	Rooforce Facility Services	Mandurah WA
18.	Wilson Property Services	Belmont WA

The following weighted qualitative criteria were used to assess and rank each tender submission:

Relevant Experience and References	10%
Understanding Specification	20%
Supervision and Resources	10%
<p>Jobactive:</p> <p>1. How would you utilise jobactive to ensure local employment opportunities are maximised, examples could include:</p> <ul style="list-style-type: none"> <li>a. Outline the number, location and roles of new positions.</li> <li>b. Advertising of vacancies on <a href="http://jobsearch.gov.au">jobsearch.gov.au</a></li> <li>c. Find candidates through the free recruitment service at your local jobactive providers.</li> <li>d. Access wage subsidies of up to \$10,000 when you hire through Jobactive.</li> <li>e. Offer internship positions to trial and hire young jobseekers.</li> <li>f. Host a work experience placement to trial a jobseeker in your business before you hire them.</li> </ul> <p>Refer <a href="https://jobsearch.gov.au/recruit-staff">https://jobsearch.gov.au/recruit-staff</a> and <a href="https://www.jobs.gov.au/growing/i-want-hire-staff">https://www.jobs.gov.au/growing/i-want-hire-staff</a></p>	20%
Price	40%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from the Infrastructure Management and Facilities Management, individually assessed each tender against the weighted qualitative criteria submitted by each tenderer. A further assessment was also conducted by three further independent members in order to qualify scoring results.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

The tendered submissions from Indigenous Managed Services and Office Cleaning Experts Pty Ltd were considered to be the most advantageous tenderers and are therefore recommended as the preferred tenderers.

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

## **Consultation**

A non-mandatory tender briefing and site inspection was held on Tuesday 23 October 2018 at the Mandurah Aquatic and Recreation Centre and was attended by 35 representatives from 29 companies.

The Commonwealth Mandurah-Murray Employment Facilitator and representatives from the Department of Jobs and Small Business co-presented the briefing to provide further information on the Job Active 20% qualitative criteria. The Commonwealth Mandurah-Murray Employment Facilitator also provided technical expertise to the panel with respect to the evaluation of responses to that specific criteria.

A financial assessment has been undertaken by Financial Services where no issues were identified.

Meetings were held with the two of the top three ranked tenderers in order to further identify with local content and job active claims and to obtain an understanding of likely transition requirements if they were successful.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

## **Statutory Environment**

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

## **Policy Implications**

Policy POL-CPM 02 – Purchasing of Goods or Services.

Policy POL-CPM 01 – Buy “Local” Procurement Policy.

Policy POL-CPM 03 – Selection Criteria for Major Procurements.

## **Risk Analysis**

One risk to the City for these contracts is based on previous experience which relates to quality of services. In order to mitigate this risk, the City has introduced specific performance indicators to target both ongoing, and consistent provision of quality of services and those that address the underlying factors contributing to poor quality outcomes. The other short term risk is interruption to continuation of the services at the outset of the contracts during transition from the current incumbent to the preferred tenderers. This is being mitigated through the development of transition plans at the outset of the contracts.

## **Economic Implications**

The total cost of the services for the contractual periods of nine years was estimated to be approximately \$10,000,000 based on previous costs for the services. The prices submitted by tenderers are expected to fall just under that estimate for the total period of the services. The price basis for the contract is a fixed schedule of rates that is variable in accordance with the special conditions of contract, allowing CPI increases at each twelve (12) month contract anniversary date.

## **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

### Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.

Organisational Excellence:

- Deliver excellent governance and financial management.
- Ensure Council regulations and procurement activities support local economic growth.
- Ensure the City's procurement activities are inclusive.

**Conclusion**

Tenders for the Provision of Cleaning Services were recently invited. 18 were received and assessed against both qualitative criteria and price. The result was that the tendered submissions from Office Cleaning Experts Pty Ltd and Indigenous Managed Services represented overall best value for money for the City and are therefore recommended as preferred tenderers.

Council is requested to note the use of alternative qualitative selection criteria to that in City policy Selection Criteria for Major Procurements in order to support the achievement of key strategies relating to the attraction of local industries to increase opportunities for the unskilled labour market and the unemployed.

NOTE:

- Refer ***Confidential Attachment***.

**RECOMMENDATION**

**That Council:**

1. **Accepts Indigenous Managed Services as the preferred tenderer for Tender T09-2018 for the Provision of Cleaning Services Separable Portion One: Offices and Penholders.**
2. **Accepts Office Cleaning Experts Pty Ltd as the preferred tenderer for Tender T09-2018 for the Provision of Cleaning Services Separable Portion Two: Public Buildings Central.**
3. **Accepts Indigenous Managed Services as the preferred tenderer for Tender T09-2018 for the Provision of Cleaning Services Separable Portion Three: Public Buildings North and Operations Centre.**
4. **Accepts Indigenous Managed Services as the preferred tenderer for Tender T09-2018 for the Provision of Cleaning Services Separable Portion Four: South and Operations Centre.**
5. **Accepts Office Cleaning Experts Pty Ltd as the preferred tenderer for Tender T09-2018 for the Provision of Cleaning Services Separable Portion Five: Aquatic and Recreation Centres.**

7     **SUBJECT:**                             Tender Number T21-2018 - Tuckey Room Reconfiguration and Kitchen Refurbishment  
**CONTACT OFFICER/S:**                 Simon Hudson / Natasha Pulford  
**AUTHOR:**                                 Jonathan Spain / Vicki Lawrence  
**FILE NO:**                                 F0000178003

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### Summary

The City of Mandurah invited tenders for the Tuckey Room Reconfiguration and Kitchen Refurbishment and as a result of the evaluation of tendered submissions, Council is now requested to accept Palace Homes and Construction Pty Ltd trading as Palace Construction as the preferred tenderer.

The project entails the demolition of existing internal and external walls to the kitchen and Tuckey Room to make way for a new council chambers and kitchen area. (Refer **Attachment 1**).

### Disclosure of Interest

Nil.

### Location

The location of the work:



### Previous Relevant Documentation

Nil

### Background

The tender for the Tuckey Room Reconfiguration and Kitchen Refurbishment was advertised in the 3 November 2018 edition of the 'West Australian' newspaper, the 6 November 2018 edition of the

Mandurah Mail, the 5 November 2018 edition of the Coastal Times and was also displayed on the notice boards at the Administration Centre and the relevant Libraries.

### Comment

The tender closed at 2:00pm on Tuesday 4 December 2018. No submissions were received after the closing deadline. Submissions were received from the following:

1.	Hoskins Investments Pty Ltd ATF M R Hoskins Family Trust t/a AE Hoskins Family Trust trading as AE Hoskins and Sons	Osborne Park
2.	Infrastructure Development Builders Pty Ltd	Henderson
3.	Molivi Construction Pty Ltd	Port Kennedy
4.	Palace Homes and Construction Pty Ltd t/a Palace Construction	Inglewood
5.	Vera Builders Pty Ltd	Burswood

The following weighted qualitative criteria were used to assess and rank each tender submission:

Demonstrated Skills and Experience of Key Personnel	20%
Methodology	30%
Pricing	50%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from the Projects Management, Infrastructure Management and Technical Services, individually assessed each tender against the weighted qualitative criteria submitted by each tenderer.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

The tendered submission from Palace Homes and Construction Pty Ltd trading as Palace Construction was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

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

### Consultation

A non-mandatory site inspection was held on Tuesday 13 November 2018 at the Tuckey Room and was attended by AE Hoskins and Son, Molivi Construction, ID Builders, Linkbuild Construction and K-Craft.

A financial assessment and a credit check was undertaken by Financial Services where no issues were identified.

Reference checks have been undertaken with nominated referees who reported that the preferred tenderer is considered to be capable of carrying out the Contract.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

### Statutory Environment

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

## **Policy Implications**

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

## **Risk Analysis**

The risk to the City is business continuity with the absence of the Tuckey Room and the kitchen and surrounding areas during the period of construction. This can be mitigated by making available alternative arrangements well in advance of the building period.

## **Economic Implications**

The tendered contract sum together with additional project expenses such as consultants and contingency costs, fall within the project budget of \$500,000.00 (excl GST)

## **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

### Organisational Excellence:

- Deliver excellent governance and financial management.

### Infrastructure:

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

## **Conclusion**

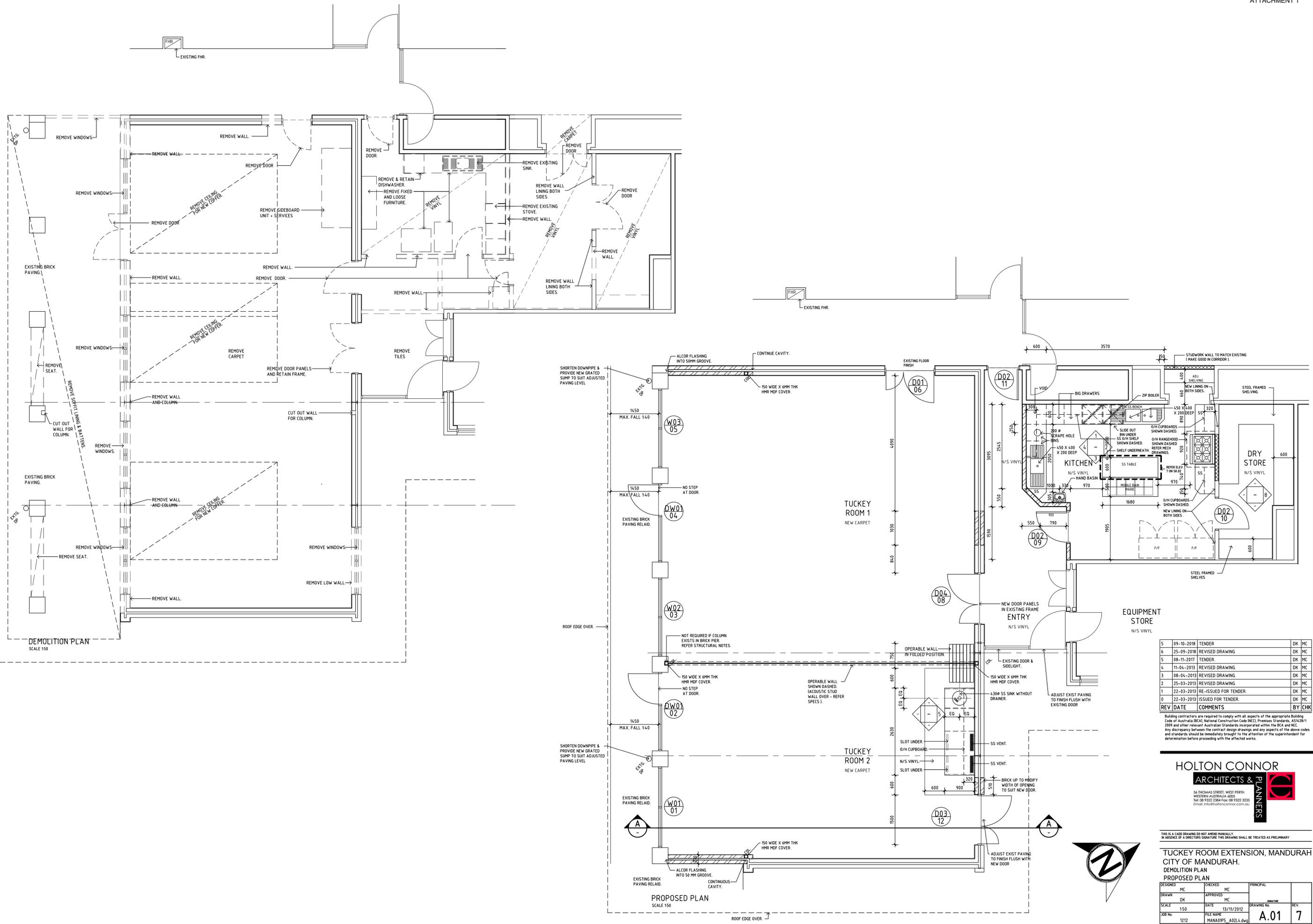
Tenders for the Tuckey Room Reconfiguration and Kitchen Refurbishment were recently invited. Five were received and assessed against both qualitative criteria and price and as a result of the evaluation, Palace Homes and Construction Pty Ltd trading as Palace Construction represented overall best value for money and is therefore the preferred tenderer.

### NOTE:

- Refer ***Attachment 1- Plan of Works***  
***Confidential Attachment.***

## **RECOMMENDATION**

**That Council accepts Palace Homes and Construction Pty Ltd trading as Palace Construction as the preferred tenderer for Tender T21-2018 for the Tuckey Room Reconfiguration and Kitchen Refurbishment.**



REV	DATE	COMMENTS	BY	CHK
5	09-10-2018	TENDER	DK	MC
6	25-09-2018	REVISED DRAWING	DK	MC
5	08-11-2017	TENDER	DK	MC
4	11-04-2013	REVISED DRAWING	DK	MC
3	08-04-2013	REVISED DRAWING	DK	MC
2	25-03-2013	REVISED DRAWING	DK	MC
1	22-03-2013	RE-ISSUED FOR TENDER	DK	MC
0	22-03-2013	ISSUED FOR TENDER	DK	MC
REV	DATE	COMMENTS	BY	CHK

Building contractors are required to comply with all aspects of the appropriate Building Code of Australia (BCA), National Construction Code (NCC), Premises Standards, AS/NZS 1200 and other relevant Australian Standards incorporated within the BCA and NCC. Any discrepancy between the contract design drawings and any aspects of the above codes and standards should be immediately brought to the attention of the superintendent for determination before proceeding with the affected works.

**HOLTON CONNOR**  
**ARCHITECTS & PLANNERS**

56 THOMAS STREET, WEST PERTH  
 WESTERN AUSTRALIA 6005  
 Tel: 08 9322 2384 Fax: 08 9322 3235  
 Email: info@holtonconnor.com.au

THIS IS A CAD DRAWING DO NOT AMEND MANUALLY  
 IN ABSENCE OF A DIRECTORS SIGNATURE THIS DRAWING SHALL BE TREATED AS PRELIMINARY

**TUCKEY ROOM EXTENSION, MANDURAH CITY OF MANDURAH**  
**DEMOLITION PLAN**  
**PROPOSED PLAN**

DESIGNED	MC	CHECKED	MC	PRINCIPAL	
DRAWN	DK	APPROVED	MC		
SCALE	1:50	DATE	13/11/2012	DRAWING No.	
JOB No.	1212	FILE NAME	MANA01P5_A02L4.dwg		
				<b>A.01</b>	<b>7</b>

13/11/2012 11:13 AM 13/11/2012

**8 SUBJECT:** Tender T18-2018 Construction and Placement of Concrete Paths and Associated Concrete Works  
**CONTACT OFFICER/S:** Matthew Hall / Natasha Pulford  
**AUTHOR:** Colin Price / Erin Johnson  
**FILE NO:** F0000179472

**Summary**

The City of Mandurah invited tenders for the Construction and Placement of Concrete Paths and Associated Concrete Works. As a result of the evaluation of tendered submissions, Council is requested to accept Placid Waters Concrete Services Pty Ltd as the preferred tenderer.

**Disclosure of Interest**

Nil.

**Previous Relevant Documentation**

- G.43/11/13      26/11/2013      That Council awards Placid Waters Concrete the contract under Tender T11-2013 for the Construction and Placement of Concrete Paths & Associated Concrete Works for a period of three years, commencing on 1 December 2013 and expiring on 30 November, 2016, at the schedule of rates offered, with an option to extend for a further two years.

**Background**

The current contract for the Construction and Placement of Concrete Paths & Associated Concrete Works was awarded to Placid Waters Concrete and was extended based on satisfactory performance up to 30 November 2018. This contract has now expired.

To provide continuation of the services, a tender was advertised in the 10 October 2018 edition of the West Australian newspaper, the 18 October 2018 edition of the Mandurah Mail and the 11 October 2018 edition of the Mandurah Coastal Times, and was also displayed on notice boards at the Administration Centre and relevant Libraries.

The tender sought the provision of the required services for a period of two years, with one option to extend for a period of one year subject to satisfactory performance.

**Comment**

The tender closed at 2:00pm on 30 November 2018. No tenders were accepted after the closing deadline. Tenders were received from the following:

1.	Outback Civil Pty Ltd	Lakemba, NSW
2.	Placid Waters Concrete Services Pty Ltd	Mandurah, WA
3.	Supercivil Pty Ltd	Maddington, WA
4.	Axiis Contracting Pty Ltd	Bassendean, WA
5.	Dowsing Group Pty Ltd	Kewdale, WA

The following weighted qualitative criteria were used to assess and rank each tender submission:

Relevant Experience and References	20%
Skills and Experience of Key Personnel	15%
Tenderer's Resources	5%
Methodology	10%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from Operations Services, individually assessed each submission against the weighted qualitative criteria submitted by each tenderer.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

The tendered submission from Placid Waters Concrete Services Pty Ltd was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

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

### **Consultation**

A financial assessment and credit check was undertaken by Financial Services where no issues were identified.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

### **Statutory Environment**

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

### **Policy Implications**

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

Policy POL-CPM 01 – *Buy "Local" Procurement*.

### **Risk Analysis**

The risk for this procurement relates to the contractor being unable to fulfil the contractual obligations, however based on past performance this is considered unlikely.

### **Economic Implications**

The total cost of the services for the previous five years was \$2,188,884 with an annual average cost of \$437,776 per annum. This tender price represents a 20% increase over the previous tender price, noting that the previous tender price did not have a price increase over the five years of the contract period.

### **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

#### Organisational Excellence:

- Deliver excellent governance and financial management.

## **Conclusion**

Tenders for the Construction and Placement of Concrete Paths and Associated Concrete Works were recently invited with five received and assessed against both qualitative criteria and price. The result was that the submission from Placid Waters Concrete Services Pty Ltd represented overall best value for money for the City and is therefore recommended as the preferred tenderer.

NOTE:

- Refer ***Confidential Attachment***.

## **RECOMMENDATION**

**That Council accepts Placid Waters Concrete Services Pty Ltd as the preferred tenderer for Tender T18-2018 Construction and Placement of Concrete Paths and Associated Concrete Works.**

**9 SUBJECT:** Tender Number T19-2018 Irrigation Mainline Installation Halls Head Recycled Water Scheme  
**CONTACT OFFICER/S:** Simon Hudson / Natasha Pulford  
**AUTHOR:** Derek Lynch / Vicki Lawrence  
**FILE NO:** F0000180674

**Summary**

The Halls Head Recycled Water Scheme extracts ground water that has been infiltrated from the Waste Water Treatment Plant into the underlying ground water aquifer. The recycled water is then used for irrigating public open spaces and the Merlin Reserve and South Halls Head Primary School.

This tender relates to the installation of an irrigation transfer line from the Halls Head Recycled Water Scheme Tank Farm to Quandong Park. The mainline will be upgraded to accommodate the increased water flow and pressure required by the scheme.

Council is requested to select Total Eden Pty Ltd as the preferred tenderer.

**Disclosure of Interest**

Nil

**Location**

R44898 – 20 Paradise Circuit, Halls Head

**Previous Relevant Documentation**

Nil.

**Background**

The Halls Head Recycled Water Scheme extracts ground water that has been infiltrated from the Waste Water Treatment Plant into the underlying ground water aquifer. The recycled water is then used for irrigating public open spaces including Merlin Reserve and South Halls Head Primary School.

The existing section of mainline pipe is undersized for the flow rate required for the transfer line to service the irrigation demand of the parks and Merlin Reserve, resulting in a high line pressure required to overcome frictional losses. With the higher operating pressures there have been a number of failures in the pipework in recent times.

**Comment**

A tender for the Irrigation Mainline Installation – Halls Head Recycled Water Scheme was advertised in the 20 October 2018 edition of the 'West Australian' newspaper, the 25 October 2018 edition of the Mandurah Mail and displayed on notice boards at the Administration Centre and relevant Libraries.

The tender closed at 2:00pm on Tuesday 13 November 2018. No tenders were received after the closing deadline. Submissions were received from the following:

1.	BLS Industries Pty Ltd as trustee for the BLS Unit Trust T/A Cobey Industries	Fremantle
2.	Sanpoint Pty Ltd trading as LD Total	Burswood
3.	Rob Carr Pty Ltd	Welshpool
4.	Total Eden Pty Ltd	Bibra Lake
5.	Tracc Civil Pty Ltd	Bibra Lake

The following weighted qualitative criteria were used to assess and rank each tender submission:

Technical Skills and Experience of Key Personnel	20%
Methodology	20%
Price	60%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from the Infrastructure Management, CityParks – Irrigation and Groundwater Conservation individually assessed each tender against the weighted qualitative criteria submitted by each tenderer.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

The tendered submission from Total Eden Pty Ltd was considered to be the most advantageous tender and is therefore recommended as the preferred tenderer.

A member of the City’s Governance and Tenders section coordinated and observed the tender evaluation process and is satisfied that the probity and procedural aspects relating to the evaluation were compliant.

**Consultation**

A mandatory site inspection was held on Thursday 25 October 2018 at the Halls Head Recycled Water Plant and was attended by Cobey, Tracc Civil, Horizon West, Rob Carr, Total Eden and Pipeline Technics.

A financial assessment undertaken by Financial Services where no issues were identified.

Reference checks have been undertaken with nominated referees who reported that the preferred tenderer is considered to be capable of carrying out the Contract.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

**Statutory Environment**

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

**Policy Implications**

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

**Risk Analysis**

The key risk associated with this project is the possibility of disruption to the local neighbourhood verges and reserves which will be mitigated as far as practical by utilising directional drilling, careful consideration and planning of pit locations. This risk has been considered by the preferred tenderer and will form part of the contract management methodology of the City.

## **Economic Implications**

The tendered price exceeds the project budget by \$60,000. The Budget Review process has included an offset for this funding requirement through consideration of project cost over runs and underspends.

## **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

### Organisational Excellence:

- Deliver excellent governance and financial management.

### Infrastructure:

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

## **Conclusion**

Tenders for the Irrigation Mainline Installation – Halls Head Recycled Water Scheme were recently invited. Five were received and assessed against both qualitative criteria and price. The result was that the submission from Total Eden Pty Ltd represented overall best value for money for the City and is therefore recommended as the preferred tenderer.

### NOTE:

- Refer ***Confidential Attachment***.

## **RECOMMENDATION**

**That Council accepts Total Eden Pty Ltd as the preferred tenderer for Tender T19-2018 for the Irrigation Mainline Installation Halls Head Recycled Water Scheme.**

**10 SUBJECT:** Tender Number T20-2018 Construction of Falcon Bay Seawall Stage 2  
**CONTACT OFFICER/S:** Simon Hudson / Natasha Pulford  
**AUTHOR:** Derek Lynch / Erin Johnson  
**FILE NO:** F0000179840

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### Summary

The City has commenced a major staged landscape redevelopment of the Falcon Bay Foreshore. The staged redevelopment consists of upgrades to landscaping, car parks and playground. In order to provide erosion protection to significant existing and planned foreshore reserve infrastructure, a seawall is required to be constructed prior to the capital investment made to further improve the foreshore amenity. Stage 1 of the redevelopment commenced in 2018 with the installation of a steel sheet pile seawall and upgrades to the foreshore reserve and related infrastructure.

The works for this tender continue the construction of the seawall with a second stage of sheet piling, associated scour protection and beach access stairs.

The City of Mandurah invited tenders for the Construction of Falcon Bay Seawall - Stage 2 and as a result of the evaluation of tendered submissions, Council is requested to accept Neo Infrastructure as the preferred tenderer.

### Disclosure of Interest

Nil.

### Previous Relevant Documentation

- G.14/5/17 9 May 2017 That Council awards Leeuwin Civil Pty Ltd the contract under Tender T02-2017 for the Design and Construction of Falcon Bay Seawall at the tendered price of \$632,661 (excl. GST).

### Background

The City has commenced a major staged landscape redevelopment of the Falcon Bay Foreshore. The staged redevelopment consists of upgrades to landscaping, car parks and playground. In order to provide erosion protection to significant existing and planned foreshore reserve infrastructure, a seawall is required to be constructed prior to the capital investment made to further improve the foreshore amenity.

The first stage of the Seawall Construction was completed in March 2018 (see image below) which was centred on the existing abutments with further works completed to the seawall later in the year. Stage Two of the Seawall Construction will continue this further around the bay for the extent of the existing foreshore.



### Comment

A tender for the Construction of Falcon Bay Seawall - Stage 2 was advertised in the Wednesday 24 October 2018 edition of the 'West Australian' newspaper, the Thursday 25 October 2018 edition of the 'Mandurah Mail' Newspaper and the Wednesday 25 October 2018 edition of the 'Mandurah Coastal Times' Newspaper. Notices were also displayed on the Administration Centre and Library notice boards.

The tender closed at 2:00pm on Tuesday 20 November 2018. No tenders were accepted after the closing deadline. Submissions were received from the following:

1.	Neo Infrastructure	Wangara
2.	Leeuwin Civil Pty Ltd	Busselton
3.	D.B Cunninghame Pty Ltd T/AS Advantearing – Civil Engineers	West Perth

The following weighted qualitative criteria were used to assess and rank each tender submission:

Demonstrate Experience	20%
Programme and Methodology	20%
Price	60%

To ensure that pricing did not influence the assessment of the qualitative criteria, the pricing was not provided to the evaluation panel until the assessment of the qualitative criteria was completed.

An evaluation panel, comprising of officers from the Projects and the Mandurah Ocean Marina, individually assessed each tender against the weighted qualitative criteria submitted by each tenderer.

On completion of the assessment of the qualitative criteria, prices submitted were entered into the Evaluation Matrix as shown in the **Confidential Attachment** where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the tender which represented best overall value for money for the City.

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

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

## **Consultation**

A non-mandatory site inspection was held on 6 November 2018 at Spinaway Parade Falcon Bay and was attended by six separate companies.

A financial assessment and credit check was undertaken by Financial Services where no issues were identified.

Reference checks have been undertaken with nominated referees who reported that the preferred tenderer is considered to be capable of carrying out the Contract.

Upon award of the Tender, all tenderers will be offered the opportunity to attend debriefs to be advised of the strengths and weaknesses of their submissions. Tenderers are also offered the opportunity to provide feedback to improve the way the City manages procurement processes.

## **Statutory Environment**

Part 4 of the *Local Government (Functions & General) Regulations 1996*.

## **Policy Implications**

Policy POL-CPM 02 – *Purchasing of Goods or Services*.

## **Risk Analysis**

The key risks associated with the works relate to:

- Potential for environmental contamination from the plant and equipment required to undertake the works; and
- Interface of the works and the public usage of the beach which may impact on the surrounding residents and businesses.

These risks will be mitigated, as far as reasonably practical, through programming the works to take place outside of the peak beach usage season, and through the contractual obligations of the Contractor.

## **Economic Implications**

The tendered price is within the budget funds allocated for the Falcon Bay Redevelopment.

## **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

### Organisational Excellence:

- Deliver excellent governance and financial management.

### Infrastructure:

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

## **Conclusion**

Tenders for the Construction of Falcon Bay Seawall - Stage 2 were recently invited. Three were received and assessed against both qualitative criteria and price. The result was that the submission from Neo Infrastructure represented overall best value for money for the City and it is therefore recommended that the City selects Neo Infrastructure as the preferred tenderer.

NOTE:

- Refer ***Confidential Attachment***.

**RECOMMENDATION**

**That Council accepts Neo Infrastructure as the preferred tenderer for Tender T20-2018 for the Construction of Falcon Bay Seawall Stage 2.**



## Previous Relevant Documentation

Nil

## Background

Council approved in its 2018/19 budget the construction of the following projects:

- Gibson Street - \$750,000 (\$500,000 from Regional Road Group)  
Road upgrade from Forrest Street to Anstruther Road. 2/3 funded by Regional Road Group.
- Dower Street - \$750,000 (\$500,000 from Regional Road Group)  
Pinjarra Road intersection upgrade. 2/3 funded by Regional Road Group. Staged project over three years, culminating in 2019/2020.

The request to reallocate funds from these projects is as follows:

- Gibson Street  
The revised program of works has been completed with an underspend of \$425,000. The project scope for Gibson Street was revisited once pavement testing results were received and analysed. The results indicated that the section of Gibson Street proposed for reconstruction would not need these works in the short to medium term. Better use of the project funds could be achieved with investment in the other Regional Road Group approved projects.
- Dower Street  
This is a staged project with significant service relocations that have exceeded budget estimates. In order to complete the works within the allotted timeframe (by 2019/2020), and to meet the funding obligations, a reallocation of funding is required.

Both these projects have their principal funding source via the South West Regional Road Group funding. Main Roads Western Australia will support this request as it expands the project funding within the prescribed timelines.

## Comment

The proposal for the reallocation of road construction funding is to ensure completion of the Dower Street / Pinjarra Road/Coolibah Avenue intersection reconstruction as one complete project, which is one that is not staged.

Both Gibson Street and Dower Street projects are South West Regional Road Group projects and are 2/3 funded under that program. Reallocation of funding under this program must be to projects identified and approved within that program.

The Dower Street project has been ongoing over a number of years and is about to enter its final phase in 2019/2020. Significant service relocations are almost complete but have far exceeded budget estimates due to their complexity. The cost estimate to complete the civil works currently exceeds the funding allocated in 2019/2020 via the South West Regional Road Group, so in order to complete these works, a budget reallocation is required to complement next year's funding.

As the revised Gibson Street scope of works has been completed with an underspend, there is an opportunity to reallocate the funding to Dower Street as it is part funded under the same external program.

The proposed budget for Dower Street would therefore be:

Existing funding 2018/2019 budget	\$750,000
Reallocation of Gibson Street funds	\$425,000
<b>TOTAL</b>	<b>\$1,175,000</b>

Should this request be approved, the required works would commence in May and carry through to August 2019. This is the ideal time to complete the works as it will impact the least on the businesses in this locality.

### **Consultation**

South West Regional Road Group

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Risk Implications**

The assessment of risk for this item is low. There is a current budget that is proposed to be reallocated with no increase to proposed expenditure. This risk will be managed using internal resources.

### **Economic Implications**

The proposed reallocation of funds from existing projects will not impact on the 2018/2019 budget. The proposal will ensure the Dower Street / Pinjarra Road / Coolibah Avenue intersection project is completed within its allotted timeframe, meeting the funding obligations and provide an improved intersection treatment.

### **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

#### Infrastructure:

- Advocate for and facilitate the provision of infrastructure that matches the demands of a growing population.
- Advocate for and facilitate the provision of an integrated movement network.

#### Organisational Excellence:

- Ensure the City has the capacity and capability to deliver appropriate services and facilities.
- Deliver excellent governance and financial management.

### **Conclusion**

An opportunity exists to reallocate road funding to ensure an important intersection upgrade is completed in a timely manner and is the final project piece in the road network upgrades associated with the Mandurah Forum redevelopment.

### **RECOMMENDATION**

#### **That Council:**

1. **Approves the reallocation of the balance of Gibson Street project funds of \$425,000 to the Dower Street intersection with Pinjarra Road and Coolibah Avenue project.**
2. **Acknowledges that this will allow works to commence in May 2019 and carry through into the 2019/2020 financial year thus enabling the project to be completed in one stage.**

**12**      **SUBJECT:**                      Appointment of Electoral Commissioner to Conduct Elections  
          **CONTACT OFFICER:**        Natasha Pulford  
          **AUTHOR:**                        Louise Clark/Natasha Pulford  
          **FILE NO:**                        R0000936667

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### Summary

The Electoral Commissioner was appointed by Council to be responsible for the conduct of City elections and polls via the postal voting method since 2006. The elections have been well conducted with no significant issues identified. The appointment term for the Electoral Commissioner has now expired.

Council is requested to declare the Electoral Commissioner to be responsible for the conduct of the 2019 ordinary election together with any other elections or polls which may be required up to and including the 2023 ordinary election.

Council is also requested to note the proposed cost of the 2019 ordinary election and that until a time an appropriate electronic method of voting is introduced, the voting method of conducting the elections is to continue as the postal ballot method.

### Disclosure of Interest

Nil.

### Previous Relevant Documentation

- G.44/12/11    December 2011    Appointment of Electoral Commissioner to conduct elections.
- G.42/7/06     July 2006         Elected Member vacancy Coastal Ward – extraordinary election.

### Background

At its meeting of 14 December 2011 Council declared the Western Australian Electoral Commission (WAEC) responsible for the conduct of all elections or polls held up to and including the 2017 ordinary election. This term has now expired.

### Comment

As is the tradition, the WAEC have provided a pre-emptive letter of agreement to conduct the 2019 ordinary election, along with any other elections and polls, should Council declare the Electoral Commissioner responsible. The term of appointment has typically been 6-7 year periods.

The only voting method available at this point in time is the postal ballot method to which the WAEC has provided an estimate of \$241,000 for 2019 ordinary election. An additional \$12,480 is required if the City opts in for the Australia Post Priority Service. These costs do not cover additional staffing requirements, non-statutory advertising (marketing) or additional postage fees imposed by Australia Post.

The 2017 election had 59,637 postal packages sent to electors with a return of 23,680. This equates to a return rate of 39.7% being the highest return rate for the City of Mandurah. The final invoiced cost was \$209,332.

While elections are currently under review as part of the reforms of the Local Government Act, the WAEC have advised this should have no impact on the decision to declare the Electoral Commissioner responsible. The WAEC have advised that there is a move from postal ballot to in-person electoral methods for this coming election based on the issues that can be experienced with Australia Post. It is noted that apart from this, the City has experienced no issues with the WAEC conducting elections.

Officers met with representatives of the WAEC and Australia Post in November 2018 to agree on enhanced controls to improve postal ballot delivery results for City of Mandurah elections moving forward.

The City itself, is not equipped to conduct postal elections so it is therefore considered appropriate to continue to engage the Electoral Commissioner for the conduct of future elections up to and including the 2023 ordinary election.

### **Consultation**

WAEC.  
Australia Post.

### **Statutory Environment**

*Local Government Act 1995* Part 4 Division 7 s 4.20 (4) Appointment of Electoral Commissioner to be responsible to conduct elections.

### **Policy Implications**

Nil.

### **Economic Implications**

The 2017 mayoral election was estimated to cost \$230,000 which included two price increases by Australia Post. The total invoiced amount post-election \$209,332. The WAEC have indicated that the cost for the 2019 election will be approximately \$241,000.

### **Risk Analysis**

There are inherent risks associated with the decision for the City to conduct its own elections, in particular if errors occur, the election would be deemed invalid and the City would have to re-conduct the election resulting in a loss of public confidence, including potentially losing interested voters, and having to incur increased operational costs. At this point in time, there is no other appropriate entity capable of conducting elections on behalf of local governments.

### **Strategic Implications**

The following strategies from the *City of Mandurah Strategic Community Plan 2017 – 2037* are relevant to this report:

#### Organisational Excellence:

- Deliver excellent governance and financial management.

### **Conclusion**

The Western Australian Electoral Commissioner has been responsible for the conduct of City of Mandurah elections since 2005 with the latest appointment period now expired. Council is requested to again appoint the Western Australian Electoral Commissioner for upcoming elections and polls to the 2023 ordinary election via the postal ballot method until a more appropriate method is introduced. Council is also requested to note the cost to conduct the upcoming 2019 ordinary election will likely be \$241,000.

### **RECOMMENDATION**

#### **That Council:**

- 1 Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2019 ordinary election**

together with any other elections or polls which may be required up to and including the 2023 ordinary election.

- 2 Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting elections and polls will be the postal ballot method until another more suitable alternative is introduced.
- 3 Note that the cost for the upcoming 2019 ordinary election will be approximately \$241,000.

**\*ABSOLUTE MAJORITY REQUIRED\***

<b>13</b>	<b>SUBJECT:</b> Bush Fire Brigades Amendment Local Law 2018 – Final Adoption <b>CONTACT OFFICERS:</b> Brendan Ingle/Natasha Pulford <b>AUTHOR:</b> Sophie Luxton <b>FILE NO:</b> F0000170419
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**Summary**

Following the statutory advertising period, the Bush Fires Brigades Amendment Local Law 2018 is ready for final adoption.

As a legal requirement, all local laws are to have a purpose and effect where the following is proposed for the Bush Fires Brigades Amendment Local Law 2018:

**PURPOSE:** to amend provisions within the City of Mandurah Bush Fires Brigades Local Law 2010.

**EFFECT:** to ensure the City of Mandurah Bush Fires Brigades Local Law 2010 is as clear and effective as possible.

Council is requested to adopt the proposed Bush Fires Brigades Amendment Local Law 2018 in its final form.

**Disclosure of Interest**

Nil.

**Previous Relevant Documentation**

- G.17/9/18 25 September 2018 Proposed Bush Fires Brigades Amendment Local Law 2018
- G.32/2/11 22 February 2011 Adoption of Bush Fires Brigades Local Law 2010
- G.37/8/10 24 August 2010 Proposed Bush Fire Brigades Local Laws

**Background**

At its meeting of 25 September 2018 Council resolved to adopt the proposed City of Mandurah Bush Fires Brigades Amendment Local Law 2018 for advertising which is now complete.

**Comment**

Minor amendments were suggested by the Minister for Emergency Services and Minister for Local Government:

Proposed Amendment	Reasoning
Clause 1.2 – Change the definition for “Department”  <b>Current:</b>  “Department means the Department of Fire and Emergency Services of Western Australia established by section 4 of the <i>Fire and Emergency Services Authority of Western Australia Act 1998</i> ”  <b>Proposed:</b>  “Department means the Department of Fire and Emergency Services of Western Australia”.	Change reflects a State Legislative amendment.

<p>Schedule 1, Part 2 Clause 2.4</p> <p><b>Current:</b></p> <p>2.4 Applications for membership</p> <p>An application for membership is to be in writing and is to be submitted to the Secretary and in the case of—</p> <p>(a) an application for active firefighting membership is to be accompanied by a completed form in the form of that in Appendix II.</p> <p>(b) an application for auxiliary membership is to be accompanied by a completed form in the form of that in Appendix III.</p> <p>(c) an application for cadet membership is to be accompanied by a completed form in the form of that in Appendix IV.</p> <p><b>Proposed:</b></p> <p>2.4 Applications for membership</p> <p>An application for membership is to be in writing and is to be submitted to the Secretary in the form approved by the Brigade.</p>	<p>Proposal allows greater flexibility for the Brigade by the deletion of Appendixes II, III and IV from the local law.</p>
<p>Schedule 1, Part 3</p> <p><b>Current:</b></p> <p>The City proposed to delete the following paragraphs:</p> <p>(l) complete and forward an incident report form in the form required by the Authority to the Chief Bush Fire Control Officer and the Authority within 14 days after attendance by the bush fire brigade at the incident; and</p> <p>(m) Where the bush fire brigade attends an incident on more than 1 day, the incident report form is to be completed and forwarded under clause 3. Within 14 days after the last day of attendance.</p> <p>The City's reason for proposing the deletion of the above paragraphs was that these responsibilities are already provided for in the Brigades constitution.</p> <p>The Minister for Emergency Services has requested that the City retain the above paragraphs to ensure there is clarity on who is responsible for submitting incident reports.</p> <p><b>Proposed:</b></p> <p>(l) ensure that an incident report is compiled and submitted, in the format agreed by the Department and local government, within 14 days following attendance at an incident by the Bush Fire Brigade.</p>	<p>Proposed paragraph (l) ensures clarity on who is responsible for completing incident reports and the timeframe within which they are to be completed by.</p>

There are also a number of very minor administrative formatting amendments (i.e. changing italics to bold, semicolons to dashes) made through the local law, these do not, in any way, alter the intent or function of the local law. All suggested amendments are within ***Attachment 1 Bush Fires Brigades Amendment Local Law 2018***.

### **Consultation**

The City of Mandurah, Mandurah Southern Districts Bush Fire Brigade were heavily involved in the drafting of the proposed Bush Fires Brigades Amendment Local Law 2018.

Advertisements were placed in State and local papers, on all City notice boards and forwarded to the Minister Local Government and Minister Emergency Services for their comment.

### **Statutory Environment**

- *Local Government Act 1995* Part 3, Division 2, Subdivision 2 - Local laws made under any Act.
- *Bush Fires Act 1954*.

### **Policy Implications**

Relevant policies will be updated as required.

### **Economic Implications**

Nil.

### **Risk Analysis**

Proposed amendments are very minor with rare likelihood.

### **Strategic Implications**

The following strategy from the *City of Mandurah Strategic Community Plan 2017 – 2037* is relevant to this report:

#### Organisational Excellence:

- Deliver excellent governance and financial management.

### **Conclusion**

Advertising of the proposed Bush Fires Brigades Amendment Local Law 2018 is now complete. Council is requested to consider the submissions received and the City's response and make the local law as shown at **Attachment 1**.

NOTE:

- Refer ***Attachment 1 City of Mandurah Bush Fires Brigades Amendment Local Law 2018***

### **RECOMMENDATION**

**That Council adopt the City of Mandurah Bush Fires Brigades Amendment Local Law 2018.**

**\*ABSOLUTE MAJORITY REQUIRED\***

**BUSH FIRES ACT 1954**

**LOCAL GOVERNMENT ACT 1995**

**City of Mandurah**

**BUSH FIRES BRIGADES AMENDMENT LOCAL LAW 2018**

Under the powers conferred by the *Bush Fires Act 1954*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Mandurah resolved on ..... to make the following local law.

**1. Citation**

This local law may be cited as the *City of Mandurah Bush Fires Brigades Amendment Local Law 2018*.

**2. Commencement**

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

**3. Principal local law amended**

This local law amends the *City of Mandurah Bush Fires Brigades Local Law 2010* as published in *Government Gazette* No. 43 of 22 March 2011.

**4. Clause 1.2 amended**

In clause 1.2 -

- (a) Delete the definition for “**Authority**”;
- (b) Insert the following definition in alphabetical order:

“**Department** means the Department of Fire and Emergency Services of Western Australia ~~established by section 4 of the *Fire and Emergency Services Authority of Western Australia Act 1998*~~”; and

- (c) In the definition for “**Bush Fire Operating Procedures**” delete “Authority” and replace with “Department”.

**5. Clause 3.10 amended**

In clause 3.10 (2) -

- (a) Delete subclause 3.10 (2) (c); and
- (b) Following subclause 3.10 (2) (b) insert:

“following their receipt under subclause (1)”

on a new line so that it applies to (a) and (b).

**6. Clause 4.4 amended**

In subclause 4.4(f) delete “Authority’s” and replace with “Department’s”.

**7. Clause 4.5 amended**

In clause 4.5 delete subclause (2).

**8. Clause 6.3 amended**

In subclause 6.3 -

- (a) Delete “first week in December” and replace with “31 March”; and
- (b) Delete “Authority” and replace with “Department”.

**9. Schedule 1, Part 2 amended**

In Schedule 1, Part 2 -

- (a) Delete clause 2.4;
- (b) After clause 2.3 insert -

**2.4 Applications for membership**

An application for membership is to be in writing and is to be submitted to the Secretary in the form approved by the Brigade.;

~~(a)~~(c) In subclause 2.6 delete each reference to “Authority” and replace with “Department”;

~~(b)~~(d) In subclause 2.11 (c) delete “has the right of objection to the local government which may dispose of the objection by-

- (i) dismissing the objection;
- (ii) varying the decision objected to; or
- (iii) revoking the decision objected to, with or without –
  - (A) substituting for it another decision; or
  - (B) referring the matter, with or without directions, for another decision by the Committee.”; and

~~(e)~~(e) Following subclause 2.11 (c) insert - ÷  
 “has the right of objection to the local government which may dispose of the objection by-

- (i) dismissing the objection;
- (ii) varying the decision objected to; or
- (iii) revoking the decision objected to, with or without –
  - (A) substituting for it another decision; or
  - (B) referring the matter, with or without directions, for another decision by the Committee.”

on a new line so that it applies to (a), (b) and (c).

**10. Schedule 1, Part 3 amended**

In Schedule 1, Part 3 -

- (a) In clause 3.3 delete subclauses 3.3 (l) and (m);
- (b) In clause 3.3 insert:
  - (l) ensure that an incident report is compiled and submitted, in the format agreed by the Department and local government, within 14 days following attendance at an incident by the Bush Fire Brigade.;
- (c) In subclause 3.3 (k) following “equipment;” insert “and”;
- (d) Delete clauses 3.5, 3.6, 3.7, 3.8, 3.9, 3.10 and 3.11;
- (e) Insert After clause 3.4 insert the following clause:

**“3.5 Equipment Officer**

The Equipment Officer is responsible for the custody and maintenance of protective clothing, equipment and appliances of the bush fire brigade.”

**11. Schedule 1, Part 4 amended**

In Schedule 1, Part 4 -

(a) In subclause 4.1 (2) insert the following paragraph:

“(f) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade functions;”;

(b) Renumber the remaining subclauses accordingly.

**12. Schedule 1, Part 5 amended**

In Schedule 1, Part 5 -

(a) In ~~subclause~~ clause 5.3 (2) insert the following ~~subclause~~ paragraph:

“(d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6;”;

(b) Renumber the remaining ~~subclauses~~ paragraphs accordingly; and

(c) ~~Insert After clause 5.5 insert~~ the following subclause:

**“5.6 Auditor**

(1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.

(2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.”.

**13. Schedule 1, Part 6 amended**

In Schedule 1, Part 6, clause 6.2 delete the words “50 ~~percent~~% of Committee members” and replace with “3 Brigade Officers”.

**14. Schedule 1, Part 7 amended**

In Schedule 1, Part 7 delete subclause 7.1.

**15. Schedule 1, APPENDIX II amended**

In Schedule 1 delete APPENDIX II.

**16. Schedule 1, APPENDIX III amended**

In Schedule 1 delete APPENDIX III.

**17. Schedule 1, APPENDIX IV amended**

In Schedule 1 delete APPENDIX IV.

Dated: .....

The Common Seal of the City of Mandurah was affixed by authority of a resolution of the Council in the presence of—

RHYS JOHN WILLIAMS, Mayor.  
MARK ROBERT NEWMAN, Chief Executive Officer.

# NOTICE OF MOTION

**COUNCIL MEETING OF 29 JANUARY 2019**

**COUNCILLOR CAROLINE KNIGHT**

## **REQUEST FOR REVIEW OF CAT MANAGEMENT**

I hereby give notice that I intend to move the following Motion at the Council meeting of Tuesday 29 January 2019:

- 1. That the City form a working group consisting of relevant staff, up to two members of MEAG and interested Elected Members, to identify opportunities to reduce the impact of cats on native species within the City including investigating the merit of the following:**
  - **Lobbying for improvements to Federal and State laws relating to cat management, including the importance of the inclusion of Feral Cats on the Biosecurity and Agriculture Management (BAM) Act for protection of WA's unique biodiversity.**
  - **Collaboration with WALGA and other Local Governments for opportunities to create a Local Law which is practical and effective for real improvements to environmental outcomes.**
  - **The designation and protection of environmentally sensitive locations from cats.**
  - **Reviewing the City of Mandurah's Cat Management Program.**
- 2. The working group should engage with relevant stakeholders i.e. PHCC, DBCA, Peel Harvey Biosecurity Group and report to Council as appropriate during 2019.**
- 3. That the City undertakes a review of the outcomes of the Fairy Tern Sanctuary project at Breakwater Parade Mandurah Ocean Marina and advises the Elected Members of their findings.**

Reason for the Motion:

Via State legislation the City has been responsible for Cat Management for a number of years. As part of our communities drive to protect our natural environment, the issue of cats and their impact on the environment ought to be considered. It is proposed that the working group will focus on immediate actions, which the City could undertake to assist in the improvement of cat management within Mandurah with a focus on protecting our natural environment.

There were positives out of the Fairy Tern Sanctuary project but the impact of a cat on the successful nesting has highlighted a concern that many have about the protection of native species from cats.

This motion is to explore options that will result in real improvements in environmental outcomes for our most threatened fauna.



Councillor Caroline Knight  
North Ward