

MINUTES OF SPECIAL COUNCIL MEETING

Held on

Tuesday 7 December 2021 at 5.30pm

Held at Council Chamber, 83 Mandurah Terrace Mandurah

PRESENT:

MAYOR	R WILLIAMS	
COUNCILLOR	B POND	COASTAL WARD
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	D PEMBER	EAST WARD
COUNCILLOR	D WILKINS	EAST WARD
COUNCILLOR	C KNIGHT [Deputy Mayor]	NORTH WARD
COUNCILLOR	P JACKSON	NORTH WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	D SCHUMACHER	TOWN WARD
COUNCILLOR	P ROGERS	TOWN WARD
COUNCILLOR	R BURNS	TOWN WARD

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MS	C MIHOVILOVICH	DIRECTOR BUSINESS SERVICES
MS	J THOMAS	DIRECTOR PLACE AND COMMUNITY
MR	J CAMPBELL-SLOAN	DIRECTOR STRATEGY AND ECONOMIC DEVELOPMENT
MR	M HALL	ACTING DIRECTOR BUILT AND NATURAL ENVIRONMENT
MRS	T JONES	MANAGER GOVERNANCE, PROCUREMENT AND LAND
MRS	L SLAYFORD	MINUTE OFFICER

1 OPENING OF MEETING

The Mayor declared the meeting open at 5.30pm.

2 ACKNOWLEDGEMENT OF COUNTRY

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.

3 APOLOGIES

Apologies

Councillor A Kearns
Councillor C Di Prinzio

4 DISCLAIMER

The Mayor advised that the purpose of this Special 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 the *City of Mandurah Standing Orders 2016* (Section 13.1(1)) 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.

5 PUBLIC QUESTION TIME

SP.1/12/21 G TAYLOR: MANDURAH TERRACE STREETSCAPE WORKS

Mr Taylor asked who wrote Report 1 Mandurah Terrace Streetscape Works and why there was no name attached to the item.

City of Mandurah Response

The Chief Executive Officer advised City of Mandurah officers write the reports which are presented to Council via the Chief Executive Officer.

SP.2/12/21 D TUCKEY: MANDURAH TERRACE STREETSCAPE WORKS

Mr Tuckey asked if it was Council's position to facilitate items for consideration at the request of developers and whether the Smart Street streetscape works would have been completed by now if it wasn't for the development application received?

City of Mandurah Response

The Chief Executive Officer advised that discussions with key property owners seeking development had been undertaken which brought forward discussions regarding traffic management in the vicinity. The City of Mandurah is reviewing the traffic and parking plans for the area in the coming 12 months and the landowner discussions have stimulated this aspect bringing forward the City's plans.

6 DEPUTATIONS

SP.3/12/21 G O'BRIEN: MANDURAH TERRACE STREETSCAPE WORKS

Mr O'Brien representing Silverleaf Investments spoke in support of the report recommendation.

7 DECLARATION OF INTERESTS

Nil.

8 QUESTIONS FROM ELECTED MEMBERS

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

Nil.

9 REPORTS

SP.4/12/21 MANDURAH TERRACE STREETSCAPE WORKS (REPORT 1)

Summary

As a result of the progression of the Mandurah Waterfront projects, inclusive of the Smart Street Mall upgrade works and the delivery of a range of improved public spaces through infrastructure delivery, the section of Mandurah Terrace between Smart Street and Tuckey Street warrants a further review of its form and function. Stimulated through discussions with key landowners seeking to deliver significant private investment in the City, and giving consideration to linking the Smart Street Mall master plan and completed works and the progress of the Eastern Foreshore South component of the Waterfront project, this part of Mandurah Terrace with regard to form and function has been reviewed by officers during that later part of 2021.

There is currently a strong south to north movement system on Mandurah Terrace and whilst it operates in a slow speed environment, the continual movement plus on-street parking creates a restricted access between the active shop fronts and the foreshore.

In reviewing the movement network, and the restricted access to the Waterfront and core parking areas in the City Centre, it is recommended that connections between Tuckey Street and Barracks Lane are strengthened and improved. This includes the reintroduction of two-way movement on Mandurah Terrace between Smart Street and Tuckey Street, and a one-way movement at the western end of Smart Street back into Barracks Lane via a formalised and legal access.

Council is requested to provide support for this plan in order to allow for detailed design, costings, budgeting, construction and communication timeframes to be further progressed.

Amended Officer Recommendation

That Council:

1. Endorse the road network improvements that connects Mandurah Terrace from Tuckey Street to Barracks Lane through a two-way movement on Mandurah Terrace; a west to east one-way movement on Smart Street and a north-south one-way movement between Smart Street and Barracks Lane, subject to acquisition of the required land;
2. Endorses the Mandurah Terrace Concept Plan in order to progress the plan to detailed design and costings, and further report back to Council for approval prior to project commencement;
3. Notes that the project will form part of the next review of the long-term financial plan and subsequent budgets for delivery;
4. Notes that officers will continue with broader community, business and landowner engagement regarding the delivery; and inclusion in the formulation of the City Centre Master Plan and City Centre Car Parking Plan being prepared during 2022.
5. Officers complete the City Centre Masterplan and City Centre Car Parking Plan within 12 months for Council endorsement, prioritising pedestrian-first principles, increasing the City Centre urban tree canopy, and the application of Smart City technologies.

During debate on the item Councillor D Schumacher requested the following question to be recorded in the minutes:

Question from Councillor D Pember:

Does the amended officer recommendation ensure that Council approve the road network improvements (including land acquisition) and it is brought back to Council for consideration?

Response from the Chief Executive Officer:

A further report on the matter would be presented to Council as stated in recommendation point 2 in relation to the detailed designs, costings and land acquisition. The current recommendation does not authorise the CEO to proceed with the works and this will be a Council decision.

Council Resolution

MOTION

Moved: Mayor R Williams
Seconded: Councillor C Knight

That Council:

1. **Endorse the road network improvements that connects Mandurah Terrace from Tuckey Street to Barracks Lane through a two-way movement on Mandurah Terrace; a west to east one-way movement on Smart Street and a north-south one-way movement between Smart Street and Barracks Lane, subject to acquisition of the required land;**

2. **Endorses the Mandurah Terrace Concept Plan in order to progress the plan to detailed design and costings, and further report back to Council for approval prior to project commencement;**
3. **Notes that the project will form part of the next review of the long-term financial plan and subsequent budgets for delivery;**
4. **Notes that officers will continue with broader community, business and landowner engagement regarding the delivery; and inclusion in the formulation of the City Centre Master Plan and City Centre Car Parking Plan being prepared during 2022.**
5. **Note officers to complete the City Centre Masterplan and City Centre Car Parking Plan within 12 months for Council endorsement, prioritising pedestrian-first principles, increasing the City Centre urban tree canopy, and the application of Smart City technologies.**

CARRIED: 9/2

FOR: Mayor R Williams, Councillors Green, Jackson, Knight, Pember, Pond, Schumacher, Wilkins and Zilani

AGAINST: Councillors R Burns and P Rogers

Reason for change: Confirms that Council approves the proposal, however the implementation of the acquisition depends on further steps required to implement.

Additional recommendation 5 has been included to demonstrate the City's commitment to ensuring planning of the City Centre occurs in a pedestrian friendly, environmental and technologically advanced manner.

The Director Built and Natural Environment left the meeting at 6.16pm and did not return to the meeting.

SP.5/12/21 TENDER 17-2021 PLANT AND MACHINERY WET HIRE (REPORT 2)

Summary

The City of Mandurah (the City) invited tenders for Tender 17-2021 - Plant and Machinery Wet Hire (T17-2021) and as a result of the evaluation of tendered submissions, the Council is requested to accept Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction for the following contract portions:

- Separable Package One - Large and Medium Plant and Equipment Wet Hire for Civil Works
- Separable Package Two - Small Plant and Equipment Wet Hire for Civil Works
- Separable Package Three - Small Plant and Equipment Wet Hire for Landscape Services

Noting that for Separable Package Four - Mini Skid Steer Wet Hire – the Evaluation Panel recommendation is to decline all tender submissions and return to the market under a formal quotation process.

Officer Recommendation

That Council:

1. Accepts the tender from Gotimon Pty Ltd trading as Urban Outlook Landscape Construction as the preferred tenderer for Tender 17-2021 Plant and Machinery Wet Hire for the following Separable Work Packages:
 - 1.1 Separable Package 1 - Large and Medium Plant and Equipment Wet Hire for Civil Works
 - 1.2 Separable Package 2 - Small Plant and Equipment Wet Hire for Civil Works
 - 1.3 Separable Package 3 - Small Plant and Equipment Wet Hire for Landscape Servicesfor a period of three years with one option to extend for a further two years at the sole discretion of the City for the Schedule of Rates offered, exclusive of GST as the most advantageous.
2. Accepts no tender for Package Four - Mini Skid Steer Wet Hire and that the City commences procurement planning for a return to the market under a formal quotation process.

Council Resolution**MOTION**

Moved: Councillor B Pond
Seconded: Councillor J Green

That Council:

1. **Accepts the tender from Gotimon Pty Ltd trading as Urban Outlook Landscape Construction as the preferred tenderer for Tender 17-2021 Plant and Machinery Wet Hire for the following Separable Work Packages:**
 - 1.1 **Separable Package 1 - Large and Medium Plant and Equipment Wet Hire for Civil Works**
 - 1.2 **Separable Package 2 - Small Plant and Equipment Wet Hire for Civil Works**
 - 1.3 **Separable Package 3 - Small Plant and Equipment Wet Hire for Landscape Services**for a period of three years with one option to extend for a further two years at the sole discretion of the City for the Schedule of Rates offered, exclusive of GST as the most advantageous.
2. **Accepts no tender for Package Four - Mini Skid Steer Wet Hire and that the City commences procurement planning for a return to the market under a formal quotation process.**

CARRIED: 11/0

10 CONFIDENTIAL BUSINESS

SP.6/12/21 CLOSE DOORS

MOTION

Moved: Councillor D Schumacher
Seconded: Councillor P Rogers

That the meeting proceeds with closed doors at 6.18pm in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, to allow for the confidential discussion of an item.

CARRIED: 11/0

Employees and persons in the gallery left the meeting at this point. The Minute Officer remained with the Chief Executive Officer.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.18PM

SP.7/12/21 CONFIDENTIAL ITEM: EMPLOYMENT CONTRACT (CONFIDENTIAL REPORT 1)

Confidential discussion ensued regarding this issue.

MOTION

Moved: Councillor C Knight
Seconded: Councillor P Rogers

That Council:

- 1 Approves the appointment of Applicant A on a five-year contract as Director Built and Natural Environment.**
- 2 Notes the Chief Executive Officer will negotiate the terms of the contract.**

CARRIED: 11/0

SP.8/12/21 OPEN DOORS

MOTION

Moved: Councillor C Knight
Seconded: Councillor D Schumacher

That the meeting proceeds with open doors.

CARRIED: 11/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.34PM

SP.9/12/21 ENDORSE RESOLUTIONS

MOTION

Moved: Councillor P Jackson
Seconded: Councillor P Rogers

That Council endorses the resolutions taken with closed doors.

CARRIED: 11/0

11 CLOSE OF MEETING

There being no further business the Mayor declared the meeting closed at 6.34pm.

CONFIRMED (MAYOR)

Attachment to minutes: Special Council Agenda 7 December 2021

CONFIRMED

NOTICE OF MEETING

SPECIAL MEETING OF COUNCIL TO CONSIDER:

- 1. MANDURAH TERRACE STREETScape WORKS**
- 2. TENDER 17-2021 PLANT AND MACHINERY WET HIRE**
- 3. CONFIDENTIAL ITEM: EMPLOYMENT CONTRACT**

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

Tuesday 7 December 2021 at 5.30pm

MARK R NEWMAN
Chief Executive Officer
2 December 2021

AGENDA:

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES

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 PUBLIC QUESTION TIME

Public Question time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

6 DEPUTATIONS

Any person or group wishing to make a Deputation to Council regarding a matter listed on this agenda for consideration must complete an application form. For more information regarding making a deputation please visit the City's website www.mandurah.wa.gov.au or telephone 9550 3787.

7 DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS

8 QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)

8.1 Questions of which due notice has been given

8.2 Questions of which notice has not been given

9 REPORTS:

No.	Item	Page No	Note
1	Mandurah Terrace Streetscape Works	1 - 8	
2	Tender 17-2021 - Plant and Machinery Wet Hire	9 - 11	

10 CONFIDENTIAL ITEMS

10.1 Employment Contract

11 CLOSE OF MEETING

1 **SUBJECT:** Mandurah Terrace Streetscape Works
 DIRECTOR: Strategy and Economic Development and
 Built and Natural Environment
MEETING: Special Council Meeting
MEETING DATE: 7 December 2021

Summary

As a result of the progression of the Mandurah Waterfront projects, inclusive of the Smart Street Mall upgrade works and the delivery of a range of improved public spaces through infrastructure delivery, the section of Mandurah Terrace between Smart Street and Tuckey Street warrants a further review of its form and function. Stimulated through discussions with key landowners seeking to deliver significant private investment in the City, and giving consideration to linking the Smart Street Mall master plan and completed works and the progress of the Eastern Foreshore South component of the Waterfront project, this part of Mandurah Terrace with regard to form and function has been reviewed by officers during that later part of 2021.

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In reviewing the movement network, and the restricted access to the Waterfront and core parking areas in the City Centre, it is recommended that connections between Tuckey Street and Barracks Lane are strengthened and improved. This includes the reintroduction of two-way movement on Mandurah Terrace between Smart Street and Tuckey Street, and a one-way movement at the western end of Smart Street back into Barracks Lane via a formalised and legal access.

Council is requested to provide support for this plan in order to allow for detailed design, costings, budgeting, construction and communication timeframes to be further progressed.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

- G.17/4/19 30 April 2019 Adopted Smart Street Precinct Upgrade Concept for progression to detailed design and implementation, which included the retention of one-way vehicle movement at the western end of Smart Street;
- G.20/4/19 26 February 2019 Adopted the City Centre Waterfront Concept Plans which included the Western Foreshore Recreation Precinct; Eastern Foreshore South Precinct and Eastern Foreshore North Precinct for progression to detailed design and implementation.

Background

The pedestrian and vehicular movement network within the Mandurah City Centre has historically been subject to many reviews and changes over an extended period. In particular, the southern part of Mandurah Terrace has changed and evolved over the last 40 years as the City Centre and Mandurah in general has grown and the infrastructure in the broader district have undergone significant changes, mainly with regard to connections over the estuary.

In the 1980's, Mandurah Terrace and Sholl Street formed a one-way pair system with three lanes in each direction, complimented by east-west movements on Gibson Street and Pinjarra Road. During this time, Smart Street was converted to a pedestrian mall for a large extent of its length

In the 1990's, further changes were made with the southern end of Sutton Street having a stronger role until the 2000's when the full extent of Sutton Street was opened north of Gibson and Sholl and the Mandurah Terrace form and function was modified. In the late 2000's, the streetscape upgrades were completed and further network changes implemented.

Unlike conventional suburban centres, the Mandurah City Centre is structured on a grid street system with smaller street blocks. This grid lends itself to being subject to change and adaptation and the reintroduction of a street grid two-way movement systems is considered in traditional centres to have positive impacts on trade and activity for business.

In areas of high pedestrian amenity, these movement systems are complimented by surface treatments and vertical elements to manage the speed and traffic environment, often known as 'shared spaces'.

Given the progress of the Smart Street mall upgrade, the delivery of the Waterfront and relative success of the dining precinct, the component of Mandurah Terrace between Smart Street and Tuckey Street as the connection point between these two infrastructure projects is right for review on the basis of the following key principles :

- Creating a safe, reliable, and sustainable movement network to connect the city;
- Improving access for pedestrians and cyclists;
- Improving visibility of and access to currently underutilised parking; and
- Connecting Smart Street to a world class waterfront.

In conjunction with this review and infrastructure projects, through the Corporate Business Plan, the City is progressing a City Centre Master Plan and City Centre Car Parking Plan. In addition, significant private investment projects are being progressed, including a development application for Lot 571 and 572 Mandurah Terrace which is considered a catalyst for further development outcomes in the City Centre.

Comment

In undertaking this review, it is recommended that the re-introduction of two-way vehicle movement be progressed for Mandurah Terrace between Tuckey Street and Smart Street, and the existing one-way

movement in Smart Street is modified to be in an easterly direction and formalised in the way that the connection is provided to Barracks Lane.

In conjunction, the pavement treatment and detailed design is to focus on being a shared space, high amenity and activity (such as alfresco spaces), narrow pavements and sharp corners to manage speed and to ensure that the space is a destination rather than through-route.

The key and most significant outcome will be to provide visitors to the precinct with an anti-clockwise network around Smart Street and Barracks Lane (i.e. left turns rather than right) and provide more direct opportunities to locate parking back from the foreshore/waterfront and walk through the precinct.

Attachment 1.1 outlines the concept with a focus on the existing and proposed movement network, imagery and a concept plan to demonstrate the key principles to advise the detailed design.

In preparing the plan, external consultant advice from traffic engineers, Cardno, was sought to test the plan and its outcomes with their outcomes presented as follows:

The proposed modification would result in the addition of a southbound connection from Mandurah Terrace to Barrack Lane via Smart Street. This will add more permeability to the road network and is anticipated to impact traffic pattern in the area.

Potential changes in traffic patterns identified are discussed below:

Diversion of Mandurah Terrace Southbound Traffic

Southbound traffic on Mandurah Terrace that are trying to head south towards Pinjarra Road via Tuckey Street and Sholl Street or Sutton Street, may divert to Smart Street instead and reach Pinjarra Road via Barracks Lane.

The alternative route via Smart Street and Barracks Lane would be more attractive to traffic heading west (turning right) on Pinjarra Road. This is due to the occasional congestion that is sometime observed on Sholl Street at the Pinjarra Road signals. Most of this queue at the signals is believed to consist mostly of vehicles trying to turn right into Pinjarra Road west.

On the contrary, it is unlikely that traffic wishing to head east on Pinjarra Road would be attracted to the Smart Street / Barracks Lane route as there is almost no advantage over the existing route; they are of similar travelling distance and the existing route via Tuckey Street offers additional options from which to reach Pinjarra Road, e.g. Sholl Street, Sutton Street, George Street, etc.

Therefore, the proposed Smart Street modification would likely attract some traffic heading west on Pinjarra Road. To deter or lessen the possibility of rat-run through the Smart Street Barracks Lane route, additional works below can be considered:

- Provide traffic calming along the modified section of Mandurah Terrace and Smart Street, to assist making the route less desirable.*
- Provide central median on Pinjarra Road opposite Barracks Lane, potentially by extending the existing median at Pinjarra Road / Mandurah Terrace intersection. This would restrict Barracks Lane to be left-in left-out only at Pinjarra Road.*

Diversion of Mandurah Terrace Northbound Traffic

Traffic exiting the parking area (off-street and on-street) on Mandurah Terrace south of Smart Street could turn right at Smart Street and go via Barrack Lane to reach Pinjarra Road instead of the existing Tuckey Street and Sholl Street route. This alternative route can be quite attractive as it is significantly shorter than the existing route.

To prevent this diversion / rat-run, the design of Mandurah Terrace and Smart Street should not allow for northbound vehicles on Mandurah Terrace to turn right at Smart Street. This could be achieved by providing a solid median in the centre of the road.

In addition to the above, Cardno is currently developing a micro simulation model for the City Centre and when completed it can be modified to include the proposed modification to better understand the potential impact to the wider road network in the City Centre area. If the micro-simulation model found that the proposed road modification shows impact in addition to the above, further remediation can be considered.

Pedestrian Amenity

The addition of the southbound traffic lane would result in increased traffic flow as well as increase in crossing distance which would somewhat reduce pedestrian amenity on Mandurah Terrace. The existing crossing location at Mandurah Terrace / Smart Street intersection is also impacted by the proposed southbound lane.

To address impact to pedestrian amenity, a few measures below (or combination of) can be considered:

- *Additional traffic calming between Tuckey Street and Smart Street to ensure speed are at or below 40km/h. Due to limited road width, vertical deflection devices such as road hump would be suitable;*
- *The intersection of Mandurah Terrace / Smart Street can be raised to slow vehicles travelling through the intersection and improve pedestrian amenity when crossing either Mandurah Terrace or Smart Street.*
- *Raising Mandurah Terrace between Tuckey Street and Smart Street, and Smart Street itself to be level with the verge/footpath and signed as shared zone with 10km/h speed limit.*

Impact to Parking

The proposed modification would result in some loss of public bays on Mandurah Terrace. This is considered to be a minor reduction in public parking supply in the immediate area, and should not result in undue negative impact.

The City Centre Car Parking Strategy (2011) identified the Mewburn Centre as a potential location for a decked car parking. An update to the parking strategy is currently planned by the City which may provide additional recommendations to manage employee or all-day parking in the City Centre.

Each of the above recommended points have been factored into the Concept Plan, including but not limited to:

- the provision of formalised pedestrian crossings at each and of the Mandurah Terrace part of the plan, complimented by an entry statement structure with vertical elements (as per the Smart Street plan for the southern crossing), to provide a 'sense of enclosure' at the northern end;
- Narrow lane widths to minimum standards and tight kerb lines at corners as contributors to slow points and to mitigate 'rat runs';
- Consideration to how the access lane movement connections with Barracks Lane are provided – possibly as a left out only and then consideration to a median treatment on Pinjarra Road to only provide a left in – left out; however, this is to be further explored with the City Centre Master Plan and Parking Plan;
- Consideration to the form and function of the street lighting and provision of street trees on the eastern side;

- Consideration to the levels provided on Mandurah Terrace – which will require review with detailed design and the cost implication of options to either provide a flush (flat) surface; or leaving the levels whereby the existing car bays are on a raised level. The key aspect to consider will be the longevity and health of the existing trees along this extent of Mandurah Terrace which provide significant landscape quality to the area.

Consultation

Following the Elected Member's briefing on 16 November 2021, officers have actively been engaging with key landowners and businesses along Mandurah Terrace and Smart Street to outline the concept and approach to the network changes. Largely, these discussions have been positive in nature and have raised further matters that require consideration in the preparation of the City Centre Master Plan and the Car Parking Plan for matters such as location and supply of parking, wayfinding signage, loading bays for service vehicles and so on. Notes of these informal discussions are provided as a Confidential Attachment 1.2.

Should Council support the concept plan, further communications will be continued as the detailed design, construction program and delivery take place.

Statutory Environment

To facilitate the formalisation of the access between Smart Street and Barracks Lane, Lot 301, an existing 3m access way will be required to be converted to a road reserve, and a portion of land from Lot 350 will also require acquisition. The process to be followed to implement these changes will be formalised dependent on negotiations with the subject landowners.

Policy Implications

The plans prepared do not impact further development potential beyond provisions that are currently in the City Centre Precinct Plan regarding setbacks and access. The formalisation of the access between Smart Street and Barracks Lane was envisaged to take place through an easement at development stage for Lot 350 – however, as the plan to formalise this access prior to development, an alternative method of acquisition will be required. In the short term, a concept layout for the existing car parking at the rear of Lot 350 has been shown on the Concept Plan.

Financial Implications

Detailed designs and costings will be required as the next stage of delivery should Council adopt the concept plan. As outlined in the comment section, the key outcome will be the options between raising the level of the carriageway, eastern parking / alfresco spaces and footpaths in a complete redevelopment option; or extending the carriageway width at the same level as existing. The outcomes will need to be factored into the remaining budget allocation for the Smart Street project, and factored into Long Term Financial Plan review. In addition, some land acquisition costs will be required to formalise the access between Smart Street and Barracks Lane. Indicatively, costs are likely to be in the range of \$1M to \$1.5M to deliver.

At a strategic level, the level of investment in the public domain is likely to be a catalyst for further private investment and the economic outcomes will benefit the City Centre's future in a positive manner.

Risk Analysis

There is a risk that the Concept Plan and its delivery is reviewing a small part of the City Centre rather than the 'bigger' picture being considered; however, this is mitigated by the manner in which the Smart Street and Waterfront projects have been planned, design and delivered – small project areas being combined to set the scene and deliver a redeveloped City Centre in stages.

Further risks such as costs, timing of delivery, land acquisition require further refinement following the adoption of the Concept Plan by Council. Progress updates and further decisions following the detailed planning will be brought to Council.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2020 – 2040 are relevant to this report:

Economic:

- Promote and foster business investment aimed at stimulating economic growth.
- Facilitate and advocate for sustainable local job creation and industry diversification.
- Actively partner and engage with business and industry to build Mandurah's entrepreneurial capacity and capability.

Social:

- Facilitate safe neighbourhoods and lifestyles by influencing the built form through urban design.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.
- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.

Health:

- Provide and facilitate quality infrastructure that is accessible, and conducive to a healthy, active community.

Environment:

- Advocate for and partner with all levels of Government and other agencies to ensure environmental impacts are considered in all strategy development and decision making.

Organisational Excellence:

- Demonstrate regional leadership and advocate for the needs of our community.
- Listen to and engage with our community in the decision-making process.

Conclusion

As a result of the progression of the Mandurah Waterfront group of projects, inclusive of the Smart Street Mall upgrade works and the delivery of a range of improved public spaces through infrastructure delivery, the section of Mandurah Terrace between Smart Street and Tuckey Street warrants a further review of its form and function.

Stimulated through discussions with key landowners seeking to deliver significant private investment in the City, and giving consideration to linking the Smart Street Mall master plan and completed works and the progress of the Eastern Foreshore South component of the Waterfront project, this part of Mandurah Terrace with regard to form and function has been reviewed by officers during that later part of 2021.

In reviewing the movement network, and the restricted access to the Waterfront and core parking areas in the City Centre, it is recommended that connections between Tuckey Street and Barracks Lane are strengthened and improved. This includes the reintroduction of two-way movement on Mandurah Terrace between Smart Street and Tuckey Street, and a one-way movement at the western end of Smart Street back into Barracks Lane via a formalised and legal access.

Council is requested to provide support for this plan in order to allow for detailed design, costings, budgeting, construction and communication timeframes to be further progressed.

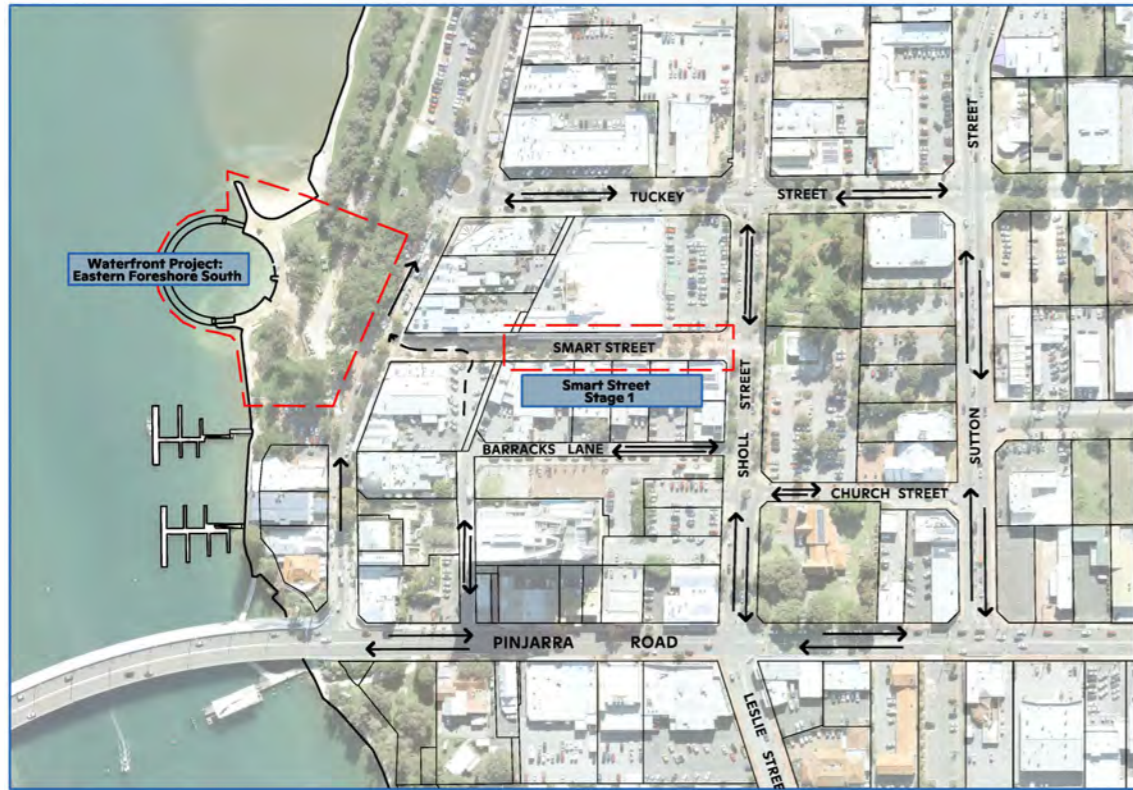
NOTE:

- Refer ***Attachment 1.1*** ***Mandurah Terrace Streetscape Works – Concept Plan***
Confidential Attachment 1.2 ***Land Owner and Business Engagement Feedback***

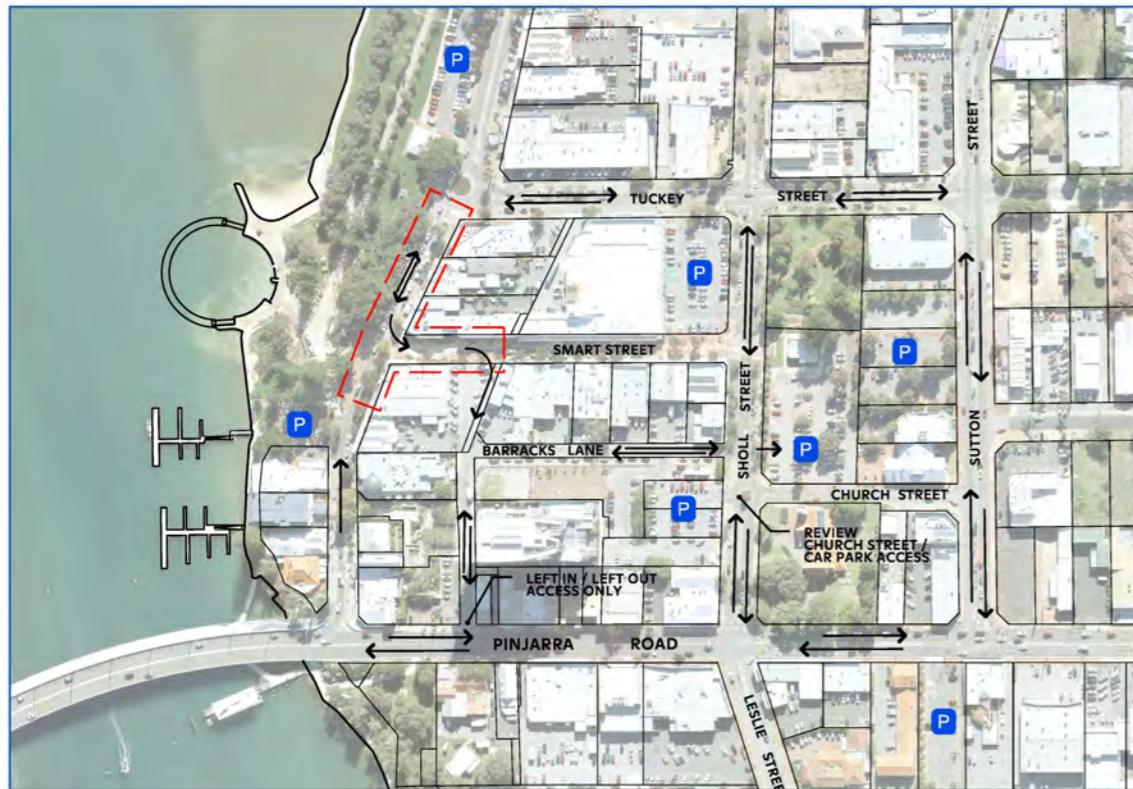
RECOMMENDATION

That Council:

1. **Commits to the road network improvements that connects Mandurah Terrace from Tuckey Street to Barracks Lane through a two-way movement on Mandurah Terrace; a west to east one-way movement on Smart Street and a north-south one-way movement between Smart Street and Barracks Lane;**
2. **Endorses the Mandurah Terrace Concept Plan in order to progress the plan to detailed design, costings and delivery and further reporting back to Council on its implementation;**
3. **Notes that the project will form part of the next review of the Long-Term Financial Plan and subsequent budgets for delivery; and**
4. **Notes that officers will continue with broader community, business and landowner engagement regarding the delivery; and inclusion in the formulation of the City Centre Master Plan and City Centre Car Parking Plan being prepared during 2022.**



Existing Movement Network (Not to Scale)



Proposed Movement Network (Not to Scale)



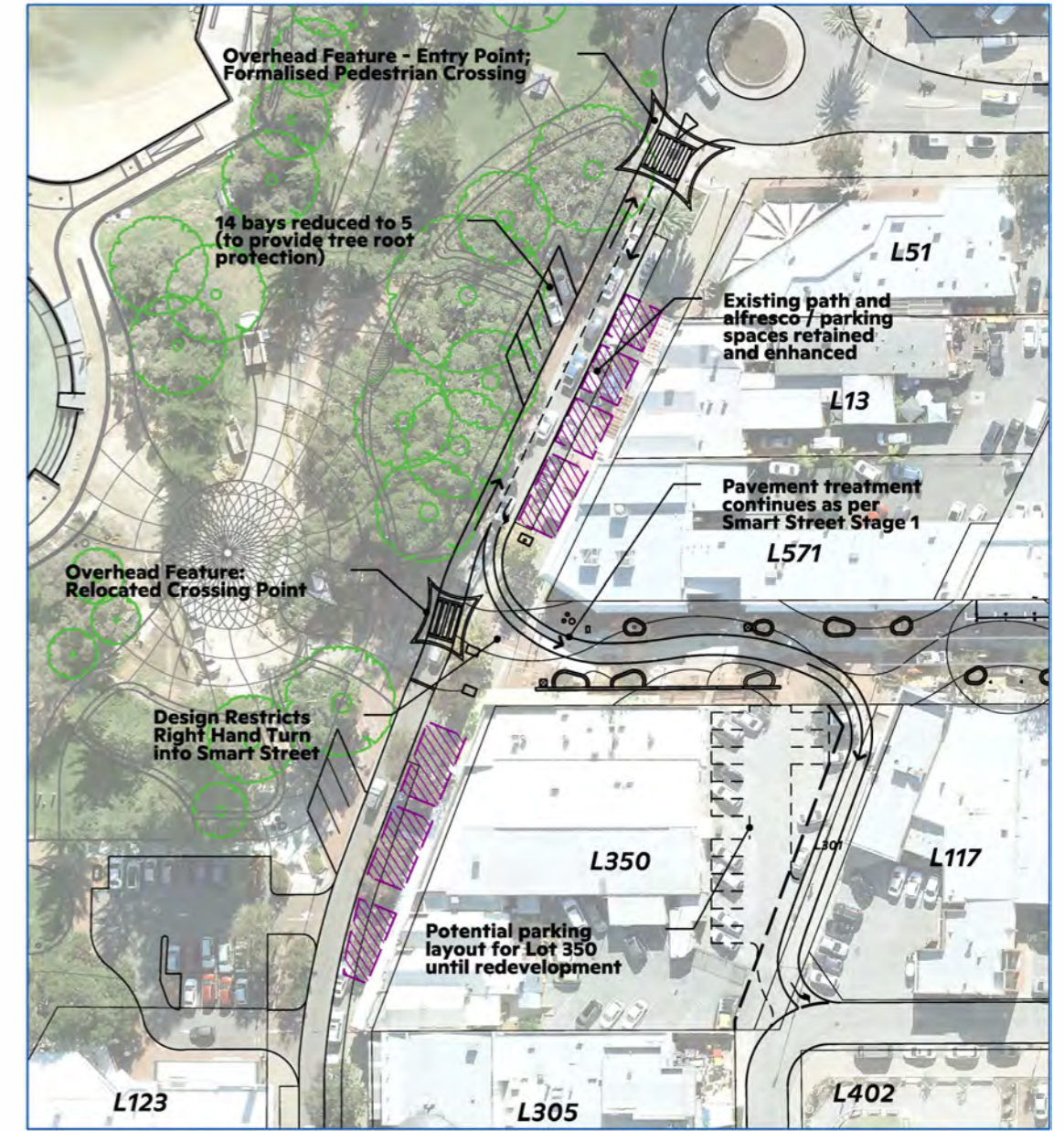
Kerb Treatment



Paving Treatment



Shared Space Treatment



Lighting Options



Trees & Landscape

2	SUBJECT:	Tender T17-2021 Plant and Machinery Wet Hire
	DIRECTOR:	Business Services
	MEETING:	Special Council Meeting
	MEETING DATE:	7 December 2021

Summary

The City of Mandurah (the City) invited tenders for Tender 17-2021 - Plant and Machinery Wet Hire (T17-2021) and as a result of the evaluation of tendered submissions, the Council is requested to accept Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction for the following contract portions:

- Separable Package One - Large and Medium Plant and Equipment Wet Hire for Civil Works
- Separable Package Two - Small Plant and Equipment Wet Hire for Civil Works
- Separable Package Three - Small Plant and Equipment Wet Hire for Landscape Services

Noting that for Separable Package Four - Mini Skid Steer Wet Hire – the Evaluation Panel recommendation is to decline all tender submissions and return to the market under a formal quotation process.

Disclosure of Interest

Nil.

Previous Relevant Documentation

- G.17/9/16 13 September 2016 Council awarded Remote Civils Australia Pty Ltd the contract under Tender 04-2016 for Plant and Machinery Wet Hire for all seven Separable Portions, for a period of five years, expiring 2 October 2021 subject to satisfactory performance, at the schedule of rates offered with CPI increases at each twelve-month contract anniversary date.

Background

The current contract for Plant and Machinery Wet Hire was awarded to Remote Civils Australia Pty Ltd for a period of five years, commencing on 3 October 2016 and expired on 2 October 2021.

Comment

The Request for Tender (RFT) for T17-2021 was advertised in the 2 September 2021 editions of the 'West Australian' newspaper and the Mandurah Mail, Tenderlink tender portal and the Public Notice section of the City's website.

The RFT sought the provision of the required services for a period of three years with one option to extend for a further two years.

The RFT closed at 2:00pm on Tuesday 21 September 2021. Five submissions were received. In accordance with Regulation 18(1) no tenders were received after the closing deadline. Submissions were received from the following respondents:

1.	Andrew Anthony Puljar, AAP Transport & Logistics Pty Ltd as Trustee for the Andrew Puljar Family Trust Trading as Integrated Earth	Byford, WA
2.	AT Coverley Trust T/AS Coverley Excavations	North Dandalup, WA
3.	JS Earthmoving	Wattleup, WA

4.	Mandurah Drainage & Excavations Partnership	Erskine, WA
5.	Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction	Greenfields, WA

The weighted qualitative criteria which is contained in Confidential Attachment 2.1 Evaluation Panel Report was provided to all respondents in the request package issued and was used by the Evaluation Panel to evaluate and rank each submission.

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

Prices submitted were entered into the Evaluation Matrix as shown in Confidential Attachment 2.1 where a final analysis taking into account competitiveness and combined qualitative and price ranking was conducted in order to determine the submission represented best overall value for money for the City.

As a result, the submission from Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction was considered to be the most advantageous and is therefore recommended as the preferred tenderer for Separable Packages One, Two and Three. Separable Package Four is recommended to be declined and due to the estimated value of works being below the tender threshold, a formal quotation process should be undertaken.

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

Consultation

The City's Tendering Committee reviewed the evaluation panel's recommendation on 26 November 2021.

Statutory Environment

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

Policy Implications

Policy POL-CPM 02 – *Procurement*.

Policy POL-CPM 01 – *Regional Price Preference*.

City of Mandurah Instrument of Delegations 2021/2022

Financial Implications

The anticipated expenditure over the term of this contract is \$6,785,000 and is included in the City's Long Term Financial Plan.

Risk Analysis

The City spends a significant amount of money on this service each financial year, therefore it is important that a contract is established to ensure that the City is meeting its obligations under the *Local Government (Functions and General) Regulations 1996*.

The procurement process has been undertaken in accordance with the Council Procurement Policy (POL-CPM 02) and at the time of submitting this report there are no known risks impacting on the award of the contract.

Strategic Implications

The following strategy from the City of Mandurah Strategic Community Plan 2020 – 2040 is relevant to this report:

Organisational Excellence:

- Ensure the City has the capacity and capability to deliver quality services and facilities through accountable and transparent business practices, governance, risk and financial management.

Conclusion

Tenders for the T17-2021 - Plant and Machinery Wet Hire were recently invited. Five were received and assessed against both qualitative criteria and price. The result being that the submission from Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction has been determined as representing the best overall value for money outcome for the City and it is therefore requested that the Evaluation Panel recommendation of Gotimon PTY LTD/ Trading as Urban Outlook Landscape Construction as the preferred tenderer, be accepted.

NOTE:

- Refer ***Confidential Attachment 2.1 Evaluation Panel Report***

RECOMMENDATION

That Council:

1. **Accepts the tender from Gotimon Pty Ltd trading as Urban Outlook Landscape Construction as the preferred tenderer for Tender 17-2021 Plant and Machinery Wet Hire for the following Separable Work Packages:**
 - 1.1 **Separable Package 1 - Large and Medium Plant and Equipment Wet Hire for Civil Works**
 - 1.2 **Separable Package 2 - Small Plant and Equipment Wet Hire for Civil Works**
 - 1.3 **Separable Package 3 - Small Plant and Equipment Wet Hire for Landscape Services**

for a period of three years with one option to extend for a further two years at the sole discretion of the City for the Schedule of Rates offered, exclusive of GST as the most advantageous.
2. **Accepts no tender for Package Four - Mini Skid Steer Wet Hire and that the City commences procurement planning for a return to the market under a formal quotation process.**