



MINUTES OF COUNCIL MEETING

HELD ON

TUESDAY 28 JANUARY 2020

AT 5.30PM

**IN COUNCIL CHAMBERS
MANDURAH TERRACE MANDURAH**

PRESENT:

MAYOR	R WILLIAMS	
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	D PEMBER	EAST WARD
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	C DI PRINZIO	COASTAL WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	M ROGERS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS AND SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE COMMUNITIES
MR	G DAVIES	DEPUTY CHIEF EXECUTIVE OFFICER
MRS	C MIHOVILOVICH	DIRECTOR CORPORATE SERVICES
MRS	L SLAYFORD	MINUTE OFFICER

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

The Mayor declared the meeting open at 5.33pm.

ACKNOWLEDGEMENT OF COUNTRY [AGENDA ITEM 2]

Mayor Williams 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]Leave of Absence

Councillor Schumacher
Councillor Lynn Rodgers
Councillor Lee
Councillor Knight

Apologies

Councillor Darcy

DISCLAIMER [AGENDA ITEM 4]

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

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

ANSWERS TO QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 5]

Nil.

PUBLIC QUESTION TIME [AGENDA ITEM 6]

G.1/1/20

R GENT: MERRIVALE STREET RECONSTRUCTION

Mr Gent asked for information as to who was at the on-site meeting regarding the hydrant level and also if Council had passed a resolution previously in regard to returning the Merrivale Street road level to the previous 2002 level.

Mayor Williams advised Mr Gent would receive written responses to both questions.

PUBLIC STATEMENT TIME [AGENDA ITEM 7]

Nil.

LEAVE OF ABSENCE REQUESTS [AGENDA ITEM 8]

G.2/1/20 LEAVE OF ABSENCE: COUNCILLOR GREEN – 17 JULY 2020 TO 17 AUGUST 2020, INCLUSIVE

MOTION

Moved: Councillor Peter Rogers

Seconded: Councillor A Zilani

That leave of absence be granted to Councillor Green from 17 July 2020 to 17 August 2020, inclusive.

CARRIED UNANIMOUSLY: 8/0

PETITIONS [AGENDA ITEM 9]

Nil.

PRESENTATIONS [AGENDA ITEM 10]

G.3/1/20 DISTRICT COOLING FEASIBILITY STUDY

The City's Energy Efficiency Project Officer delivered an overview of the district cooling opportunity and progress made to date.

DEPUTATIONS [AGENDA ITEM 11]

Nil.

CONFIRMATION OF MINUTES [AGENDA ITEM 12]

G.4/1/20 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 17 DECEMBER 2019

MOTION

Moved: Councillor J Green

Seconded: Councillor C Di Prinzio

That the Minutes of the Council Meeting held on Tuesday 17 December 2019 be confirmed.

CARRIED UNANIMOUSLY: 8/0

G.5/1/20 ANNOUNCEMENTS BY THE PRESIDING MEMBER [AGENDA ITEM 13]

At the invitation of the Mayor, Councillors updated the meeting on the following recent activities:

- Councillor Peter Rogers attended the launch of the Port Mandurah Resident's Association book "*Port Mandurah - Thirty Years Making a Community*" on December 15. Three copies of the book will be presented to the Mayor's office by the Association. Thanks to all involved for their hard work.
- Councillor Pember updated the meeting on the Australia Day events conducted at the Eastern Foreshore on January 26. Congratulations to the Lions Club, City of Mandurah, Mandurah Concert Band and the Mandurah Offshore Fishing and Sailing Club for an exceptional day. The day included the Community Citizens of the Year awards and a citizenship ceremony for 112 persons.
- Mayor Williams spoke of the Visit Mandurah new brand launch marking an important investment into Mandurah and tourism promoting the City. The turnout of local tourism businesses supporting Visit Mandurah was encouraging for tourism in the area.
- Mayor Williams congratulated all involved in the Top of the Terrace event conducted on January 25 which appeared to be a great success.

G.6/1/20 DECLARATION OF INTERESTS [AGENDA ITEM 14]

- Councillor Peter Rogers declared an impartiality interest in regard to Minute G.18/1/20 – Confidential Item Review Recommendations due to his current appointment by Council to the Board of the Mandurah Performing Arts Centre.
- The Chief Executive Officer declared an impartiality interest in regard to Minute G.18/1/20 – Confidential Item Review Recommendations due to his appointment as Council's representative to the Board of the Mandurah Performing Arts Centre.

QUESTIONS FROM ELECTED MEMBERS [AGENDA ITEM 15]

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 16]

Nil.

REPORTS [AGENDA ITEM 17]**G.7/1/20 TROLLS ART PROJECT (MN) (REPORT 1)**Summary

Council has been approached by FORM, WA's leading public arts organisation, to partner in the creation of an internationally significant public art trail within the City of Mandurah.

The proposal is to create five troll sculptures within or abutting our internationally recognised and RAMSAR listed waterways. The project would cost in the vicinity of \$1.2 million, with Council being requested to contribute \$250,000.

Council is asked to support the project in principle to allow FORM to continue to develop the project and to attract other funding.

Officer Recommendation

That Council:

- 1 Advises FORM of its support in principle for the "Trolls" project in Mandurah, and notes that if the project is to proceed, the City will contribute \$250,000 towards the project from savings identified by the Water Towers Project and funds identified in the budget review process.
- 2 Advises, subject to FORM providing evidence of its contractual relationship with Thomas Dambo, its intent not to go to tender on the project as it believes that in accordance with regulation 11(2)(f) that because of the unique nature of the goods and services being requested, there is likely to be only one supplier.
- 3 Authorise the Mayor and CEO to enter into a contract to deliver the project.

Council Resolution**MOTION**

Moved: Councillor Peter Rogers

Seconded: Councillor Matt Rogers

That Council:

- 1 Advises FORM of its support in principle for the "Trolls" project in Mandurah, and notes that if the project is to proceed, the City will contribute \$250,000 towards the project from savings identified by the Water Towers Project and funds identified in the budget review process.**
- 2 Advises, subject to FORM providing evidence of its contractual relationship with Thomas Dambo, its intent not to go to tender on the project as it believes that in accordance with regulation 11(2)(f) that because of the unique nature of the goods and services being requested, there is likely to be only one supplier.**

CARRIED UNANIMOUSLY: 8/0

Reason: The Council resolution that was carried is different from the officer recommendation by removing point 3 to enable further information to be received.

**G.8/1/20 ENTREPRENEURIAL CAPACITY BUILDING PROGRAMS PROGRESS
REPORT (NP) (REPORT 2)**

Two of the key economic objectives identified in the *City of Mandurah Strategic Community Plan 2017-2037* are to increase local education and training opportunities and to increase the level of regional employment. The City's Entrepreneurial Capacity Building programs play a vital role in achieving these objectives.

In an innovative bid to stimulate local job creation and small business growth, the City of Mandurah began delivering a series of free entrepreneurial programs in 2014 for Mandurah small business start-ups. These programs were delivered to a range of target groups, including parents, artists, migrant women and unemployed people seeking to start their own business. Since the launch of the City's Entrepreneurial programs, more than 950 Mandurah residents have participated in 24 workshops between 2014 and 2019.

The aim of the entrepreneurial programs is to help people starting their own business to achieve economic independence and small business success. A vibrant and innovative entrepreneurial environment contributes significantly to a region's growth and economic development, and the City's program has played a significant role in achieving this.

The City's Entrepreneurial Capacity Building Programs have to date resulted in the creation of more than 80 full-time jobs and contributed \$6.51 million to Mandurah's gross regional product. Further, around 65% of all participants have registered for an ABN, with most trading part-time. This has created around 300 additional part-time jobs which contributed additional \$8.14 million to Mandurah GRP.

The program has also gained national attention and recognition, as it is understood that Mandurah is the only local government in Australia to deliver specific entrepreneur training programs for its community.

Council is requested to acknowledge and celebrate the City's successful delivery of the Entrepreneurial Capacity Building Programs' first six years.

Officer Recommendation

That Council:

1. Acknowledges the success and achievements delivered by the City's Entrepreneurial Capacity Building Programs over the past six years (2014 – 2019).
2. Notes the City of Mandurah's intention to continue the programs for another 2.5 years.
3. Notes the City's intention to approach relevant State and Federal Government agencies to discuss potential joint and/or alternative funding arrangements.

Council Resolution**MOTION**

Moved: **Councillor Peter Rogers**

Seconded: **Councillor D Pember**

That Council:

1. **Acknowledges the success and achievements delivered by the City's Entrepreneurial Capacity Building Programs over the past six years (2014 – 2019).**
2. **Notes the City of Mandurah's intention to continue the programs for another 2.5 years.**
3. **Notes the City's intention to approach relevant State and Federal Government agencies to discuss potential joint and/or alternative funding arrangements.**

CARRIED UNANIMOUSLY: 8/0

**G.9/1/20 TRANSFORM MANDURAH: A REVITALISATION PLAN 2019 (AD)
(REPORT 3)**

Summary

For the past four years the City of Mandurah, in partnership with the Shire of Murray and in response to State Government regional development policy, has endeavoured to create a new economic plan to grow Mandurah's economy and deliver tangible economic benefits for Mandurah and the broader Peel Region.

In 2018 the Council approved '*Mandurah and Murray – A shared Economic Future*' as the City of Mandurah's new Economic Development Strategy, and endorsed the programs and projects that had begun to be developed from that strategy.

In 2019, officers continued to develop those programs. As part of that further development, officers identified the opportunity to combine a number of these projects to create a more integrated visionary concept. With a combined focus on the Water Economy and its potential as an industry for Mandurah; the City Centre's much needed revitalisation; and a new Conference Centre / Tourism precinct that services this growing economy and its industry. *Transform Mandurah – A Revitalisation Plan 2019* has been drafted as a vision document to inform and update Council of the recommended strategy going forward.

Council is requested to adopt *Transform Mandurah – A Revitalisation Plan 2019*, and endorse the strategy going forward to allow continuation of its development and implementation.

Officer Recommendation

That Council:

- 1 Adopts *Transform Mandurah – A Revitalisation Plan 2019* as the City of Mandurah's City Centre revitalisation strategy;
- 2 Endorses the programs and projects contained *Transform Mandurah – A Revitalisation Plan 2019* for further development and implementation;
- 3 Commits to a program of advocacy that ensures State and Federal Government support and investment in the projects resulting from *Mandurah and Murray: A Shared Economic Future*.

Council Resolution**MOTION****Moved:** Councillor Matt Rogers**Seconded:** Councillor D Pember**That Council:**

- 1 Adopts *Transform Mandurah – A Revitalisation Plan 2019* as the City of Mandurah’s City Centre revitalisation strategy;**
- 2 Endorses the programs and projects contained *Transform Mandurah – A Revitalisation Plan 2019* for further development and implementation;**
- 3 Commits to a program of advocacy that ensures State and Federal Government support and investment in the projects resulting from *Mandurah and Murray: A Shared Economic Future*.**

CARRIED UNANIMOUSLY: 8/0

G.10/1/20 FINANCIAL REPORT DECEMBER 2019 (PB) (REPORT 4)Summary

The Financial Report for December 2019 together with associated commentaries, notes on investments, balance sheet information and the schedule of accounts are presented for Elected Members’ consideration.

Officer Recommendation**That Council:**

1. Receives the Financial Report for December 2019 as detailed in Attachment 1 of the report.
2. Receives the Schedule of Accounts for the following amounts as detailed in Attachment 2 of the report:

Total Municipal Fund	\$ 10,483,604.86
Total Trust Fund	\$ 17,906.10
	<u>\$ 10,501,510.96</u>
3. Approves the write off of \$8,284.80* in outstanding fines owed by Mr Dos Santos.
4. Approves the following budget variations:
 - 4.1. Increase in expenditure of \$86,466.80* for Dudley Park Primary School Carpark.
 - To be funded from Department of Education contribution of \$86,466.80.
 - 4.2. Increase in capital expenditure of \$4,850* for Falcon Reserve Changeroom (CSRFF) project
 - To be funded form
 - CSRFF project funds \$3,000*

- South Mandurah Football Club Pavilion \$1,850*
- 4.3. Increase in Operating expenditure of \$37,000* for Corporate Archiving costs
 - To be funded from
 - Election expenses \$27,000
 - Casual labour – records \$10,000
- 4.4. Increase in Operating expenditure of \$6,000* for Events - other operating costs
 - To be funded from
 - Swim School – general advertising \$1,500
 - Health & Fitness - general advertising \$3,000
 - Café - general advertising \$ 500
 - OSHC – general advertising \$1,000
- 4.5. Increase in Capital expenditure of \$120,000* for Plant & Machinery – Miscellaneous Equipment (500 kVA Generator)
 - To be funded from
 - MARC maintenance – lease expense \$40,000
 - Proceeds from disposal \$80,000
- 4.6. Increase in Capital expenditure of \$230,000* for Lord Hobart Drive / Addingham Drive
 - To be funded from
 - RR Beacham St \$90,000
 - RR Fernwood Rd/ Old Coast Rd \$90,000
 - RR Merrivale St \$50,000

Council Resolution

MOTION

Moved: Councillor J Green
Seconded: Councillor C Di Prinzio

That Council:

1. **Receives the Financial Report for December 2019 as detailed in Attachment 1 of the report.**
2. **Receives the Schedule of Accounts for the following amounts as detailed in Attachment 2 of the report:**

Total Municipal Fund	\$ 10,483,604.86
Total Trust Fund	<u>\$ 17,906.10</u>
	<u>\$ 10,501,510.96</u>
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 - **To be funded from Department of Education contribution of \$86,466.80.**

- 4.2. Increase in capital expenditure of \$4,850* for Falcon Reserve Changeroom (CSRFF) project
- To be funded from
 - CSRFF project funds \$3,000*
 - South Mandurah Football Club Pavilion \$1,850*
- 4.3. Increase in Operating expenditure of \$37,000* for Corporate Archiving costs
- To be funded from
 - Election expenses \$27,000
 - Casual labour – records \$10,000
- 4.4. Increase in Operating expenditure of \$6,000* for Events - other operating costs
- To be funded from
 - Swim School – general advertising \$1,500
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 - OSHC – general advertising \$1,000
- 4.5. Increase in Capital expenditure of \$120,000* for Plant & Machinery – Miscellaneous Equipment (500 kVA Generator)
- To be funded from
 - MARC maintenance – lease expense \$40,000
 - Proceeds from disposal \$80,000
- 4.6. Increase in Capital expenditure of \$230,000* for Lord Hobart Drive / Addingham Drive
- To be funded from
 - RR Beacham St \$90,000
 - RR Fernwood Rd/ Old Coast Rd \$90,000
 - RR Merrivale St \$50,000

CARRIED WITH ABSOLUTE MAJORITY: 8/0

G.11/1/20 MEMBERSHIP, POWERS & DUTIES OF COMMITTEES (TJ) (REPORT 5)

Summary

In accordance with section 5.8 of the *Local Government Act 1995* (the Act) and *City of Mandurah Standing Orders Local Law 2016*, the Council has the ability to form committees to assist with the delivery of local government functions, decision-making functions and responsibilities.

At the Special Council Meeting held on 29 October 2019, Council adopted the terms of reference for the Audit and Risk Committee and the Executive Committee. At the Ordinary Council Meeting held on 17 December 2019, Council adopted the Ordinary Council Meeting Schedule for 2020 and deferred the establishment of additional committees to the January Ordinary Council Meeting.

Following extensive consultation with Elected Members on the most appropriate committee structure to support good governance and decision making, Council is requested to consider and adopt the powers and duties of the committee meeting structure and appoint members for

a term expiring on 15 October 2021. Three options are provided to Elected Members for consideration set out below:

1. Committee of Council, held once per month, generally two weeks prior to Ordinary Council Meetings, with a membership of up to nine Elected Members.
2. Strategy and Planning Committee, seven times per year, with the ability to increase the frequency as required, with a membership comprising of up to nine Elected Members.
3. Committee of Council, held once per month, generally two weeks prior to Ordinary Council Meetings and Strategy Committee, held four times per year, both committees comprising of a membership of up to nine Elected Members.

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

At its meeting on 17 December 2019 Council adopted Ordinary Council Meeting dates for 2020 only. Council is now requested to endorse the committee meeting dates for 2020 and advertise via local public notice and the City's noticeboards and website.

Officer Recommendation

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

Meeting	Date
Audit and Risk Committee	17 March 2020
Audit and Risk Committee	16 June 2020
Audit and Risk Committee	15 September 2020
Audit and Risk Committee	7 December 2020 (Monday)

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

Meeting	Date
Executive Committee	10 March 2020
Executive Committee	12 May 2020
Executive Committee	11 August 2020
Executive Committee	13 October 2020

That Council:

Option One

3. Approve the establishment of, powers and duties of Committee of Council as detailed in Attachment 1, and appoint the following Elected Members until 15 October 2021:

Councillor _____
 Councillor _____
 Councillor _____

Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____

Deputy Councillor _____
 Deputy Councillor _____

4. Resolve:
- 4.1 To disband the Public Art and Strategy Committee.
- 4.2 That the Minutes of the Public Art Committee held on Monday 18 February 2019 be confirmed.
- 4.3 That the Minutes of the Strategy Committee held on Monday 16 September 2019 be confirmed.
5. Approve the following Committee of Council Meeting dates commencing at 5:30pm, to be held in the Council Chambers, and advertise via local public notice:

Meeting Type	Date
Committee of Council	11 February 2020
Committee of Council	10 March 2020
Committee of Council	14 April 2020
Committee of Council	12 May 2020
Committee of Council	9 June 2020
Committee of Council	14 July 2020
Committee of Council	11 August 2020
Committee of Council	8 September 2020
Committee of Council	13 October 2020
Committee of Council	10 November 2020
Committee of Council	1 December 2020

****ABSOLUTE MAJORITY REQUIRED****

Option Two

3. Approve the establishment of, powers and duties of Council's Strategy and Planning Committee as detailed in *Attachment 2*, and appoint the following Elected Members until 15 October 2021:

Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____

Deputy Councillor _____
Deputy Councillor _____

- | Meeting Type | Date |
|---------------------------------|------------------|
| Strategy and Planning Committee | 11 February 2020 |
| Strategy and Planning Committee | 10 March 2020 |
| Strategy and Planning Committee | 14 April 2020 |
| Strategy and Planning Committee | 9 June 2020 |
| Strategy and Planning Committee | 11 August 2020 |
| Strategy and Planning Committee | 13 October 2020 |
| Strategy and Planning Committee | 8 December 2020 |

Option Three

- [illegible]

Deputy Councillor _____
 Deputy Councillor _____

5. Resolve:
- 4.1 To disband the Public Art.
- 4.2 That the Minutes of the Public Art Committee held on Monday 18 February 2019 be confirmed.
6. Approve the following Committee of Council Meeting dates commencing at 5:30pm, to be held in the Council Chambers, and advertise via local public notice:

Meeting Type	Date
Committee of Council	11 February 2020
Committee of Council	10 March 2020
Committee of Council	14 April 2020
Committee of Council	12 May 2020
Committee of Council	9 June 2020
Committee of Council	14 July 2020
Committee of Council	11 August 2020
Committee of Council	8 September 2020
Committee of Council	13 October 2020
Committee of Council	10 November 2020
Committee of Council	1 December 2020

7. Approve the establishment of, powers and duties of Council's Strategy Committee as detailed in Attachment 3, and appoint the following Elected Members until 15 October 2021:

Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____
 Councillor _____

Deputy Councillor _____
 Deputy Councillor _____

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

Meeting Type	Date
Strategy Committee	9 March 2020 (Monday)
Strategy Committee	8 June 2020 (Monday)
Strategy Committee	14 September 2020 (Monday)
Strategy Committee	8 December 2020

****ABSOLUTE MAJORITY REQUIRED****

Council Resolution

MOTION

Moved: Councillor R Williams

Seconded: Councillor P Jackson

That Council:

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

Meeting	Date
Audit and Risk Committee	17 March 2020
Audit and Risk Committee	16 June 2020
Audit and Risk Committee	15 September 2020
Audit and Risk Committee	7 December 2020 (Monday)

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

Meeting	Date
Executive Committee	10 March 2020
Executive Committee	12 May 2020
Executive Committee	11 August 2020
Executive Committee	13 October 2020

3. **Defer the establishment of additional committees to enable further discussion and consideration of the most appropriate committee meeting structure at Council's strategic planning weekend in March 2020.**

CARRIED WITH ABSOLUTE MAJORITY: 8/0

Reason: The alternative motion that carried was different to the officer recommendation by Council deferring the decision to establish additional committee meetings at this time. It is proposed that the committee meeting structure be discussed at Elected Members Strategic Planning session to be held in March 2020. Council will continue to consider items at Ordinary Council Meetings in February and March 2020.

G.12/1/20 ELECTED MEMBER AND CEO TRAINING, PROFESSIONAL DEVELOPMENT, TRAVEL AND EVENTS POLICY (TJ) (REPORT 6)**Summary**

Recent amendments to the *Local Government Act 1995* (the Act) has initiated a review of existing Council Policies relating to Elected Members entitlements and professional development. Following extensive consultation with Elected Members, a new Policy is now proposed titled Elected Member and Chief Executive Officer (CEO) Training, Professional Development, Travel and Events.

The proposed Policy incorporates new amendments under the Act relating to mandatory training and reporting, continuous professional development and attendance at events. The proposed Policy provides a framework for Elected Members and CEO for the following:

- Elected Member mandatory training and reporting and continuous professional development;
- Elected Member and CEO training and professional development including approved criteria, approval process, funding allocation;
- Travel, accommodation and insurance; and
- Elected Members and/or CEO Attendance at Events including criteria for attendance, approval process and payment.

Elected Members are now requested to adopt the Elected Member and CEO Training, Professional Development, Travel and Events.

Officer Recommendation

That Council adopt the Elected Member and Chief Executive Officer (CEO) Training, Professional Development, Travel and Events as per Attachment 1 of the report.

Council Resolution**MOTION**

Moved: **Councillor C Di Prinzio**

Seconded: **Councillor D Pember**

That Council adopt the Elected Member and Chief Executive Officer (CEO) Training, Professional Development, Travel and Events as per Attachment 1 of the report.

CARRIED WITH ABSOLUTE MAJORITY: 8/0

G.13/1/20 PLACE BASED COMMUNITY CAPACITY BUILDING MODEL IMPLEMENTATION (TH/VB) (REPORT 7)**Summary**

This report provides an overview of the City of Mandurah's new approach to Community Development, following Councils endorsement of the completed review into the City's Community Development function.

The place and community sector support approach aims to enable and empower communities, neighbourhoods and individuals to arrive at their own solutions. It is informed by state and national policy relating to key social trends and emerging issues such as mental health, loneliness, homelessness, child development, family breakdown and local data around community needs. The place approach uses an asset mapping framework and aims to facilitate community connections, build capacity and leadership and mobilise people to work together in addressing social challenges.

Council is requested to acknowledge the implementation of the place-based Community Capacity Building model.

Officer Recommendation

That Council acknowledges the phased approach to the implementation of the Place Based Community Capacity building model.

Council Resolution

MOTION

Moved: Councillor D Pember

Seconded: Councillor P Jackson

That Council acknowledges the phased approach to the implementation of the Place Based Community Capacity building model.

CARRIED UNANIMOUSLY: 8/0

G.14/1/20 DISTRICT COOLING FEASIBILITY STUDY: REQUEST TO PROCEED TO STAGE 2 (BB/KW) (REPORT 8)

Summary

The City is faced with the need to replace the Heating, Ventilation and Air-Conditioning (HVAC) systems in several large buildings (Administration, Cinema & MPAC) due to their age and condition. Under the Montreal Protocol the national phasing out of the R22 refrigerant that is used in the existing systems begins in 2020. The City has been aware of this situation for a number of years, and investigations into the most suitable like-for-like replacement have previously been made.

Due to the large loads and close proximity of these buildings to one another it has been identified that a centralised "district" or "precinct" HVAC system may be feasible. Several other buildings within the same precinct (Senior's Centre, Works & Services and the Civic Building) may also present opportunities for future integration.

A district HVAC system consists of a central cooling/heating plant which distributes tempered water or air to any number of buildings. The result is energy/cost savings and GHG emissions reductions when compared to a like-for-like individual building replacement. However multiple chiller plant, energy source and heat discharge configurations exist.

District HVAC systems are scalable with buildings being able to be added and removed to the system as required. Thereby future capital and overall operating expenditure can be reduced by connecting additional buildings to the central system as their HVAC systems also reach end of life.

The City engaged Wood and Grieve Engineers to conduct a two stage feasibility study to:

- a) assess the financial merits of a district HVAC system; (stage one)
- b) determine the most appropriate types of energy, plant and heat discharge configurations; and
- c) undertake the concept design of the preferred solution (stage two)

Stage one of the study assessed a “base case” like for like replacement against seven different district options. The most favourable option was a Central Water Sourced (with cooling towers) cooling system coupled with distributed (non-central) gas heating systems. This option provided the following key benefits compared to the base case scenario:

Financial

- \$3.1m lower life-cycle costs over 30 years
- Equipment replacement costs of \$2.23m over 25 years compared to a \$4m replacement every 15 years
- Potential to attract grant funding via the newly announced ARENA programme
- Ability to attract green finance via the Clean Energy Finance Corp

Environmental

- Abatement of 78 t CO₂-e annually compared to the base case replacement
- Abatement of 380 t CO₂-e annually compared to the currently installed system

Social / Governance

- A more flexible asset in terms of future infrastructure in the precinct
- An innovative solution likely to attract positive attention and interest

Officer Recommendation

That Council:

1. Endorse the outcomes of stage one of the feasibility study.
2. Approve officers to progress to stage two of the feasibility study including the concept design of the preferred solution and the concept design of the like-for-like replacement as a back-up solution.
3. Support officers pursuing external funding through the recently announced i-Hub funding program.
4. Acknowledge that officers will pursue funding sources for the capital costs associated with this project.

Council Resolution

MOTION

Moved: Councillor J Green

Seconded: Councillor Matt Rogers

That Council:

1. Endorse the outcomes of stage one of the feasibility study.
2. Approve officers to progress to stage two of the feasibility study including the concept design of the preferred solution and the concept design of the like-for-like replacement as a back-up solution.

3. **Support officers pursuing external funding through the recently announced i-Hub funding program.**
4. **Acknowledge that officers will pursue funding sources for the capital costs associated with this project.**

CARRIED UNANIMOUSLY: 8/0

G.15/1/20 MANDURAH MOTOR MARINE LEASE (BD/LP) (REPORT 9)

Summary

The current lease with Littlede Pty Ltd, trading as Mandurah Motor Marine (MMM), is due to expire on the 31 January 2020, with the renewal term being fully exercised upon this date. The lessee has formally requested support to enter into a new lease agreement with the City upon expiry for a further three years + two year renewal option.

MMM occupy a portion of Lot 31 Reserve Drive and a portion of Lot 25 Park Road Mandurah, being City freehold owned land, with a total lease area of 2,745 square metres.

In accordance with *S3.58 (3) and (4) of the Local Government Act 1995 (LGA)* the City is required to advertise any land disposal by means of public notification. Council is requested to approve the advertising of, and if no submissions received, the disposal of a lease to Littlede Pty Ltd over a portion of Lot 31 (No. 34) Reserve Drive and portion of Lot 25 (95A) Park Road, Mandurah for a term of three years with a two year renewal option (3+2 years) for an annual rent of \$38,430 (exc GST).

Officer Recommendation

That Council:

1. Approves the advertisement of the disposal of portion of Lot 31 Reserve Drive and portion of Lot 25 Park Road, Mandurah, and if no submissions received dispose of the 2745 sq. metre site to Littlede Pty Ltd trading as Mandurah Motor Marine via a lease agreement with the following terms and conditions;
 - 1.1 Term of three years commencing after the advertising period is completed, with a two-year option of renewal (3+2 years);
 - 1.2 Annual rental rate commencing at \$38,430 (excl. GST) with a rent review at the end of the first term and Consumer Price Index (CPI) rate applied annually;
 - 1.3 The valuation costs of \$1650 (inclusive of GST) as determined by the appointed valuer to be on-charged to the lessee;
 - 1.4 90 day notice to vacate clause will apply only in the event that one or both of the lessee's commercial tenancies located on 51 Reserve Drive give formal notice to vacate to the Director of Littlede Pty Ltd t/a Mandurah Motor Marine;
 - 1.5 All costs associated with the preparation of the lease, advertising and Council report fee totalling \$2270 will be payable by the lessee;

- 1.6 Should the new lease run its full term including the renewal option exercised, the City will refund 50% of the set-up costs and 50% of the valuation cost, with the total refund being \$1960;
2. Authorises the Chief Executive Officer to finalise the conditions of the lease agreement.

Council Resolution

MOTION

Moved: Councillor Peter Rogers

Seconded: Councillor C Di Prinzio

That Council:

1. Approves the advertisement of the disposal of portion of Lot 31 Reserve Drive and portion of Lot 25 Park Road, Mandurah, and if no submissions received dispose of the 2745 sq. metre site to Littlede Pty Ltd trading as Mandurah Motor Marine via a lease agreement with the following terms and conditions;
 - 1.1 Term of three years commencing after the advertising period is completed, with a two-year option of renewal (3+2 years);
 - 1.2 Annual rental rate commencing at \$38,430 (excl. GST) with a rent review at the end of the first term and Consumer Price Index (CPI) rate applied annually;
 - 1.3 The valuation costs of \$1650 (inclusive of GST) as determined by the appointed valuer to be on-charged to the lessee;
 - 1.4 90day notice to vacate clause will apply only in the event that one or both of the lessee's commercial tenancies located on 51 Reserve Drive give formal notice to vacate to the Director of Littlede Pty Ltd t/a Mandurah Motor Marine;
 - 1.5 All costs associated with the preparation of the lease, advertising and Council report fee totalling \$2270 will be payable by the lessee;
 - 1.6 Should the new lease run its full term including the renewal option exercised, the City will refund 50% of the set-up costs and 50% of the valuation cost, with the total refund being \$1960;
2. Authorises the Chief Executive Officer to finalise the conditions of the lease agreement.

CARRIED UNANIMOUSLY: 8/0

G.16/1/20 2022 CANOE OCEAN RACING WORLD CHAMPIONSHIPS (CT) (REPORT 10)Summary

Through the City of Mandurah's partnership with Sports Marketing Australia, the opportunity has been presented to bid to host the 2022 Canoe Ocean Racing World Championships. Ocean racing often features athletes from canoe sprint and canoe marathon racing, with international competitors travelling from countries including USA, Europe, South Africa and New Zealand.

The 2022 Canoe Ocean Racing World Championships would run for three days (Wednesday – Friday) with an Opening Ceremony on Tuesday, and Closing Ceremony on the Friday/Saturday evening of the same week. Competitors would arrive in Mandurah the weekend prior to practice and familiarise themselves with the course.

The proposed date for the 2022 event will fall in late October/November, (this will be outside school holidays, and sea breeze is more predictable for downwind conditions). The total bid amount requested to successfully host this event in Mandurah is \$50,000, and would need to be allocated in the City's 2022/23 operating budget.

Should the bid for 2022 be unsuccessful, the City would have the follow up option of putting Mandurah forward as the host destination for 2023 with the budget then being allocated in the 2023/24 financial year.

Council is requested to support the City's bid to host the 2022 Canoe Ocean Racing World Championship event in Mandurah.

Officer Recommendation

That Council:

1. Supports the City of Mandurah's bid to host the 2022 Canoe Ocean Racing World Championship event in Mandurah.
2. Notes that if the event bid is successful, an amount of \$50,000 will be listed in the City's 2022/23 Operating Budget to support the delivery of the 2022 Canoe Ocean Racing World Championships in Mandurah.
3. Authorises the Chief Executive Officer to sign the relevant agreement.

Council Resolution**MOTION**

Moved: Councillor Peter Rogers

Seconded: Councillor J Green

That Council:

1. **Supports the City of Mandurah's bid to host the 2022 Canoe Ocean Racing World Championship event in Mandurah.**
2. **Notes that if the event bid is successful, an amount of \$50,000 will be listed in the City's 2022/23 Operating Budget to support the delivery of the 2022 Canoe Ocean Racing World Championships in Mandurah.**

3. Authorises the Chief Executive Officer to sign the relevant agreement.

CARRIED UNANIMOUSLY: 8/0

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN [AGENDA ITEM 18]**G.17/1/20 MAYOR WILLIAMS: DONATION TO THE FOUNDATION FOR RURAL AND REGIONAL RENEWAL DISASTER RESILIENCE AND RECOVERY FUND**

The recent fires across the east states of Australia have truly been devastating. They have caused a great deal of psychological trauma in the affected communities, have tragically resulted in the loss of lives, as well as massive property damage, loss and injury to livestock and fauna, and has had a significant impact on the environment. There is no doubt this will become one of Australia's worst natural disasters in recent years.

The City of Mandurah has a proud history of supporting fundraising in such circumstances and the proposed amount reflects the severity of this disaster.

In response to the devastating consequences of these fires for local communities, Council is requested to approve this donation to the Foundation for Rural and Regional Renewal Disaster Resilience and Recovery Fund.

Mayor Rhys

Council Resolution**MOTION**

Moved: Mayor R Williams

Seconded: Councillor C Di Prinzio

That Council:

1. Extends its sympathies and best wishes to those in the communities who have suffered loss and damage in the catastrophic fires in the eastern states of Australia.
2. Approves an unbudgeted donation of \$25,000 to the Foundation for Rural and Regional Renewal Disaster Resilience and Recovery Fund.

CARRIED WITH ABSOLUTE MAJORITY: 8/0

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING [AGENDA ITEM 19]

Nil.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 20]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 21]**MOTION**

Moved: Councillor Peter Rogers

Seconded: Councillor C Di Prinzio

That the meeting proceeds with closed doors at 6.23pm in accordance with Section 5.23(2) of the *Local Government Act 1995*, to allow for the confidential discussion of items.

CARRIED UNANIMOUSLY: 8/0

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

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.23PM

Councillor Peter Rogers and the Chief Executive Officer re-stated their disclosure of impartiality interest as per Minute G.6/1/20 in the following item.

G.18/1/20 CONFIDENTIAL ITEM: REVIEW RECOMMENDATIONS (MN) (CONFIDENTIAL REPORT 1)

Confidential discussion ensued regarding this issue.

MOTION

Moved: Councillor J Green

Seconded: Councillor D Pember

That Council:

- 1 Notes the internal reviews that have already taken place at the direction of the Board of Mandurah Performing Arts (Inc).**
- 2 Notes the current trial by Mandurah Performing Arts (Inc) of utilising Council's accounting service.**
- 3 Requests the Chief Executive Officer to undertake a benchmarking exercise of similar Council owned performing arts centres, particularly in relation to annual subsidies and operating methods.**

- 4 Requests the Chief Executive Officer to arrange a suitable strategy discussion to revisit the City of Mandurah's expectations of the Mandurah Performing Arts Centre.
- 5 Authorises the allocation of \$40,000 (from the Chief Executive Officers Project Account) to enable the Mandurah Performing Arts (Inc) Board to undertake a thorough review of the operating practices of the Mandurah Performing Arts Centre. This funding to be made available following a submission by the Board which adequately details the proposed scope of the review.

CARRIED UNANIMOUSLY: 8/0

G.19/1/20 CONFIDENTIAL ITEM: LAND SALES (BD) (CONFIDENTIAL REPORT 2)

Confidential discussion ensued regarding this issue.

MOTION

Moved: Councillor D Pember
Seconded: Councillor P Jackson

That Council:

1. Approves the ongoing marketing of all the remaining valued lots in the Samphire Cove Estate, Halls Head as detailed in Table One set out in the Confidential Report;
2. Approves the current pricing as outlined in Table One of the Confidential Report being adopted as the Reserve prices for the tender process;
3. Acknowledges that immediately following the tender process a six month direct to market sales campaign will commence, with the direct to market sale prices being adopted as detailed in Table One of the Confidential Report;
4. Authorises the Chief Executive Officer (Director of Sustainable Communities) to accept offers below the direct to market set pricing, but that meet the set reserve prices;
5. Authorises the Chief Executive Officer (Director of Sustainable Communities) to finalise the sale and settlement of any property that meets Council approved criteria for all lots during the term and six month marketing campaign;
6. Acknowledges that a further report will be presented to Council at the completion of the six month direct to market sales campaign.

CARRIED UNANIMOUSLY: 8/0

G.20/1/20

MOTION

Moved: Councillor Matt Rogers

Seconded: Councillor D Pember

That the meeting proceeds with open doors.

CARRIED UNANIMOUSLY: 8/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.29PM

G.21/1/20

MOTION

Moved: Councillor Matt Rogers

Seconded: Councillor Peter Rogers

That Council endorses the resolutions taken with closed doors.

CARRIED UNANIMOUSLY: 8/0

CLOSE OF MEETING [AGENDA ITEM 22]

There being no further business, the Mayor declared the meeting closed at 6.29pm.

CONFIRMED (MAYOR)