

Minutes of Council Meeting

held on

Tuesday 28 September 2021 5.30PM

in the Council Chamber, 83 Mandurah Terrace Mandurah

PRESENT:

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

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

1. OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open at 5.31pm.

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

Nil.

4. DISCLAIMER

The Mayor advised that the purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. Persons should be aware that the provisions of the *Local Government Act 1995* (Section 5.25(e)) and 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. ANSWERS TO QUESTIONS TAKEN ON NOTICE

Nil.

6. PUBLIC QUESTION TIME

Nil.

7. AMENDMENT TO STANDING ORDERS

No amendment to the *City of Mandurah Standing Orders Local Law 2016* was required as all Council members were present in the Chamber.

8. PUBLIC STATEMENT TIME

Nil.

9. LEAVE OF ABSENCE REQUESTS

G.1/9/21 LEAVE OF ABSENCE: COUNCILLOR C DI PRINZIO 18 OCTOBER – 6 NOVEMBER 2021, INCLUSIVE

MOTION

Moved: Councillor L Rodgers

Seconded: Councillor M Darcy

That leave of absence be granted to Councillor C Di Prinzio from 18 October 2021 to 6 November 2021, inclusive.

CARRIED: 12/0

10. PETITIONS

Nil.

11. PRESENTATIONS

Nil.

12. DEPUTATIONS

Nil.

13. CONFIRMATION OF MINUTES

G.2/9/21 CONFIRMATION OF COUNCIL MINUTES: TUESDAY 24 AUGUST 2021

MOTION

Moved: Councillor D Schumacher

Seconded: Councillor M Rogers

That the Minutes of Council Meeting held on Tuesday 24 August 2021 be confirmed.

CARRIED: 12/0

14. ANNOUNCEMENTS BY THE PRESIDING MEMBER

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

- 14.1 Councillor L Rodgers: 31 August, 10 Year Anniversary of Bethanie Peel Social Housing community held in Coodanup.

- 14.2 Councillor D Pember: 3 September, Camp Hero Mandurah graduation ceremony held at the Mandurah Bowling Club.
- 14.3 Councillor P Rogers: 26 September, Badminton WA South West Championship trophy presentation at the Mandurah Aquatic and Recreation Centre.
- 14.4 Councillor J Green: 11 September, Ovis Busselton to Perth Ride Against Domestic Violence Mandurah stop at the Eastern Foreshore rotunda.
- 14.5 Councillor C Knight: 26 – 27 September, Plein Air Down Under, Outdoor Painting Festival 2021 held around Mandurah's town centre, cultural precinct and historic town of Pinjarra.
- 14.6 Mayor R Williams: 20 September, WALGA AGM and presentation held at Crown Perth.
- 14.7 Mayor R Williams: Congratulated Council and the City on the awards received at the 2020-21 Most Accessible Community in WA Awards held recently. First place in the Infrastructure and Public Open Space category, second place in the Digital and Technology award and overall Most Accessible Community Award.
- Mayor Williams acknowledged and recognised past and present members of the City of Mandurah Access and Inclusion Advisory Group who had guided and developed the City's facilities in this regard.
- 14.8 Mayor R Williams: Local Legend – Dr Rupert Backhouse

15. DECLARATION OF INTERESTS

- 15.1 The City's Acting Director Built and Natural Environment, Matthew Hall, declared an impartiality interest in Minute G.8/9/21 - Advertising of Senior Employee: Director Built and Natural Environment as he is currently acting in the role and may, in time, apply for the vacancy. Although not a decision maker, Mr Hall will vacate the Chamber during debate and voting on the item.

16. QUESTIONS FROM ELECTED MEMBERS

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

16.1 COUNCILLOR D SCHUMACHER: INFORMATION REQUESTS

Councillor D Schumacher asked if there was any legislated time frame requirement for City officers to provide information requested by Councillors pertaining to an item being considered by Council?

City of Mandurah Response

The Chief Executive Officer advised that City officers endeavour to provide all required information in the Council reports. Sometimes information can be missed or can be delayed due to further research being required.

16.2 COUNCILLOR D SCHUMACHER: CITY PRINTING

Councillor D Schumacher requested clarification as to whether printing of the City's letterheads is undertaken by a Perth based business and not a local supplier.

City of Mandurah Response

The Chief Executive Officer requested to take the question on notice.

17. BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

Having declared an interest in Minute G.8/9/21 the Acting Director Built and Natural Environment left the Chamber at 5.56pm for Council's consideration of Committee recommendations.

Minute G.8/9/21 was adopted en-bloc with no further discussion or debate, the Acting Director Built and Natural Environment re-entered the Chamber at 5.58pm.

18. RECOMMENDATIONS OF COMMITTEES

NOTE: Council adopted en bloc (moved by Councillor M Rogers and seconded by Councillor L Rodgers), the recommendations of the Audit and Risk Committee meeting of Monday 13 September 2021 with the exception of Item AR.7/9/21, which was dealt with separately.

G.3/9/21 PROCUREMENT INTERNAL AUDIT (AR.7/9/21)

Summary

In accordance with the Operational Internal Audit Plan 2020/2021 the City of Mandurah has now completed the Procurement audit.

The Audit and Risk Committee is requested to receive the Auditor's Report, note the Audit Monitoring Report and adopt an amendment to the Compliance Audit Return 2020 and makes a recommendation to Council accordingly.

Officer Recommendation

That the Audit and Risk Committee recommend that Council:

1. Receive the Auditor's Report as detailed in Confidential Attachment 3.1.
2. Notes the improvement actions to be undertaken as detailed in Confidential Attachment 3.2.
3. Adopts the amended 2020 Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as per Attachment 3.3 and submits the amendment to the Department of Local Government, Sport and Cultural Industries.

Committee Recommendation

That the Audit and Risk Committee recommend that Council:

1. Receive the Auditor's Report as detailed in Confidential Attachment 3.1.
2. Notes the improvement actions to be undertaken as detailed in Confidential Attachment 3.2.
3. Adopts the amended 2020 Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as per Attachment 3.3 and submits the amendment to the Department of Local Government, Sport and Cultural Industries.

Council Resolution

MOTION

Moved: Councillor D Schumacher

Seconded: Councillor P Rogers

That Council:

1. **Receive the Auditor's Report as detailed in amended Confidential Attachment 3.1.**
2. **Notes the improvement actions to be undertaken as detailed in Confidential Attachment 3.2.**
3. **Adopts the amended 2020 Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as per Attachment 3.3 and submits the amendment to the Department of Local Government, Sport and Cultural Industries.**

CARRIED: 12/0

Comment:

An amended confidential attachment replacing pages 10 and 18 to reflect the City of Mandurah and creditor #3 comments from the City regarding documentation was provided by the Auditor for Council's consideration at its meeting of 28 September 2021.

G.4/9/21 CONFIDENTIAL ITEM: SAIP MONITORING REPORT (AR.12/9/21)

Officer Recommendation

That the Audit and Risk Committee recommends that Council approve the amendments to the Strategic Internal Audit Plan and the Operational Internal Audit Plan 2021/2022 as per Confidential Attachment 3.2.

Committee Recommendation

That the Audit and Risk Committee recommends that Council approve the amendments to the Strategic Internal Audit Plan and the Operational Internal Audit Plan 2021/2022 as per Confidential Attachment 3.2.

Council Resolution

MOTION

Moved: **Councillor M Rogers**

Seconded: **Councillor L Rodgers**

That Council approve the amendments to the Strategic Internal Audit Plan and the Operational Internal Audit Plan 2021/2022 as per Confidential Attachment 3.2.

CARRIED: 12/0
(*This item was adopted en bloc*)

NOTE: Council adopted en bloc (moved by Councillor M Rogers and seconded by Councillor L Rodgers), the recommendations of the Committee of Council meeting of Tuesday 14 September 2021 with the exception of Item CC.4/9/21, which was dealt with separately.

G.5/9/21 DISPOSAL OF LEASE MANDURAH BOAT AND BIKE HIRE (CC.3/9/21)

Summary

Hentech Pty Ltd trading as Mandurah Boat and Bike Hire (MBBH) hold a current lease over office accommodation located over a portion of Reserve 48457 and a jetty sub-licence over a 47.5 linear metre portion of Jetty LM1750, used to moor vessels for their hire business.

The current lease expired on the 6 August 2020, and since that time MBBH have remained in a holding over with all the current terms and conditions of the lease remaining in place. Due to the nature of their tourism based business and the current economic climate, the lessee had requested time to consider their future before committing to a new agreement. The lessee has recently made a formal request to the City for support for a new five year lease agreement.

In accordance with section 3.58 of the *Local Government Act 1995* (LGA) an independent valuation was required to determine the current market value for the site. The valuer was appointed to undertake the annual rental valuation which was assessed at \$22,000 per annum plus outgoings (exclusive GST). The City is also required to advertise the proposed disposal outlining the term of the lease, annual rent, lessee details and the assessment of an independent valuation.

Council is requested to approve the advertising of, and if no submissions received, the disposal via a lease for office accommodation over 45 square metres being portion of Reserve 48457 and a jetty sub-licence over a 47.5 linear metre portion of Jetty LM1750, to Hentech Pty Ltd, trading as Mandurah Boat and Bike Hire for a term of five years, with annual rent commencing at \$22,000 per annum plus outgoings (exclusive GST), with a Consumer Price Index (CPI) rate to be applied annually. The lease approval is conditional upon the consent of the Minister for Lands, and the jetty sub licence approval by the Department of Transport.

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approves the advertising and if no submissions received during the advertising period, the disposal of a portion of Reserve 48457, and sub-licence over portion of Jetty No: LM1750 known as Mandurah Boat and Bike Hire to Hentech Pty Ltd with the following conditions:
 - 1.1 A tenure period of five years;
 - 1.2 Commencement date after Minister for Lands approval;
 - 1.3 Rent commencing at \$22,000 per annum excluding GST and outgoings;
 - 1.4 Annual CPI to apply for the term of the agreement;
 - 1.5 Subject to the approval of the Minister for Lands and the Department of Transport.
2. Approves all legal costs associated with the preparation of the lease are to be borne by the lessee;
3. Authorises the Chief Executive Officer to finalise the conditions of the lease and sub-licence agreements.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Approves the advertising and if no submissions received during the advertising period, the disposal of a portion of Reserve 48457, and sub-licence over portion of Jetty No: LM1750 known as Mandurah Boat and Bike Hire to Hentech Pty Ltd with the following conditions:
 - 1.1 A tenure period of five years;
 - 1.2 Commencement date after Minister for Lands approval;
 - 1.3 Rent commencing at \$22,000 per annum excluding GST and outgoings;
 - 1.4 Annual CPI to apply for the term of the agreement;
 - 1.5 Subject to the approval of the Minister for Lands and the Department of Transport.
2. Approves all legal costs associated with the preparation of the lease are to be borne by the lessee;
3. Authorises the Chief Executive Officer to finalise the conditions of the lease and sub-licence agreements.

Council Resolution

MOTION

Moved: Councillor M Rogers
Seconded: Councillor L Rodgers

That Council:

1. Approves the advertising and if no submissions received during the advertising period, the disposal of a portion of Reserve 48457, and sub-licence over portion of Jetty No: LM1750 known as Mandurah Boat and Bike Hire to Hentech Pty Ltd with the following conditions:
 - 1.1 A tenure period of five years;
 - 1.2 Commencement date after Minister for Lands approval;
 - 1.3 Rent commencing at \$22,000 per annum excluding GST and outgoings;
 - 1.4 Annual CPI to apply for the term of the agreement;
 - 1.5 Subject to the approval of the Minister for Lands and the Department of Transport.
2. Approves all legal costs associated with the preparation of the lease are to be borne by the lessee;
3. Authorises the Chief Executive Officer to finalise the conditions of the lease and sub-licence agreements.

CARRIED: 12/0
(This item was adopted en bloc)

G.6/9/21 DOG PROHIBITED / EXERCISE AREAS UPDATES (CC.4/9/21)Summary

Changes are proposed to alter dog prohibited and dog exercise areas at Reserve 48366 at Meadow Springs Sporting Facility and to finalise changes to dog prohibited and dog exercise areas at Pyramids Beach Dawesville.

The City has had ongoing concerns with the use of the premier turf wicket oval at Meadow Springs Sporting Facility (Reserve 48366) as a dog exercise area. Although the premier oval has now been fenced separately to protect the wicket, it is proposed to change the current designation on this portion of the Reserve from dog exercise area to dog prohibited to allow enforcement of dogs being within this area. The change also proposes designating the shared use oval with Meadow Springs Primary School as Dog Prohibited, given its connection with the premier oval. The remainder of the Reserve to the south will continue to retain an extensive dog exercise area unless active sport is underway.

Council is requested to approve commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern premier and Meadow Springs Primary School oval on Reserve 48366 at Meadow Springs Sporting in accordance with *Attachment 2.2*

In addition, the City has now completed the required 28-day public notice period to introduce dog prohibited and amended dog exercise arrangements at Pyramids Beach, Dawesville, to assist in the protection of nesting Australian Fairy Terns. Council is requested to give final approval to specify the northern portion of the beach as dog prohibited, with an amendment to the designated dog exercise area to the south providing for a transition to dog on lead. Subject to Council approval appropriate signage will then be installed in Accordance with *Attachment 2.3*.

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approves the commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern oval premier cricket oval and shared use school oval of Reserve 48366 Meadow Springs as per *Attachment 2.2*.
2. Approves the variation to the existing dog exercise area at Reserve 48366 Meadow Springs as per *Attachment 2.2* which provides for dogs to be off lead except where active sport (including training) is in progress.
3. Provides final approval for the prohibition of dogs at Pyramids Beach, Dawesville and amendments to dog exercise areas in accordance with *Attachment 2.3*.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Approves the commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern oval premier cricket oval and shared use school oval of Reserve 48366 Meadow Springs as per *Attachment 2.2*.
2. Approves the variation to the existing dog exercise area at Reserve 48366 Meadow Springs as per *Attachment 2.2* which provides for dogs to be off lead except where active sport (including training) is in progress.
3. Provides final approval for the prohibition of dogs at Pyramids Beach, Dawesville and amendments to dog exercise areas in accordance with *Attachment 2.3*.

Council Resolution

MOTION

Moved: Councillor C Knight
Seconded: Councillor D Pember

That Council:

1. **Approves the commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern oval premier cricket oval and shared use school oval of Reserve 48366 Meadow Springs as per Attachment 2.2.**
2. **Approves the variation to the existing dog exercise area at Reserve 48366 Meadow Springs as per Attachment 2.2 which provides for dogs to be off lead except where active sport (including training) is in progress.**
3. **Provides final approval for the prohibition of dogs at Pyramids Beach, Dawesville and amendments to dog exercise areas in accordance with Attachment 2.3.**

CARRIED WITH ABSOLUTE MAJORITY: 12/0

G.7/9/21 LOCAL PLANNING POLICY NO 3 NON-RESIDENTIAL USES IN RESIDENTIAL ZONES – FINAL ADOPTION (CC.5/9/21)Summary

Council is requested to consider adopting for final approval Local Planning Policy No 3 – Non Residential Uses in Residential Zones (LPP3). This policy will consolidate three existing local planning policies relating to Medical Centres, Child Care Premises and Home Based Businesses and incorporate provisions from Town Planning Scheme No 3 (Scheme) relating to Commercial Vehicle Parking. The proposed LPP3 will provide a framework for the assessment and approval of various non-residential land uses within residential zones, including design criteria for new development.

The draft policy was adopted for advertising purposes by Council at its meeting held on 22 June 2021 and was subsequently advertised for public comment with submissions closing on 13 August 2021. No submissions were received and as such, no changes have been proposed to the draft policy.

As part of a review of the City's local planning policies, the existing Local Planning Policy No 3 – Urban Design Policy has been identified as being redundant due to the introduction of new State Planning Policies and is recommended for revocation.

It is recommended that Council adopt Local Planning Policy No 3 – Non Residential Uses in Residential Zones for final approval and revoke the following four existing local planning policies:

- Local Planning Policy No 3 – Urban Design Policy
- Local Planning Policy No 12 – Home Occupation Policy
- Local Planning Policy No 13 – Child Care Premises Policy and;
- Local Planning Policy No 16 – Medical Centres.

Officer Recommendation

That the Committee of Council recommend that Council:

1. In accordance with Schedule 2, Part 2, Clause 4 of the Deemed Provisions for Local Planning Schemes, that Council resolves to proceed with Local Planning Policy No 3 – Non Residential Uses within Residential Zones without modification, and publish a notice on the City of Mandurah website giving effect to the Policy.
2. In accordance with Schedule 2, Part 2, Clause 6 of the Deemed Provisions for Local Planning Schemes, that Council resolves to revoke Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres, and publish a notice of revocation on the City of Mandurah website.

Committee Recommendation

That the Committee of Council recommend that Council:

1. In accordance with Schedule 2, Part 2, Clause 4 of the Deemed Provisions for Local Planning Schemes, that Council resolves to proceed with Local Planning Policy No 3 – Non Residential Uses within Residential Zones without modification, and publish a notice on the City of Mandurah website giving effect to the Policy.

2. In accordance with Schedule 2, Part 2, Clause 6 of the Deemed Provisions for Local Planning Schemes, that Council resolves to revoke Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres, and publish a notice of revocation on the City of Mandurah website.

Council Resolution

MOTION

Moved: Councillor M Rogers
Seconded: Councillor L Rodgers

That Council:

1. In accordance with Schedule 2, Part 2, Clause 4 of the Deemed Provisions for Local Planning Schemes, that Council resolves to proceed with Local Planning Policy No 3 – Non Residential Uses within Residential Zones without modification, and publish a notice on the City of Mandurah website giving effect to the Policy.
2. In accordance with Schedule 2, Part 2, Clause 6 of the Deemed Provisions for Local Planning Schemes, that Council resolves to revoke Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres, and publish a notice of revocation on the City of Mandurah website.

CARRIED: 12/0
(This item was adopted en bloc)

G.8/9/21 ADVERTISING OF SENIOR EMPLOYEE: DIRECTOR BUILT AND NATURAL ENVIRONMENT (CC.6/9/21)

Summary

The Director Built and Natural Environment has announced his intention to retire and has submitted his resignation effective from 31 December 2021.

Council are requested to approve the commencement of the recruitment process.

Officer Recommendation

That the Committee of Council recommend that Council:

1. Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.
2. Approve the commencement of the recruitment process of the Director Built and Natural Environment.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.
2. Approve the commencement of the recruitment process of the Director Built and Natural Environment.

Council Resolution

MOTION

Moved: Councillor M Rogers
Seconded: Councillor L Rodgers

That Council:

1. **Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.**
2. **Approve the commencement of the recruitment process of the Director Built and Natural Environment.**

CARRIED: 12/0
(*This item was adopted en bloc*)

G.9/9/21 PAYMENTS TO EMPLOYEES POLICY AMENDMENT (CC.7/9/21)

Summary

A proposed amendment to the current Council policy in relation to Payments to Employees (POL-HRM 04) has been put forward to enable the City of Mandurah (the City) to financially recognise and thank long-serving employees at time of resignation or retirement via a small gift based on years of service.

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approve the recommended amendment to the Payments to Employees Council Policy as detailed in Attachment 5.1.
2. Authorise the CEO to publish the Council Policy in accordance with the *Local Government Act 1995*.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Approve the recommended amendment to the Payments to Employees Council Policy as detailed in Attachment 5.1.

2. Authorise the CEO to publish the Council Policy in accordance with the *Local Government Act 1995*.

Council Resolution

MOTION

Moved: Councillor M Rogers
Seconded: Councillor L Rodgers

That Council:

1. **Approve the recommended amendment to the Payments to Employees Council Policy as detailed in Attachment 5.1.**
2. **Authorise the CEO to publish the Council Policy in accordance with the *Local Government Act 1995*.**

CARRIED: 12/0
(*This item was adopted en bloc*)

G.10/9/21 CLUB NIGHT LIGHTS PROGRAM (CC.8/9/21)

Summary

The Club Night Lights Program is a new program administered by the Department of Local Government, Sport and Cultural Industries (DLGSC). It provides financial assistance to community groups and local governments to develop sports floodlighting infrastructure.

The Club Night Lights Program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST) up to a maximum grant of \$1 million. The application process for submissions requires local government authorities to undertake an initial assessment to ensure that the proposed projects are well planned, prioritised and of positive benefit to the community.

The City intends to submit one application for funding as part of the Club Night Lights Program for the Installation of flood lighting at Mandurah Tennis Club. A second application has been received by the Port Bouvard Sport and Recreation Club to upgrade luminaries to LED's around the bowling greens. It is a requirement that both applications come before Council prior to submission.

Council is requested to support the rating and priority of the two projects being submitted for the 2022/23 Club Night Lights Program. Sufficient funds are available for the purpose in the 2022/23 budget to cover the City of Mandurah's financial contribution towards these projects.

Officer Recommendation

That the Committee of Council recommend that Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant application:

- 1 City of Mandurah
Project: Installation of flood lighting at Mandurah Tennis Club

Ranking: 1
Rating: High
Requested Council Contribution: \$107,047.92

2. Port Bouvard Sport and Recreation Club
Project: Upgrade luminaries to LED's
Ranking: 2
Rating: Medium/High
Requested Council Contribution: \$11,860.90 (subject to the findings of the pole assessment)

Committee Recommendation

That the Committee of Council recommend that Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant application:

- 1 City of Mandurah
Project: Installation of flood lighting at Mandurah Tennis Club
Ranking: 1
Rating: High
Requested Council Contribution: \$107,047.92
2. Port Bouvard Sport and Recreation Club
Project: Upgrade luminaries to LED's
Ranking: 2
Rating: Medium/High
Requested Council Contribution: \$11,860.90 (subject to the findings of the pole assessment)

Council Resolution

MOTION

Moved: Councillor M Rogers
Seconded: Councillor L Rodgers

That Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant application:

- 1 City of Mandurah**
Project: Installation of flood lighting at Mandurah Tennis Club
Ranking: 1
Rating: High
Requested Council Contribution: \$107,047.92
- 2. Port Bouvard Sport and Recreation Club**
Project: Upgrade luminaries to LED's
Ranking: 2
Rating: Medium/High
Requested Council Contribution: \$11,860.90 (subject to the findings of the pole assessment)

CARRIED: 12/0
(This item was adopted en bloc)

19. REPORTS**G.11/9/21 FINANCIAL REPORT AUGUST 2021 (REPORT 1)**Summary

The Financial Report for August 2021 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 August 2021 as detailed in Attachment 1.1 of the report.
- 2 Receives the Schedule of Accounts for the following amounts as detailed in Attachment 1.2 of the report:

Total Municipal Fund \$	13,691,986.53
Total Trust Fund	\$ 0.00
	\$ 13,691,986.53
- 3 Approves the following budget variations for 2021/22 annual budget:
 - 3.1 Unbudgeted operating expenditure of \$10,000* for 2022 State National Resource Management and Coastal Conference
 - To be funded from Shires of Murray and Waroona contribution \$10,000*
 - 3.2 Unbudgeted operating expenditure of \$50,000* for Round the Estuary Trail – Feasibility Study
 - To be funded from Peel Development Commission grant \$50,000*
 - 3.3 Unbudgeted capital expenditure of \$164,000* for MARC Geothermal Pump & VSD
 - To be funded from non-operating contribution from LGIS \$63,897*
 - To be funded from the 2020/21 actual closing surplus at 30 June 2021, once finalised \$100,103*
 - 3.4 Decrease in capital expenditure of \$200,000* for Boardwalk Renewal Program
 - \$200,000* to be allocated to Asset Management Reserve for expenditure on the Boardwalk Renewal Program in 2022/23.
 - 3.5 Unbudgeted capital expenditure of \$50,000* for Artesian Pump Replacement Program
 - To be funded from Artesian Reticulation/Bore Maintenance activity operating budget \$50,000*
 - 3.6 Increase in capital expenditure of \$20,000* for Pinjarra Road East Median Stage 4
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.7 Increase in capital expenditure of \$20,000* for Falcon Reserve Cricket Net Renewal
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.8 Increase in capital expenditure of \$10,000* for Lavender Gardens Reserve
 - To be funded from Mandurah Road Median capital budget \$10,000*

Council Resolution**MOTION****Moved:** Councillor D Schumacher**Seconded:** Councillor P Rogers**That Council:**

- 1 Receives the Financial Report for August 2021 as detailed in Attachment 1.1 of the report.
- 2 Receives the Schedule of Accounts for the following amounts as detailed in Attachment 1.2 of the report:

Total Municipal Fund	\$ 13,691,986.53
Total Trust Fund	\$ 0.00
	\$ 13,691,986.53
- 3 Approves the following budget variations for 2021/22 annual budget:
 - 3.1 Unbudgeted operating expenditure of \$10,000* for 2022 State National Resource Management and Coastal Conference
 - To be funded from Shires of Murray and Waroona contribution \$10,000*
 - 3.2 Unbudgeted operating expenditure of \$50,000* for Round the Estuary Trail – Feasibility Study
 - To be funded from Peel Development Commission grant \$50,000*
 - 3.4 Unbudgeted capital expenditure of \$164,000* for MARC Geothermal Pump & VSD
 - To be funded from non-operating contribution from LGIS \$63,897*
 - To be funded from the 2020/21 actual closing surplus at 30 June 2021, once finalised \$100,103*
 - 3.4 Decrease in capital expenditure of \$200,000* for Boardwalk Renewal Program
 - \$200,000* to be allocated to Asset Management Reserve for expenditure on the Boardwalk Renewal Program in 2022/23.
 - 3.5 Unbudgeted capital expenditure of \$50,000* for Artesian Pump Replacement Program
 - To be funded from Artesian Reticulation/Bore Maintenance activity operating budget \$50,000*
 - 3.6 Increase in capital expenditure of \$20,000* for Pinjarra Road East Median Stage 4
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.7 Increase in capital expenditure of \$20,000* for Falcon Reserve Cricket Net Renewal
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.8 Increase in capital expenditure of \$10,000* for Lavender Gardens Reserve
 - To be funded from Mandurah Road Median capital budget \$10,000*

CARRIED WITH ABSOLUTE MAJORITY: 12/0

G.12/9/21 TENDER T08-2021 PROVISION OF TREE PRUNING AND ASSOCIATED WORKS (REPORT 2)Summary

The City of Mandurah (City) recently invited tenders for the Provision of Tree Pruning and Associated Services (T08-2021).

During the evaluation of this Tender it was identified that the schedule of rates requested did not reflect the way the City will operate the contract and improvements were necessary to ensure that the Tender is evaluated in a manner that better reflects the delivery of this service.

Therefore, it is recommended that Council decline to accept any offer, revise the specifications and future forecast for the service (for evaluation of pricing purposes) and recommence the procurement process.

Officer Recommendation

That Council:

1. Declines to accept all tenders for Tender T08-2021.
2. Notes that the City will revise the specifications and recommence the procurement process.

Council Resolution**MOTION**

Moved: **Councillor C Knight**
Seconded: **Councillor C Di Prinzio**

That Council:

1. **Declines to accept all tenders for Tender T08-2021.**
2. **Notes that the City will revise the specifications and recommence the procurement process.**

CARRIED: 12/0

21. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil.

22. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

23. LATE AND URGENT BUSINESS ITEMS

Nil.

24. CONFIDENTIAL ITEMS

Nil.

25. CLOSE OF MEETING

Mayor Williams took the opportunity to acknowledge the contribution of former Councillor D Lee who retired from Council in January 2021 and Councillor M Rogers who is not re-standing in the upcoming Local Government election. The Mayor wished the re-nominating Councillors success and acknowledged their service to Council and the Mandurah community. Contributions and leadership of the Chief Executive Officer and Executive Leadership Team were noted along with the service of City staff.

There being no further business, the Mayor declared the meeting closed at 6.09pm.

CONFIRMED (MAYOR)

Attachments to Council Minutes:

28 September 2021 Council Reports

14 September 2021 Committee of Council Reports

13 September 2021 Audit and Risk Committee Reports

NOTICE OF MEETING

ORDINARY COUNCIL

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

Tuesday 28 September 2021 at 5.30pm

MARK R NEWMAN
Chief Executive Officer
23 September 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. ANSWERS TO QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME

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

7. AMENDMENT TO STANDING ORDERS

Modification to *Standing Orders Local Law 2016* - electronic attendance at meeting.

8. PUBLIC STATEMENT TIME

Any person or group wishing to make a Public Statement to Council regarding a matter concerning local government must complete an application form. For more information regarding Public Statement Time please visit the City's website mandurah.wa.gov.au or telephone 9550 3787.

9. LEAVE OF ABSENCE REQUESTS

Councillor C Di Prinzio: 18 October - 6 November 2021, inclusive.

10. PETITIONS

11. PRESENTATIONS**12. 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 mandurah.wa.gov.au or telephone 9550 3787.

13. CONFIRMATION OF MINUTES:

13.1 Ordinary Council Meeting: 24 August 2021

Minutes available on the City's website via mandurah.wa.gov.au/council/council-meetings/agendas-and-minutes

14. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**15. DECLARATIONS OF FINANCIAL, PROXIMITY AND IMPARTIALITY INTERESTS****16. QUESTIONS FROM ELECTED MEMBERS (WITHOUT DISCUSSION)**

16.1 Questions of which due notice has been given

16.2 Questions of which notice has not been given

17. BUSINESS LEFT OVER FROM PREVIOUS MEETING**18. RECOMMENDATIONS OF COMMITTEES**

18.1 Adoption of Recommendations of the Audit and Risk Committee Meeting: 13 September 2021

<i>Minute</i>	<i>Item</i>	<i>Page No</i>	<i>Interests Declared / Additional Information</i>
AR.7/9/21	Procurement Internal Audit	4 - 8	Amended Confidential Attachment
AR.12/9/21	Confidential: SIAP Monitoring Report	Confidential 21 - 50	

18.2 Adoption of Recommendations of the Committee of Council Meeting: 14 September 2021

Minute	Item	Page No	Interests Declared / Additional Information
CC.3/9/21	Disposal of Lease Mandurah Boat and Bike Hire	9 – 13	
CC.4/9/21	Dog Prohibited / Exercise Areas Updates	14 – 20	Absolute Majority Required
CC.5/9/21	Local Planning Policy – Non-Residential Uses in Residential Zones	21 – 42	
CC.6/9/21	Advertising of Senior Employee: Director Built and Natural Environment	43 – 45	Amended confidential attachment A/Dir BNE - Interest declared
CC.7/9/21	Payments to Employees Policy Amendment	46 – 51	
CC.8/9/21	Club Night Lights Program	52 – 58	

19. **REPORTS**

No.	Item	Page No	Note
1	Financial Report August 2021	59 - 91	Absolute Majority Required
2	Tender T08-2021 Provision of Tree Pruning and Associated Works	92 - 94	

20. **ADOPTION OF RECOMMENDATIONS NOT WITHDRAWN FOR FURTHER DISCUSSION**

21. **MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

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

23. **LATE AND URGENT BUSINESS ITEMS**

24. **CONFIDENTIAL ITEMS**

25. **CLOSE OF MEETING**

3	SUBJECT:	Operational Internal Audit Plan 2020/2021- Procurement Audit
	DIRECTOR:	Director Business Services
	MEETING:	Audit and Risk Committee
	MEETING DATE:	13 September 2021

Summary

In accordance with the Operational Internal Audit Plan 2020/2021 the City of Mandurah (City) has now completed the Procurement audit.

The Audit and Risk Committee is requested to receive the Auditor's Report (*Confidential Attachment 3.1*), note the Audit Monitoring Report (*Confidential Attachment 3.2*) and adopt an amendment to the Compliance Audit Return 2020 (*Attachment 3.3*) makes a recommendation to Council accordingly.

Disclosure of Interest

Nil

Previous Relevant Documentation

AR.8/5/20 19 May 2021 Adopt Strategic Internal Audit Plan and auditable areas for 2020/21

Background

At the Audit and Risk Committee on 19 May 2020, the Committee considered the auditable areas to be included as part of the three-year Strategic Internal Audit Plan (SIAP). The SIAP provides an outline of the areas the City considers to be a priority for review, using a risk-based approach and is based on a risk assessment of the City's key strategic and operational areas to determine the appropriate timing and frequency of coverage of each of these areas. At the same meeting the Operational Internal Audit Plan 2020/2021 was also supported, which sets out the audits to be conducted over the 12 month period.

Comment

The City has a centralised procurement model, whereby purchasing of goods, services and works valued over \$50,000 are delivered by the Procurement Services Team. The City has robust processes in place to ensure compliance with the *Local Government (Functions and General) Regulations 1996*, Council Procurement Policy POL CPM 02 and Procurement Procedures. Over the past 18 months the City's procurement practises have been subject to rigorous improvements including:

- Development of a new Procurement Planning process that requires members of the panel to consider procurement and contract risk, financial impact, market research, qualitative criteria and ensures appropriate levels of approvals prior to advertising in accordance with the City's Delegations;
- Mandatory Evaluation Training for all panel members which covers probity requirements;
- Implementation of consensus scoring to encourage improved discussion during evaluation.
- Development and implementation of an Evaluation Panel Member Workbook which sets out probity requirements, enables the panel member to document scoring, declare conflicts of interests and confidentiality.
- Establishment of a Tendering Committee for review of the recommendation and process prior to the CEO or Council accepting or rejecting the award of a Tender.
- Preferred supplier negotiations now conducted under Delegation to ensure that the City is resolving any contractual or technical matters prior to contract awards.

For procurements under \$50,000 at the City, Managers are responsible for ensuring their teams compliance with the Council Procurement Policy POL CPM 02 and Procurement Procedures. For procurements of this value there are established controls including financial authorisations, written approval forms and workflows that enable segregation of duties built into OneCouncil and staff training. In addition to these controls ensuring compliance with the relevant policies and procedures, they assist the City to achieve value for money, mitigate risks around fraud and reduce contractor risk.

The Procurement Internal Audit objective was to:

1. Evaluate the effectiveness of the Procurement Policy, procedures and practices
2. Ensure compliance with the statutory obligations for tenders and tender exempt
3. Support ongoing improvement
4. Inform education and training programs.

The Procurement Internal Audit internal audit scope included:

- Compliance with Council Procurement Policy POL CPM 02 and Procurement Procedures;
- Compliance with the *Local Government Act (Functions and General) Regulations 1996* including advertising, acceptance and rejection of tender applications, notification of outcomes, and maintaining a tenders' register;
- Review of the Governance Services processes for coordinating Tenders;
- Review of the evaluation panel performance and process;
- Test adherence to the Delegations and financial authorisations;
- Confidential and secure record keeping requirements;
- Management of conflicts of interest and probity considerations; and
- Review of previous audit findings to ensure completed.

The auditor's recommendations are outlined in *Confidential Attachment 3.1*.

Action Plan

The detailed City response to the internal auditor's recommendations is outlined in the Audit Monitoring Report (*Confidential Attachment 3.2*). This plan sets out the actions and due dates.

Reporting and Monitoring

Reporting on the progress of the implementation of the improvements will be undertaken as part of the City's established Internal Audit Function. A Strategic Internal Audit Monitoring Report is provided to the Audit and Risk Committee on a quarterly basis to enable the Committee to review and monitor the City's implementation to improve controls and systems.

Amendment to the Compliance Audit Return

The review identified one matter of legislative non-compliance in the 2020 calendar year relating to X (refer Attachment 3.3) The City submitted the Compliance Audit Return (CAR) to the Department of Local Government, Sport and Cultural Industries (DLGSC) in March 2021. The Audit and Risk Committee are now requested to consider an amendment to the CAR and recommend adoption to Council. The amendment will be provided the DLGSC.

Statutory Environment

Nil

Policy Implications

Strategic Internal Audit Plan 2020/21 -2022/23

Operational Internal Audit Plan 2020/21
Operational Internal Audit Plan 2021/22
Internal Audit Manual
Relevant CEO Policies and Council Policies

Financial Implications

The cost of the external auditor review was \$23,000.

Risk Analysis

Reviews conducted by external auditors mitigate and reduce the likelihood of a risk event occurring. This is one of the preventative controls that is implemented and forms part of entire suite of audits and controls of the systems and procedures that is carried out at the City to avoid a risk event occurring.

Strategic Implications

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

Organisational Excellence:

- Build and retain a skilled, agile, motivated and healthy workforce.
- 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

The procurement audit has identified areas for improvement. All actions will be included in the Strategic Internal Audit Plan Monitoring Report in future Audit and Risk Committee meetings until they have been completed.

NOTE:

- Refer **Confidential Attachment 3.1** **Auditors Report**
Confidential Attachment 3.2 **Audit Monitoring Report**
Attachment 3.3 **Amendment to Compliance Audit Report 2020**

Officer Recommendation

That the Audit and Risk Committee recommend that Council:

1. Receive the Auditor's Report as detailed in Confidential Attachment 3.1.
2. Notes the improvement actions to be undertaken as detailed in Confidential Attachment 3.2.
3. Adopts the amended 2020 Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as per Attachment 3.3 and submits the amendment to the Department of Local Government, Sport and Cultural Industries.

Committee Recommendation

That the Audit and Risk Committee recommend that Council:

1. Receive the Auditor's Report as detailed in Confidential Attachment 3.1.

2. **Notes the improvement actions to be undertaken as detailed in Confidential Attachment 3.2.**
3. **Adopts the amended 2020 Local Government Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as per Attachment 3.3 and submits the amendment to the Department of Local Government, Sport and Cultural Industries.**

Note: An amended confidential attachment replacing pages 10 and 18 to reflect the City of Mandurah and creditor #3 comments from the City regarding documentation provided will be requested from the Auditor for Council's consideration at its meeting of 28 September 2021.

CONFIRMED

ATTACHMENT 3.3

Amendment to the 2020 Local Government Compliance Audit Return

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comment	Respondent
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	No	The City has identified one instance where a supplier was engaged for work that exceeded the tender threshold. The supplier was mistakenly engaged under an expired contract.	Casey Mihovilovich

1	SUBJECT: DIRECTOR: MEETING: MEETING DATE:	Lease: Mandurah Boat and Bike Hire Advertising and Disposal Business Services Committee of Council 14 September 2021
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Summary

Hentech Pty Ltd trading as Mandurah Boat and Bike Hire (MBBH) hold a current lease over office accommodation located over a portion of Reserve 48457 and a jetty sub-licence over a 47.5 linear metre portion of Jetty LM1750, used to moor vessels for their hire business.

The current lease expired on the 6 August 2020, and since that time MBBH have remained in a holding over with all the current terms and conditions of the lease remaining in place. Due to the nature of their tourism based business and the current economic climate, the lessee had requested time to consider their future before committing to a new agreement. The lessee has recently made a formal request to the City for support for a new five year lease agreement.

In accordance with section 3.58 of the *Local Government Act 1995* (LGA) an independent valuation was required to determine the current market value for the site. The valuer was appointed to undertake the annual rental valuation which was assessed at \$22,000 per annum plus outgoings (exclusive GST). The City is also required to advertise the proposed disposal outlining the term of the lease, annual rent, lessee details and the assessment of an independent valuation.

Council is requested to approve the advertising of, and if no submissions received, the disposal via a lease for office accommodation over 45 square metres being portion of Reserve 48457 and a jetty sub-licence over a 47.5 linear metre portion of Jetty LM1750, to Hentech Pty Ltd, trading as Mandurah Boat and Bike Hire for a term of five years, with annual rent commencing at \$22,000 per annum plus outgoings (exclusive GST), with a Consumer Price Index (CPI) rate to be applied annually. The lease approval is conditional upon the consent of the Minister for Lands, and the jetty sub licence approval by the Department of Transport.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

- G.36/2/15 February 2015 Council approved an Assignment of Lease and jetty sub-licence from Silverthorne to Hentech Pty Ltd;
- G.35/6/14 24 June 2014 Council supported the lease and sub licence for Mandurah Boat & Bike Hire over portion of Reserve 48457 and the adjacent jetty;
- G.44/4/14 22 April 2014 Council resolved to advertise the proposed disposition of Mandurah Boat & Bike Hire to N & M Silverthorne;
- G.25/7/11 26 July 2011 Council approves an 18 month extension to the existing lease and sub licence to 30 June 2014;
- G.40/10/07 16 October 2007 Assignment of lease and sub licence to N & M Silverthorne was approved by Council.

Background

MBBH were originally operating from the Old Peninsula Hotel site (now The Point) and relocated to the current site due to the hotel redevelopment. The owners of MBBH at that time were given approval from the Department of Lands (DoL) for a short term lease to accommodate an office for six years expiring in December 2012, this office was required to service the boat and bike hire business.

In 2013, the Department of Lands (DoL) granted a Management Order over Reserve 48457 giving the City the ongoing 'Power to Lease' for a term not exceeding five years subject to the Minister for Lands approval, for each and every agreement over the site.

This current lease for MBBH commenced in 2015 for a term of five years, with the expiry being August 2020. During 2015, Council approved the assignment of the lease from the previous operator to the current lessee, Hentech Pty Ltd.

The annual lease amount currently paid by the lessee is \$18,428 (excludes GST). The reason for the proposed annual lease amount increase is because the 2015 valuation only included 30 linear metres of the jetty, however the lessee's current operations utilises a total of 47.5 linear metres and this has been reflected in the recently obtained valuation.

Comment

Although Council is currently in a Caretaker Period, this report is progressing to Council on the basis that any delays in a determination by Council to support the advertising of this disposal of land, will impact on the ongoing security of tenure for the commercial tenant.

The current lessee has formally requested support to enter into a new lease agreement, and a sub licence in accordance with standard leasing practices for commercial tenancies. City officers propose the maximum five year term in accordance with the maximum term of the management order over Reserve 48457.

In accordance with Section 3.58 of the *LGA*, the City is required to obtain a relevant independent valuation to determine fair market rent, together with advertising the proposed disposition for a period of no less than 14 days.

The valuer has rationalised the rent determining the analysis for the office space as follows:

Having regard for the attributes of the subject tenancy and current market conditions we have adopted \$225/sqm pa net as our assessed rental value rate. This equates to an annual Rental of \$10,125pa net plus GST when applied to the internal lettable area of 45sqm exclusive of verandah.

The valuer has rationalised the rent determining the analysis for the jetty as follows:

We have then applied a rate per linear metre to the jetty sub-licence. As illustrated these rates typically range between \$245/linear metre for non-exclusive use up to \$375/linear metre for exclusive use. We have adopted a rate of \$250/linear metre for the 47.50 linear metres of jetty equating to a licence fee of \$11,875pa. These calculations equate to a total Lease and Licence Fee combined of \$22,000pa. Our assessed rent of \$22,000pa net plus GST equates to an overall rate of \$489/sqm on the lettable building area of 45sqm."

Commencing in March 2020, like many businesses Mandurah Boat and Bike Hire were heavily impacted by lockdowns associated with COVID-19. The business was closed for a period of two months (27 March 2020 – 29 May 2020) during this time and subsequently up until the 31 March 2021, the City has waived or reduced rent and outgoings during that period in accordance with the *Commercial Tenancies (COVID-19 Response) Act 2020*.

Since July 2020, Mandurah Boat and Bike Hire have continued to operate in a down turn on low patronage but have continued to pay regular payments to ensure there are no outstanding balances due to the City. At the time of writing this report the tenant has no arrears due to the City, with all rent and outgoings paid in full up to the 31 August 2021.

Council is required to approve the advertising of the proposed disposal of land via a lease and sub-licence and if no submissions received during the advertising period, dispose of the site to Hentech Pty Ltd trading as Mandurah Boat and Bike Hire for a term of five years, with rent commencing at \$22,000 per annum plus outgoings (exclusive GST) with a Consumer Price Index (CPI) rate to be applied annually. Subject to the support of the Minister for Lands and the Department of Transport.

Consultation

Lessees - Hentech Pty Ltd accept the valuation and are agreeable with the terms and conditions relating to entering into a new lease with the City.

Statutory Environment

Section 3.58 of the *Local Government Act 1995* – Disposal of Property
'Dispose' includes to sell, lease, or otherwise dispose of, whether absolutely or not.

Section 3.58 (3) of the *Local Government Act 1995*

A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

Section 3.58 (4) of the *Local Government Act 1995*

The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

- (a) the names of all other parties concerned; and
- (b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

- (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
- (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Section 18(1)(2)(3) and (4) of the *Land Administration Act 1997* Crown land transactions that need Minister's approval.

- (1) A person must not without authorisation under subsection (7) assign, sell, transfer or otherwise deal with interests in Crown land or create or grant an interest in Crown Land;*
- (2) A person must not without authorisation under subsection (7) –*
 - (a) grant a lease or licence under this Act, or a licence under the Local Government Act 1995, in respect of Crown land in a manager reserve;*
 - (b) being the holder of such a lease or licence, grant a sublease or sublicense in respect of the whole or any part of that Crown land; and*
- (3) A person must not without authorisation under section (7) mortgage a lease of Crown land: and*
- (4) A lessee of Crown land must not without authorisation under subsection (7) sell, transfer or otherwise dispose of the lease in whole or in part.*

Should any submissions be received a report will be presented to Council for its final determination.

Policy Implications

Nil

Financial Implications

The City will receive rental income of \$22,000 per annum (excluding GST), and CPI to be applied annually.

In accordance with the City of Mandurah 2020/21 Fees and Charges Schedule, the Lease Preparation Administration Charge of \$890.00 (Incl GST) and Council Report fee of \$580.00 (Incl GST) are to be borne by the Lessee.

All advertising and legal costs associated with the preparation of the Lease are to be borne by the lessee.

Risk Analysis

Limited risk is associated with the disposal of this lease and sub-licence, the current lessee has paid all payments due and payable during what has been a difficult economic time for many businesses.

Strategic Implications

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

Economic:

- Facilitate and advocate for sustainable local job creation and industry diversification.

Social:

- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

Health:

- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

Organisational Excellence:

- Deliver excellent governance and financial management.

Conclusion

The current lessee has requested support for a lease renewal over portion of Reserve 48457 and a sub-licence over the jetty site. City officers have undertaken the relevant requirements in obtaining an independent valuation to assess fair market rent, and the lessee has confirmed they are agreeable with the terms and conditions relating to entering into a new lease with the City.

Council is requested to approve the advertising of, and if no submissions received, the disposal of a lease for a 45 square metres portion of Reserve 48457 and a sub-licence over a 47.5 linear metre portion of Jetty LM1750 to Hentech Pty Ltd, trading as Mandurah Boat and Bike Hire for a term of five years (5 years), with annual rent commencing at \$22,000 per annum plus outgoings (exclusive GST), Consumer Price Index (CPI) rate to be applied annually. The lease is conditional upon the consent of the Minister for Lands, and the sub-licence by the Department of Transport.

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approves the advertising and if no submissions received during the advertising period, the disposal of a portion of Reserve 48457, and sub-licence over portion of Jetty No: LM1750 known as Mandurah Boat and Bike Hire to Hentech Pty Ltd with the following conditions:
 - 1.1 A tenure period of five years;
 - 1.2 Commencement date after Minister for Lands approval;
 - 1.3 Rent commencing at \$22,000 per annum excluding GST and outgoings;
 - 1.4 Annual CPI to apply for the term of the agreement;
 - 1.5 Subject to the approval of the Minister for Lands and the Department of Transport.
2. Approves all legal costs associated with the preparation of the lease are to be borne by the lessee;
3. Authorises the Chief Executive Officer to finalise the conditions of the lease and sub-licence agreements.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Approves the advertising and if no submissions received during the advertising period, the disposal of a portion of Reserve 48457, and sub-licence over portion of Jetty No: LM1750 known as Mandurah Boat and Bike Hire to Hentech Pty Ltd with the following conditions:
 - 1.1 A tenure period of five years;
 - 1.2 Commencement date after Minister for Lands approval;
 - 1.3 Rent commencing at \$22,000 per annum excluding GST and outgoings;
 - 1.4 Annual CPI to apply for the term of the agreement;
 - 1.5 Subject to the approval of the Minister for Lands and the Department of Transport.
2. Approves all legal costs associated with the preparation of the lease are to be borne by the lessee;
3. Authorises the Chief Executive Officer to finalise the conditions of the lease and sub-licence agreements.

2	SUBJECT:	Dog Prohibited / Exercise Areas Updates
	DIRECTOR:	Business Services
	MEETING:	Committee of Council
	MEETING DATE:	14 September 2021

Summary

Changes are proposed to alter dog prohibited and dog exercise areas at Reserve 48366 at Meadow Springs Sporting Facility and to finalise changes to dog prohibited and dog exercise areas at Pyramids Beach Dawesville.

The City has had ongoing concerns with the use of the premier turf wicket oval at Meadow Springs Sporting Facility (Reserve 48366) as a dog exercise area. Although the premier oval has now been fenced separately to protect the wicket, it is proposed to change the current designation on this portion of the Reserve from dog exercise area to dog prohibited to allow enforcement of dogs being within this area. The change also proposes designating the shared use oval with Meadow Springs Primary School as Dog Prohibited, given its connection with the premier oval. The remainder of the Reserve to the south will continue to retain an extensive dog exercise area unless active sport is underway.

Council is requested to approve commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern premier and Meadow Springs Primary School oval on Reserve 48366 at Meadow Springs Sporting in accordance with *Attachment 2.2*.

In addition, the City has now completed the required 28-day public notice period to introduce dog prohibited and amended dog exercise arrangements at Pyramids Beach, Dawesville, to assist in the protection of nesting Australian Fairy Terns. Council is requested to give final approval to specify the northern portion of the beach as dog prohibited, with an amendment to the designated dog exercise area to the south providing for a transition to dog on lead. Subject to Council approval appropriate signage will then be installed in Accordance with *Attachment 2.3*.

Disclosure of Interest

Nil

Previous Relevant Documentation

• G.11/6/21	22 June 2021	Dog Exercise Area / Proposed Dog Prohibited Area
• G.42/6/14	24 June 2014	Dog Exercise and Prohibited Areas
• G.33/2/11	22 February 2011	Dogs Local Law
• G.41/5/11	24 May 2011	Dogs Local Law 2010 – Undertaking to Amend
• G.40/9/11	27 September 2011	Dogs Amendment Local Law 2011
• G.29/1/13	29 January 2013	Dogs Amendment Local Law 2012

Background

The *Dog Act 1976* provides that the Council may, by absolute majority, specify a public place as a dog prohibited area. Meadow Springs Sports Facility (R48366) is an extremely popular dog exercise area. Currently this includes the northern portion of the Reserve that contains the turf wicket and also connection to the shared use school oval.

The City has noted a number of examples where damage has occurred to the turf wicket and oval area and believes given the extensive dog exercise area available at the site that the change to dog prohibited

is warranted. It is also proposed to specify the school oval to the north of the premier oval that contains the turf cricket wicket as dog prohibited.

Attachment 2.1 provides the current designation for Reserve 48366 at Meadow Springs. The proposed designations are provided in *Attachment 2.2*.

On 4 August 2021, the required 28 day public notice period was completed, that sought comments on changes that introduced a dog prohibited area and dog amended dog exercise area at Pyramids Beach Dawesville. These changes are proposed to support protection of a nesting site of the Australian Fairy Tern.

The advertised changes created a dog prohibited area on the northern section of the beach, with a transition to dog on lead on the south side of the Port Bouvard Surf Lifesaving for a distance of 100m from the walkway entry to the beach. This aligns with the activities of the Port Bouvard Surf Lifesaving Club where nippers operate with high numbers of children. The area south of this would remain as dog exercise (dog off lead). The proposed designations are provided in *Attachment 2.3*.

Comment

The changes to the *Dog Act 1976* designations of Reserve 48366 at the Meadow Springs Sports Facility allow enforcement of dog prohibited requirements and support fencing that has been installed at the site to protect the turf wicket.

Changes proposed at Pyramids Beach, Dawesville will assist in managing the safety of the Australian Fairy Tern breeding site. Australia Fairy Terns are listed as vulnerable under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Consultation

Officers have consulted with the Pirates Rugby Club and Mandurah Cricket Club regarding proposed changes at Meadow Springs Sports Facility (R48366). The Meadow Springs Primary School has been consulted and are supportive of the change of the school oval to dog prohibited. The Public Notice will be undertaken with the requirements of the *Local Government (Administration) Regulations 1996*.

Proposed changes for Pyramids Beach, Dawesville have been advertised for 28 days with no community feedback having been received. Port Bouvard Surf Lifesaving Club were consulted in the development of the proposed restrictions prior to advertising and are supportive.

Statutory Environment

Section 31, 2B of the *Dog Act 1976* provides:

(2B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited:

- (a) at all times; or
- (b) at specified times.

Section 31, 3A of the *Dog Act 1976* provides:

A local government may, by absolute majority, as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government, to be a dog exercise area.

Section 3C provides that at least 28 days before specifying a place to be:

- (a) a place where dogs are prohibited at all times or at a time specified under subsection (2B); or
- (b) a dog exercise area under subsection (3A); or
- (c) a rural leashing area under subsection (3B), a local government must give local public notice as defined in the *Local Government Act 1995* section 1.7 of its intention to so specify.

Policy Implications

Nil

Economic Implications

There is a requirement for the installation of signage which can be accommodated within existing budgets.

Risk Analysis

Impacts to the turf wicket at the Meadow Springs Sports Facility (R48366) can lead to significant cost and disruption. There remains an extensive off lead area at the reserve and it is considered this change is appropriate.

The Australian Fairy Tern is listed in the vulnerable category of the *Environmental Protection and Biodiversity Conservation Act 1999*. Inadequate protection of these birds could have negative outcomes for their breeding success and population sustainability.

Adequate exercise and socialisation of dogs are critical elements of responsible dog ownership. The changes proposed continue to provide for extensive dog exercise areas while balancing the potential impact on the reserves and wildlife.

Strategic Implications

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

Social:

- Advocate for and facilitate the provision of diverse and environmentally sustainable places and spaces for people to enjoy an inclusive and active lifestyle.
- Promote the importance of a healthy, active lifestyle and the role the natural environment plays in preventative health, within our community.

Conclusion

The proposed changes to the *Dog Act 1976* designations at Reserve 48366, Meadow Springs Sports Facility will support existing fencing that has been installed and assist in enforcing requirements. Finalisation of changes to Dog Prohibited and Dog Exercise area at Pyramids Beach Dawesville will support protection of the nesting Australian Fairy Tern.

NOTE:

- Refer: **Attachment 2.1 Existing Dog Act 1976 designations of Reserve 48366 Meadow Springs**
Attachment 2.2 Proposed Dog Act 1976 designations of Reserve 48366 Meadow Springs
Attachment 2.3 Finalised Dog Act 1976 Restrictions Pyramids Beach, Dawesville

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approves the commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern oval premier cricket oval and shared use school oval of Reserve 48366 Meadow Springs as per *Attachment 2.2*.
2. Approves the variation to the existing dog exercise area at Reserve 48366 Meadow Springs as per *Attachment 2.2* which provides for dogs to be off lead except where active sport (including training) is in progress.
3. Provides final approval for the prohibition of dogs at Pyramids Beach, Dawesville and amendments to dog exercise areas in accordance with *Attachment 2.3*.

Committee Recommendation

That the Committee of Council recommend that Council:

1. Approves the commencement of a 28-day public notice period specifying Council's intention to prohibit dogs on the northern oval premier cricket oval and shared use school oval of Reserve 48366 Meadow Springs as per *Attachment 2.2*.
2. Approves the variation to the existing dog exercise area at Reserve 48366 Meadow Springs as per *Attachment 2.2* which provides for dogs to be off lead except where active sport (including training) is in progress.
3. Provides final approval for the prohibition of dogs at Pyramids Beach, Dawesville and amendments to dog exercise areas in accordance with *Attachment 2.3*.

ABSOLUTE MAJORITY REQUIRED

ATTACHMENT 2.1

Existing Dog Act 1976 designations of Reserve 48366 Meadow Springs



 Dog exercise area

ATTACHMENT 2.2

Proposed Dog Act 1976 designations of Reserve 48366 Meadow Springs



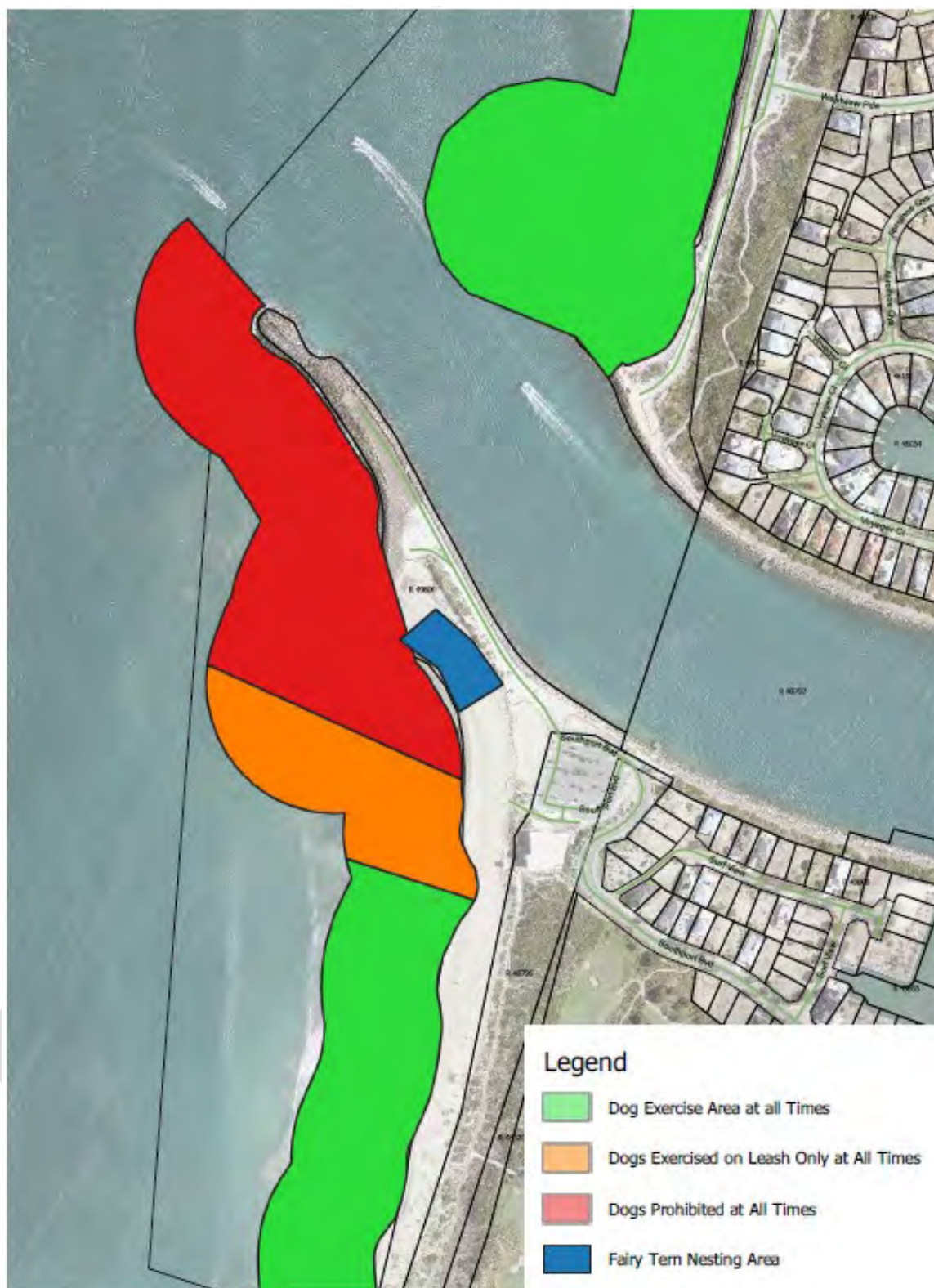
Dog prohibited area at all times



Dog exercise area except where active sport (including training) is in progress

ATTACHMENT 2.3

Finalised Dog Act 1976 Restrictions Pyramids Beach, Dawesville



3	SUBJECT:	Local Planning Policy No 3 Non Residential Uses in Residential Zones – Final Adoption
	DIRECTOR:	Business Services
	MEETING:	Committee of Council
	MEETING DATE:	14 September 2021

Summary

Council is requested to consider adopting for final approval Local Planning Policy No 3 – Non Residential Uses in Residential Zones (LPP3). This policy will consolidate three existing local planning policies relating to Medical Centres, Child Care Premises and Home Based Businesses and incorporate provisions from Town Planning Scheme No 3 (Scheme) relating to Commercial Vehicle Parking. The proposed LPP3 will provide a framework for the assessment and approval of various non-residential land uses within residential zones, including design criteria for new development.

The draft policy was adopted for advertising purposes by Council at its meeting held on 22 June 2021 and was subsequently advertised for public comment with submissions closing on 13 August 2021. No submissions were received and as such, no changes have been proposed to the draft policy.

As part of a review of the City's local planning policies, the existing Local Planning Policy No 3 – Urban Design Policy has been identified as being redundant due to the introduction of new State Planning Policies and is recommended for revocation.

It is recommended that Council adopt Local Planning Policy No 3 – Non Residential Uses in Residential Zones for final approval and revoke the following four existing local planning policies:

- Local Planning Policy No 3 – Urban Design Policy
- Local Planning Policy No 12 – Home Occupation Policy
- Local Planning Policy No 13 – Child Care Premises Policy and;
- Local Planning Policy No 16 – Medical Centres.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.12/6/21 22 June 2021 Council resolved to adopt for the purposes of advertising draft Local Planning Policy No 3 – Non Residential Uses in Residential Zones.
- G.14/11/20 24 November 2020 Council requested officers to prepare for Council, consideration of a Local Planning Policy addressing Commercial Vehicles within the residential zone.
- G.10/8/20 25 August 2020 Council directed officers to provide a report outlining a review of the approval process and outcomes for the parking of Commercial Vehicles in Residential Areas.
- G.22/6/20 23 June 2020 Council resolved to support the draft Local Planning Scheme No 12 and forward the Scheme to the Western Australian Planning Commission for approval.

- G.28/10/10 26 October 2010 Council adopted for final approval Local Planning Policy No 16 – Medical Centres.
- G.51/11/09 24 November 2009 Council adopted for final approval Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy and Local Planning Policy No 13 – Child Care Premises Policy.

Background

In June 2021, Council adopted draft Local Planning Policy No 3 – Non Residential Uses in Residential Zones (LPP3), for advertising purposes. The policy was prepared to update and consolidate three existing local planning policies relating to Medical Centres, Child Care Premises and Home Based Businesses and incorporate provisions from the Scheme relating to Commercial Vehicle Parking.

The proposed policy will provide a framework for the assessment and approval of various non-residential land uses within residential zones, including design criteria for new development. In summary, the draft policy proposed the following changes and additions:

Medical Centres and Child Care Premises:

- Minor changes proposed for consistency and clarity;
- Inclusion of additional requirements for landscaping and supporting technical reports where deemed necessary; and
- Introduced limitations on hours of operations for child care premises to protect neighbouring amenity.

Commercial Vehicle Parking:

- Updated the definitions for Commercial Vehicles and Commercial Vehicle Parking to reflect Local Planning Scheme No 12;
- Introduced requirement for approval where commercial vehicles are housed within an outbuilding;
- Introduced minimum lot sizes for the parking of one or two commercial vehicles; and
- Amended the hours of restricted movement (commercial vehicle not to be taken to or from the site) to correlate with the *Environmental Protection (Noise) Regulations 1997*.

Home Based Businesses:

- Updated to reflect recent amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) and the new definitions within LPS12 for a Home Office, Home Occupation and Home Business.

Changes to the Planning Framework

On 18 December 2020, amendments to the Regulations were gazetted as part of the State's planning reform agenda. These amendments came into effect on 15 February 2021 and have implications to application timeframes, advertising procedures and exempt development. With specific relevance to this report, the amendments to the Regulations exempt certain home businesses from requiring development approval.

The City's draft LPS12 was endorsed by Council on 23 June 2020 and has recently been approved by the Minister for Transport and Planning, subject to modifications. Once these changes have been made, LPS12 will be gazetted. LPS12 incorporates updated land use definitions as per the *Planning and Development (Local Planning Schemes) Regulations 2015* (Model provisions for local planning schemes), including amended definitions for commercial vehicles and home businesses. A review of the local planning policies is necessary to ensure consistency with LPS12.

Commercial Vehicle Parking

A Notice of Motion was approved by Council at its meeting of 25 August 2020 in regards to the parking of commercial vehicles in residential areas. The motion directed officers to provide a report outlining a review of the approval process and outcomes for the parking of commercial vehicles in residential areas. On 24 November 2020, officers presented a report to Council outlining the assessment process for commercial vehicles in response to the Notice of Motion. The report concluded that a local planning policy should be prepared for consideration by Council, that provides an assessment criteria and acceptable provisions for commercial vehicle parking applications.

State of Emergency Exemptions

In response to the current State of Emergency, a Notice of Exemption was issued on 8 April 2020 which temporarily exempts various land uses from requiring development approval. The exemptions include, but are not limited to, a home business, home occupation and commercial vehicle parking in a residential area. These exemptions will remain in effect until 90 days after the end of the State of Emergency. There remains uncertainty as to how long the State of Emergency will remain in effect.

Comment

Following Council's resolution to adopt LPP3 for advertising purposes in June 2021, the policy was advertised for public comment by placing notifications in the local newspaper, on the City's social media accounts and on the City's website.

Caretaker Policy Consideration

Council has adopted a Caretaker Council Policy. The September 2021 Ordinary Council Meeting falls within the caretaker period. In accordance with the Caretaker Council Policy, Council can consider a matter that would be considered a major policy decision in a number of circumstances such as outlined in clause 3.2 of the Caretaker Council Policy for prevailing circumstances. As the process has substantially commenced and there were no comments received, the Chief Executive Officer has approved for this to be considered.

The draft policy was advertised for a period of 23 days, with submissions closing on 13 August 2021. No submissions were received and as such, no changes have been proposed to the draft policy. It is recommended that Council adopt the policy for final approval without modification.

Revocation of Existing Local Planning Policies

LPP3 aims to consolidate and replace three existing local planning policies. Should Council determine to adopt the policy for final approval, it is recommended that Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres are formally revoked.

The City has an existing Local Planning Policy No 3 – Urban Design Policy that was adopted in 2009 to provide guidance on improving the quality of urban design for new developments. At the time, the policy addressed a gap in the statutory planning framework whereby the Scheme and Residential Design Codes did not adequately address aspects of urban design. Since 2009, there have been various updates to the planning framework which guide the design of new developments and supersede the City's Urban Design Policy, summarised as follows:

- The City has various precinct plans and structure plans that include detailed urban design provisions and minimum standards for new developments within activity centres and areas identified for higher densities. Each precinct / structure plan incorporates specific design criteria to achieve the desired character of the locality.

- State Planning Policy No 7.0 – Design of the Built Environment addresses design quality and aims to achieve good design outcomes. SPP7.0 sets out the objectives, measures, principles and processes which apply to the design and assessment of development proposals.
- State Planning Policy No 7.2 – Precinct Design provides guidance for the preparation, assessment and determination of precinct structure plans and local development plans. SPP7.2 can also be used for significant subdivisions or development applications where there is not an approved precinct structure plan or local development plan.
- State Planning Policy No 7.3 – Residential Design Codes – Apartments and the draft Medium Density Codes set objectives and acceptable design outcomes for built form and scale, functionality, universal design/access, crime prevention, vehicle access, legibility and sustainability.
- Requirements for heritage buildings have been incorporated into the Deemed Provisions and LPS12.
- Design for noise attenuation is adequately addressed within State Planning Policy No 5.4 – Road and Rail Noise and the *Environmental Protection (Noise) Regulations 1997*.

For the reasons outlined above, the Urban Design Policy was identified during the overall policy review as being redundant and is recommended for revocation.

MEAG Comment

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

In accordance with Clause 4 of the Deemed Provisions, a local government must advertise a proposed policy for a period not less than 21 days by publishing on the City's website and by giving notice of the proposed policy in any other way the local government considers appropriate.

The policy was advertised by publishing on the City's website, social media accounts and in the local newspaper for a period of 23 days. No submissions were received.

Statutory Environment

Local governments may prepare Local Planning Policies under Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* in respect to any matter related to the planning and development of the scheme area. Once approved, the local government must have regard to each relevant local planning policy when making a determination under the Local Planning Scheme.

Policy Implications

The proposed consolidation and review of existing policies will refine and update the existing policy framework in line with the current regulations and proposed Local Planning Scheme No 12 as well as reduce the overall complexity of the framework.

Financial Implications

Nil

Risk Analysis

Poor management of non residential uses in residential areas can lead to amenity impacts for surrounding residents.

Excessive regulation and restriction on non residential uses in residential zones can limit entrepreneurship and business development. In some cases home based operations can be an entry to a larger business operation.

Strategic Implications

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

Economic:

- Facilitate and advocate for sustainable local job creation and industry diversification.

Social:

- Facilitate safe neighbourhoods and lifestyles by influencing the built form through urban design.

Organisational Excellence:

- Listen to and engage with our community in the decision-making process.

Conclusion

The proposed Local Planning Policy No 3 – Non Residential Uses in Residential Zones seeks to consolidate three existing local planning policies relating to Medical Centres, Child Care Premises and Home Based Businesses and incorporate provisions from the Scheme relating to Commercial Vehicle Parking. The local planning policy reflects recent amendments to the statutory planning framework and provides guidance for assessment of non-residential development within residential zones.

The draft policy was adopted for advertising purposes by Council at its meeting held on 22 June 2021 and was subsequently advertised for public comment with submissions closing on 13 August 2021. No submissions were received and as such, no changes have been proposed to the draft policy.

As part of a review of the City's local planning policies, the existing Local Planning Policy No 3 – Urban Design Policy has been identified as redundant and is recommended for revocation.

It is recommended that Council adopt Local Planning Policy No 3 – Non Residential Uses in Residential Zones for final approval.

NOTE:

- Refer **Attachment 3.1 Draft Local Planning Policy No 3 – Non Residential Uses in Residential Zones**

Officer Recommendation

That the Committee of Council recommend that Council:

1. In accordance with Schedule 2, Part 2, Clause 4 of the Deemed Provisions for Local Planning Schemes, that Council resolves to proceed with Local Planning Policy No 3 – Non Residential Uses within Residential Zones without modification, and publish a notice on the City of Mandurah website giving effect to the Policy.
2. In accordance with Schedule 2, Part 2, Clause 6 of the Deemed Provisions for Local Planning Schemes, that Council resolves to revoke Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres, and publish a notice of revocation on the City of Mandurah website.

Committee Recommendation

That the Committee of Council recommend that Council:

- 1. In accordance with Schedule 2, Part 2, Clause 4 of the Deemed Provisions for Local Planning Schemes, that Council resolves to proceed with Local Planning Policy No 3 – Non Residential Uses within Residential Zones without modification, and publish a notice on the City of Mandurah website giving effect to the Policy.**
- 2. In accordance with Schedule 2, Part 2, Clause 6 of the Deemed Provisions for Local Planning Schemes, that Council resolves to revoke Local Planning Policy No 3 – Urban Design Policy, Local Planning Policy No 12 – Home Occupation Policy, Local Planning Policy No 13 – Child Care Premises Policy and Local Planning Policy No 16 – Medical Centres, and publish a notice of revocation on the City of Mandurah website.**

CONFIRMED

Local Planning Policy No 3

Non Residential Uses in Residential Zones

May 2021

ATTACHMENT 3.1



Record of Adoption

Stage	Document Version	Approval Date
Draft for advertising	Version 1 May 2021	

Schedule of Modifications

No	Summary of Modifications	Document Version	Approval Date



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CONFIRMED



1. Introduction

1.1 Policy Objectives

The objectives of this Local Planning Policy are to:

- (a) Maintain the local character and amenity of residential areas;
- (b) Encourage non-residential uses to be located within close proximity to activity centres and areas that support a range of services;
- (c) Ensure that non-residential uses outside of activity centres are located on roads that can accommodate the additional traffic generated by the use;
- (d) Minimise the impacts of non-residential land uses on the amenity of surrounding landowners.

1.2 Background

Local Planning Policy No 3 – Non-Residential Uses in the Residential Zones replaces the following Local Planning Policies, in accordance with Clause 6(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* Deemed Provisions:

- LPP 12 – Home Occupation
- LPP 13 – Child Care Premises
- LPP 16 – Medical Centres

This policy also incorporates provisions relating to the Parking of Commercial Vehicles within the Local Planning Scheme.

1.3 Application of the Policy

- (a) This Local Planning Policy is prepared, advertised and adopted pursuant to Part 2 Division 2 of the Deemed Provisions for Local Planning Schemes (as set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2) (Deemed Provisions)
- (b) Clause 3(5) and Clause 67(2)(g) of the Deemed Provisions state that the local government is to have due regard to a local planning policy in making a determination under the local planning scheme and applications for development approval.
- (c) This Local Planning Policy is applicable to the Residential, Canal and Rural Residential zones (hereby defined as 'residential area')



2. Medical Centre

2.1 Definition

A Medical Centre is defined within the local planning scheme as:

means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

An application for a medical centre within a residential area is to have regard to the provisions of this policy when submitted for assessment and determination by the local government.

2.2 Location

2.2.1 The following locations may be appropriate for the establishment of a medical centre:

- (a) A site that fronts (through direct access or via a parallel local road) onto a Major Road, District Integrator Road or Neighbourhood Connector Road, as identified on Figure 1;
- (b) Part of or within easy walking distance of commercial, recreation or community nodes and education facilities; or
- (c) A site well served by public transport.

2.2.2 It is unlikely that an application for a medical centre where the residential density coding is 'R5' or lower will be approved, due to the potential impact on the amenity of these areas.

2.3 Built Form

The built form of the proposed development shall be in accordance with the following:

- (a) The design of the development shall respect the character of the area having regard to land-use, building scale, built form and boundary setbacks;
- (b) The maximum building height, street walls/fences, street setbacks and lot boundary setbacks shall be in accordance with the Residential Design Codes for a residential dwelling.
- (c) Paths allowing pedestrian and universal access should be made with durable, non-skid surfaces and continuously provided across driveways; and
- (d) Signage shall be considered in accordance with Local Planning Policy No 2 - Signage.

2.4 Landscaping

Landscaping is to be in accordance with the following requirements:

- (a) A minimum of 10% of the site area shall be landscaped.
- (b) The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
- (c) Landscaping is to be of a high quality through the use of trees within parking areas, the street verge and around buildings, complimented by extensive low-rise native landscaping. The City's Locality Street Tree Master Plan should be considered in design of landscaping.



2.5 Car Parking

The minimum car parking requirement for medical centres as required by the local planning scheme is 5 bays per practitioner. Design of on-site parking shall be as follows:

- (a) Parking of vehicles shall not visually dominate the street frontage, with some or all of the required on-site parking located behind the building line or sleeved within the development;
- (b) Safe vehicular and pedestrian access be from a road that is capable of handling additional traffic volumes and can accommodate the traffic generated by the use;
- (c) Vehicles will be required to enter and exit the site in a forward gear; and
- (d) The site layout and location shall minimise the impacts of noise and headlight glare of vehicles to bedrooms and major habitable rooms for adjacent or neighbouring dwellings.

2.6 Traffic

A traffic impact assessment and/or traffic management report, prepared by a suitably qualified Transport Consultant, may be required to be submitted with an application for development approval. The requirement for which, will be determined where there are concerns of traffic impacts from the proposal. The assessment / report should address:

- (a) The site characteristics and surrounding area;
- (b) The proposal and its expected trip generation;
- (c) Parking requirements, including the design of parking areas, and any pick-up and drop off facilities;
- (d) Existing traffic conditions and any future changes expected to the traffic conditions;

- (e) Current road safety conditions, including an accident history in the locality;
- (f) The expected impact of the proposed development on the existing and future traffic conditions; and
- (g) The impact on surrounding verges and the management of parking overflow.

The proposed use should be approved only if it will have a minimal impact on the functionality and amenity of an area and will not create or exacerbate any unsafe conditions for pedestrians or road users.

2.7 Noise

A Noise Assessment, prepared by a suitably qualified Acoustic Consultant, may be required for the development of a medical centre, where it is determined that the proposal may negatively impact the surrounding properties through the generation of noise.

This requirement will be determined on a case-by-case basis, based on residential density, existing buildings, hours of operation and proposed scale of operations.

2.8 Waste Management

A Waste Management Plan (WMP) is required to be prepared and submitted as part of the application for development approval. The WMP shall be prepared in accordance with the City's Commercial and Industrial Development Template and shall detail how bins will be stored and serviced in a way that protects the residential amenity of the area.



3. Child Care Premises

3.1 Definition

A Child Care Premises is defined under the local planning scheme as:

means premises where —

- a) an education and care service as defined in the Education and Care Services National Law (Western Australia) Act 2012 section 5(1), other than a family day care service as defined in that section, is provided; or*
- b) a child care service as defined in the Child Care Services Act 2007 section 4 is provided;*

An application for a child care premises within a residential area is to have regard to the provisions of this policy when submitted for assessment and determination by the local government.

3.2 Location

3.2.1 The following locations may be appropriate for the establishment of a child care premises:

- (a) A site that fronts (through direct access or via a parallel local road) onto a Major Road, District Integrator Road or Neighbourhood Connector Road, as identified on Figure 1;
- (b) Part of or within easy walking distance of commercial, recreation or community nodes and education facilities (as generally identified on Figure 1);
- (c) In areas where adjoining uses are compatible with a child care premises (includes considering all permissible uses under the zoning of adjoining properties); or
- (d) A site well served by public transport.

3.2.2 Child care premises generally would not be suitable at the following locations, unless the applicant can demonstrate to the satisfaction of the local government that the following matters listed will not have a detrimental impact on the child care premises:

- (a) Access is from an arterial route or in close proximity to a major intersection, as identified on Figure 1 to an arterial route where there may be safety concerns;
- (b) Access is from a local street where there may be impacts on amenity due to traffic and parking;
- (c) The current use or any permissible use under the zoning of the adjoining premises produces unacceptable levels of noise, fumes or emissions or poses a potential hazard by reason of activities or materials stored on-site;
- (d) Noise produced by roads and railways are likely to have an adverse impact on the site;
- (e) The site may be subject to contamination, within close proximity to high-voltage electricity transmission lines, or subject to external impacts that may be harmful to the staff and children; or
- (f) A site less than 1,000 square metres in area.



3.3 Hours of Operation

The hours of operation for a child care premises within a residential area should be limited to the following:

Monday to Friday	7:00am – 6:00pm
Saturday	8:00am – 5:00pm

An application proposing to operate outside of these hours will be assessed based on the potential impact to the neighbouring residential amenity.

3.4 Built Form

The built form of the proposed development shall be in accordance with the following:

- (a) The design of the development shall respect the character of the area having regard to land-use, building scale, built form and boundary setbacks;
- (b) The maximum building height, street walls/fences, street setbacks and lot boundary setbacks shall be in accordance with the Residential Design Codes as for a residential dwelling;
- (c) Paths allowing pedestrian and universal access should be made with durable, non-skid surfaces and continuously provided across driveways;
- (d) Signage shall be in accordance with Local Planning Policy No 2 Signage; and
- (e) Where possible, outdoor and indoor play areas for a Child Care Centre should:
 - i. Be in a safe location on the site and away from any adjoining noise sensitive premises;

- ii. Be north facing and/or accessible to the winter sun;
- iii. Create opportunities for casual surveillance of the outdoor play area from the premises building(s), adjacent land uses and the public domain where appropriate; and
- iv. Have a regular shape in order to avoid the creation of poorly surveyed spaces.

3.5 Landscaping

Landscaping is to be in accordance with the following requirements:

- (a) A minimum of 10% of the site area shall be landscaped;
- (b) The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries; and
- (c) Landscaping is to be of a high quality through the use of trees within parking areas, the street verge and around buildings, complimented by extensive low-rise native landscaping. The City's Locality Street Tree Master Plan should be considered in design of landscaping.

3.6 Car Parking

The minimum car parking requirement for child care centres in the local planning scheme is 4.5 parking bays per 100m² of net lettable floor area. The design of on-site parking shall be as follows:

- (a) Parking of vehicles shall not visually dominate the street frontage, with some or all of the required on-site parking located behind the building line or sleeved within the development;



- (b) Safe vehicular and pedestrian access be from a road that is capable of handling additional traffic volumes and can accommodate the traffic generated by the use;
- (c) Vehicles will be required to enter and exit the site in a forward gear; and
- (d) The site layout and location shall minimise the impacts of noise and headlight glare of vehicles to bedrooms and major habitable rooms for adjacent or neighbouring dwellings.

3.7 Traffic

A traffic impact assessment and/or traffic management report, prepared by a suitably qualified Transport Consultant, may be required to be submitted with an application for development approval. The requirement for which, will be determined where there are concerns of traffic impacts from the proposal. The assessment / report should address:

- (a) The site characteristics and surrounding area;
- (b) The proposal and its expected trip generation;
- (c) Parking requirements, including the design of parking areas, and any pick-up and drop off facilities;
- (d) Existing traffic conditions and any future changes expected to the traffic conditions;
- (e) Current road safety conditions, including an accident history in the locality;
- (f) The expected impact of the proposed development on the existing and future traffic conditions; and

- (g) The impact on surrounding verges and the management of parking overflow.

The proposed use should be approved only if it will have a minimal impact on the functionality and amenity of an area and will not create or exacerbate any unsafe conditions for pedestrians or road users.

3.8 Noise

A Noise Assessment, prepared by a suitably qualified Acoustic Consultant, may be required for the development of a child care premises, where it is determined that the proposal may negatively impact the surrounding properties through the generation of noise. This requirement will be determined on a case-by-case basis, based on residential density, existing buildings, hours of operation and proposed scale of operations.

To reduce the impact of child care premise on surrounding properties, the following should apply:

- (a) Where a child care premises is located adjacent to a noise sensitive premises, the noise generating activities of the child care premises such as the outdoor play areas, parking areas and any plant and equipment are to be located away from the noise sensitive premises;
- (b) Where, due to design limitations or safety considerations, noise generating activities such as outdoor play areas are located close to noise sensitive premises, appropriate noise attenuation measures are to be undertaken; and
- (c) The design and construction of buildings may include noise attenuation measures to reduce impact from external sources and to achieve accepted indoor noise limits.



3.9 Waste Management

A Waste Management Plan (WMP) is required to be prepared and submitted as part of the application for development approval.

The WMP shall be prepared in accordance with the City's Commercial and Industrial Development Template and shall detail how bins will be stored and serviced in a way that protects the residential amenity of the area.

CONFIRMED



4. Commercial Vehicle Parking

4.1 Definitions

A Commercial Vehicle is defined under the local planning scheme as:

means a vehicle, whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes including –

- (a) a utility, van, truck, tractor, bus or earthmoving equipment; and*
- (b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a).*

Commercial Vehicle Parking is defined under the local planning scheme as:

means premises used for parking of one or 2 commercial vehicles but does not include –

- (a) any part of a public road used for parking or for a taxi rank; or*
- (b) parking of commercial vehicles incidental to the predominant use of the land.*

4.2 Assessment Criteria

In assessing an application for commercial vehicle parking within a residential area, the local government shall have regard to the following assessment criteria and/or requirements:

- (a) The subject site having a lot area of at least 500m² for one commercial vehicle or at least 2000m² for two commercial vehicles;
- (b) The proposed on-site parking location being adequately screened from view from the street;

- (c) The potential impacts on neighbouring residents with respect to noise, emissions, visual appearance or any other nuisance being minimised;
- (d) A restriction of movement (the commercial vehicle not to be taken from or brought to the lot) between the hours of 10:00pm and 7:00am;
- (e) Major repairs to the commercial vehicles are not undertaken on the lot. Any minor repairs are to be carried out within an outbuilding or screened from view from the street; and
- (f) All noise from the vehicle(s) is to comply with the Environmental Protection (Noise) Regulations 1997.

4.3 Noise

A Noise Assessment, prepared by a suitably qualified Acoustic Consultant, may be required for the assessment of a commercial vehicle where it is determined that the proposal may negatively impact the surrounding properties through the generation of noise.

This requirement will be determined on a case-by-case basis, based on residential density, existing buildings, hours of operation and proposed scale of operations.



4.4 Compliance

Should a commercial vehicle at a residential property become the subject of notice or complaint, the local government may undertake any of the following:

- (a) Ensure that conditions of any approval are being complied with, and should any conditions not be complied with:
 - i. Require the parking/operations to be altered; or
 - ii. Issue an infringement notice or alternative enforcement action.
- (b) Request a retrospective application, should the commercial vehicle be parked at a residential property without valid approval.

CONFIRMED



5. Home Based Businesses

5.1 Definitions

Home based businesses are divided into three different categories depending on the scale of operations and are defined within the local planning scheme as follows:

Home Office:

means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation —

- (a) is solely within the dwelling;*
- (b) does not entail clients or customers travelling to and from the dwelling;*
- (c) does not involve the display of a sign on the premises; and*
- (d) does not require any change to the external appearance of the dwelling.*

Home Occupation:

means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupation that —

- (a) does not involve employing a person who is not a member of the occupier's household;*
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) does not occupy an area greater than 20 m²;*
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m²; and*
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet;*

- (f) does not —
 - i. require a greater number of parking spaces than normally required for a single dwelling; or*
 - ii. result in an increase in traffic volume in the neighbourhood;**
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight;*
- (h) does not include provision for the fuelling, repair or maintenance of motor vehicles; and*
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.*

Home Business:

means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession —

- (a) does not involve employing more than 2 people who are not members of the occupier's household;*
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) does not occupy an area greater than 50 m²;*
- (d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet;*
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;*
- (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and*
does not involve the use of an essential service that is greater than the use normally required.



5.2 Requirement for Development Approval

In accordance with the Deemed Provisions, development approval is not required for a home office or home occupation.

An application for development approval is required for a home business.

5.3 Assessment Criteria

In assessing an application for a home business, the local government shall have regard to the following assessment criteria:

- (a) The nature, scale and hours of operation of the proposed home business being compatible with a residential area;
- (b) The relationship of the proposed home business with the adjoining land or on other land in the locality, including lot sizes;
- (c) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect of that traffic on the movement of traffic on that road system; and
- (d) Be compatible with its surrounds and not adversely affect the amenity of the area with respect to:
 - i. The parking of motor vehicles;
 - ii. The transporting of materials or goods to or from the dwelling;
 - iii. The hours of operation, which should generally be limited to the normal business hours of 8am to 6pm Monday to Saturday; and
 - iv. The creation of noise, vibration, electrical interference, or light emissions.

5.4 Administration

5.4.1 Advertising Procedure

Any home business that is likely to have an impact on neighbouring properties in regards to:

- (a) The creation of noise, vibration, electrical interference, or light emissions;
- (b) The parking of motor vehicles;
- (c) The transporting of materials or goods to or from the dwelling;
- (d) The hours of operation; or
- (e) Any home business associated with the repair, storage or maintenance of motor vehicles,

shall be advertised to surrounding landowners in accordance with clause 64 of the Deemed Provisions.

5.4.2 Compliance

Should a business that is operating from a dwelling become the subject of notice or complaint, the local government may undertake any of the following:

- (f) Ensure that conditions of any approval are being complied with, and should any conditions not be complied with:
 - i. Require business practices to be altered; or
 - ii. Issue an infringement notice or alternative enforcement action.
- (g) Request a retrospective application, should the business be operating without valid approval.

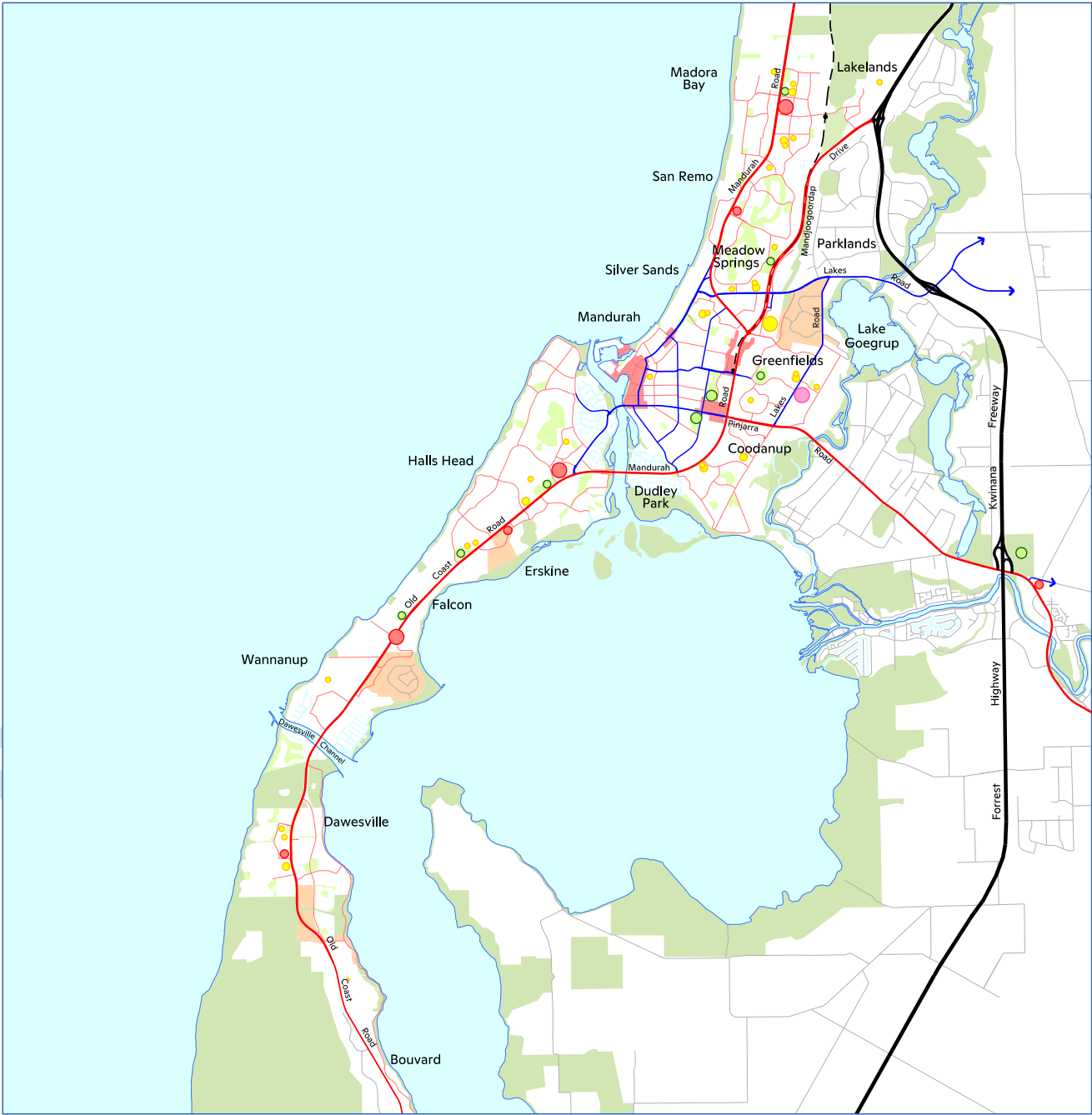
Figure 1 - Location Criteria

Road Network

- Freeway
- Major Road (Primary Distributor)
- District Integrator Road
- Neighbourhood Connector

Urban Form / Activity Centres

- Major Commercial Area (City Centre / District Centre / Neighbourhood Centre)
- Recreation Facilities (Regional / District Facilities)
- Peel Health Campus
- Education Facilities
- Residential Area with R-Code less than R5



4	SUBJECT:	Advertising of Senior Employee: Director Built and Natural Environment
	DIRECTOR:	Director Business Services
	MEETING:	Committee of Council
	MEETING DATE:	14 September 2021

Summary

The Director Built and Natural Environment has announced his intention to retire and has submitted his resignation effective from 31 December 2021.

Council are requested to approve the commencement of the recruitment process.

Disclosure of Interest

Nil

Confidentiality

This report is designated confidential under section 5.23(2) of the *Local Government Act 1995* as it relates to an employee matter.

Previous Relevant Documentation

- SP.10/3/20 10 March 2020 Organisational Structure: Directorates and services to align to Mandurah Matters

Background

The Director Built and Natural Environment has announced his intention to retire and submitted his resignation, effective from 31 December 2021. The resignation was received on 8 April 2021. Mr Claydon's employment contract required a three month notice period, which has been provided.

Mr Claydon has served the Council in a variety of roles during his 29 years' service. Mr Claydon will reach 30 years' service before retiring. He has been an outstanding employee and has played significant roles in establishing and delivering our workplace culture, capital projects, creating innovation in the field and in identifying and growing our future leaders.

Comment

The recruitment process for the position of Director Built and Natural Environment will consist of:

- The CEO finalising the position description as detailed in Confidential Attachment 4.1
- Advertising the position
- Reviewing applications and creating a shortlist of candidates to interview
- Conduct first round interviews with shortlisted candidate
- Undertake a personality and behaviour assessment
- Conduct second round interviews with one or more preferred candidates
- Carry out reference checks and verification of qualifications
- Present preferred candidate to Council for consideration

Consultation

The Council approved the organisational structure in March 2020 which brought the environment components together which includes the natural environment, marine, bushland, parks, education, energy and water.

Statutory Environment

Local Government Act 1995:

Section 5.41(g) states that the Chief Executive Officer is *responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37 (2)) in relation to senior employees.*

Section 5.37(1) states that a local government *may designate employees or persons belonging to a class of employee to be Senior Employees.*

Section 5.37(2) states the *CEO is to inform Council of each proposal to employ or dismiss a Senior Employee, other than referred to in section 5.39(1a), and the Council may accept or reject the CEO's recommendation, but if the Council rejects a recommendation, it is to inform the CEO of the reasons for it doing so.*

The Director of Built and Natural Environment is designated as a Senior Employee, and therefore the Chief Executive Officer will recommend to Council the proposed appointment once the recruitment process has been finalised.

The City of Mandurah has received advice from the Department of Local Government, Sports and Cultural Industries that it is the DLGSC view that the responsibility for selecting and managing employees lies solely with the CEO and they cannot select a candidate. Therefore there is no recommendation for the Mayor or an Elected Member to sit on an interview panel of an employee, including a senior employee position.

Policy Implications

Senior Employees Council Policy designates the Director Built and Natural Environment as a Senior Employee.

Financial Implications

The position is included within the 2021/2022 Annual Budget.

Risk Analysis

It is important that the Council employs appropriately qualified, experienced and exceptional leaders in its senior employees' position.

Strategic Implications

The position will assist in achieving all of the strategies from the City of Mandurah Strategic Community Plan 2020 – 2040

Conclusion

Council is requested to:

- 1 Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.

- 2 Approve the commencement of the recruitment process of the Director Built and Natural Environment.

NOTE:

- Refer ***Confidential Attachment 4.1 Built and Natural Environment Position Description***

Officer Recommendation

That the Committee of Council recommend that Council:

1. Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.
2. Approve the commencement of the recruitment process of the Director Built and Natural Environment.

Committee Recommendation

That the Committee of Council recommend that Council:

1. **Note the resignation of Mr Allan Claydon from the role as Director Built and Natural Environment.**
2. **Approve the commencement of the recruitment process of the Director Built and Natural Environment.**

5	SUBJECT:	Amendment: Payments to Employees Policy
	DIRECTOR:	Strategy and Economic Development
	MEETING:	Committee of Council
	MEETING DATE:	14 September 2021

Summary

A proposed amendment to the current Council Policy in relation to Payments to Employees (POL-HRM 04) is proposed to enable the City of Mandurah (the City) to financially recognise and thank long-serving employees at time of resignation or retirement via a small gift based on years of service.

Disclosure of Interest

Nil.

Previous Relevant Documentation

Nil.

Background

The City has reviewed its recognition of long serving employees. In doing so, it is proposed that the existing Payments to Employees Policy (POL-HRM 04) be amended to enable the City to recognise long-serving employees at the time of resignation or retirement.

Comment

It is proposed that Payments for Employees Policy is amended so that for employees whose employment is finishing at the City, an additional payment that the employee is contractually entitled to, will include:

- For employees with more than 10 years and less than 15 years' service, a gift up to the value of \$100 and contribution towards an appropriate organisational event up to the value of \$150.
- For employees with more than 15 years and less than 20 years' service, a gift up to the value of \$150 and contribution towards an appropriate organisational event up to the value of \$150.
- For employees with 20 or more years of service, a gift of \$250 and contribution towards an appropriate organisational event that is determined by the Chief Executive Officer based on the employee's role, length of service and contribution throughout their employment.

This amendment is referenced in Attachment 5.1, section 4.4

Statutory Environment

Section 5.50 of the *Local Government Act 1995* states:

(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —

(a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and

(b) the manner of assessment of the additional amount.

(1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1).

...

(3) *The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.*

(4) *In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.*

(5) *The CEO must publish the policy prepared under subsection (1) and adopted by the local government on the local government's official website.*

Policy Implications

If Council approve the proposed amendments this will be the revised Council Policy the date of approval.

Financial Implications

The proposed changes are not expected to result in an increase in budget. The City will work within the current budget allocation to fund the gifts and organisational events outlined in the amendment.

Risk Analysis

Nil.

Strategic Implications

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

Organisational Excellence:

- Build and retain a skilled, agile, motivated and healthy workforce.
- 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.
- Ensure that our actions maintain a sustainable balance between economic growth, the environment and social values.

Conclusion

The proposed amendment will enable the City to recognise and thank long-serving employees at the time of resignation or retirement. In doing so, this will not only recognise the relevant employee but will also reinforce that the City's values towards employees who have demonstrated a strong commitment to the organisation.

NOTE:

- Refer **Attachment 5.1** ***Revised Council Policy POL-HRM 04 Payments to Employees***

Officer Recommendation

That the Committee of Council recommend that Council:

1. Approve the recommended amendment to the Payments to Employees Council Policy as detailed in Attachment 5.1.
2. Authorise the CEO to publish the Council Policy in accordance with the *Local Government Act 1995*.

Committee Recommendation

That the Committee of Council recommend that Council:

- 1. Approve the recommended amendment to the Payments to Employees Council Policy as detailed in Attachment 5.1.**
- 2. Authorise the CEO to publish the Council Policy in accordance with the *Local Government Act 1995*.**

CONFIRMED

Payments to Employees

Council Policy

Policy Objective

To set out the circumstances and manner of assessment in which the City of Mandurah (the 'City') will pay an employee an amount that is in addition to any amount to which the employee would normally be entitled.

Policy Statement

1. Application

This policy applies to all employees of the City.

Decisions under this policy are to be made:

- a) by the Council – where the decision involves a payment to the CEO; and
- b) by the Chief Executive Officer (CEO) – where the decision involves a payment to any other employee of the City.

2. Circumstances for payment

The City may make a payment, in addition to any amount to which the employee is entitled under a contract of employment or industrial agreement, relating to the employee in the following circumstances:

- a) redundancy – “Redundant” will be taken to mean that the duties of a position will no longer be performed by an employee of the City;
- b) local government boundary changes and amalgamations; and
- c) to settle such other termination matters (that do not relate to an employee being made redundant) in accordance with clause 4.

3. Exclusions

3.1 A payment will not be made to an employee who:

- a) is redeployed within the City;
- b) accepts employment with a successful tenderer;
- c) is dismissed for serious misconduct;
- d) is employed on either a temporary or casual basis;
- e) has less than one year's service with the City, or
- f) is classified as a trainee or apprentice or is under probation.

3.2 In addition to the exclusions in clause 3.1, where an employee's position is made redundant as a result of all or part of the functions of that position being undertaken by a contractor, a payment will not be made to the employee but, in this case, the City will encourage the contractor to engage the employee.

4. Determination of payment

4.1 Definition

In the context of a 'payment' to an employee, the term 'weeks' pay' –

- a) means the weekly salary or wage payable to the employee calculated in line with the 'base rate of pay' definition contained within the current City of Mandurah Enterprise Agreement or as otherwise defined within an officer's contract of employment;

Payments to Employees

- b) includes salary or wages specifically sacrificed for additional non-award benefits; and
- c) excludes the value of any non-award benefit normally provided for the employee's position (such as a vehicle and where normal use of that vehicle is a non-cash component of a salary package, and any over award superannuation provided to employees).

4.2 General maximum payment

The maximum payment to an employee under regulation 19A of the *Local Government (Administration) Regulations 1996*, where the employment with the City finishes after 1 January 2010, must not exceed:

- a) *if the person accepts voluntary severance by resigning, the value of the person's final annual remuneration; or*
- b) *in all other cases, \$5,000.*

4.3 Settlement and other terminations

For the purpose of determining the amount of a payment in respect of a settling a matter under clause 2 (c), the CEO may take into account:

- a) the advice of an industrial advocate or legal practitioner on the strength of the cases of the respective parties in any litigation or claim in an industrial tribunal;
- b) the costs of any industrial advocate or legal advice and support;
- c) the general costs associated with the hearing including witness fees, travel costs and accommodation charges; and
- d) the disruption to operations.

4.4 Recognition for long-serving employees at time of resignation or retirement

For employees whose employment is finishing at the City, an additional payment that the employee is contractually entitled to, will include:

- a) For employees with more than 10 years and less than 15 years' service, a gift up to the value of \$100 and contribution towards an appropriate organisational event up to the value of \$150.
- b) For employees with more than 15 years and less than 20 years' service, a gift up to the value of \$150 and contribution towards an appropriate organisational event up to the value of \$150.
- c) For employees with 20 or more years of service, a gift of \$250 and contribution towards an appropriate organisational event that is determined by the Chief Executive Officer based on the employee's role, length of service and contribution throughout their employment.

Legislative Context

Local Government Act 1995

s.5.50(1) Payments to Employees in addition to contract or award

Local Government (Administration) Regulations 1996

r.19A Payments in addition to contract or award, limits of

Payments to Employees

Responsible Directorate: Strategy and Economic Development

Responsible Department: People and Culture

Reviewer: Manager People and Culture

Creation date and reference: Minute G.43/12/09 15 December 2009

Last Review: Minute G.12/7/19, 23 July 2019

Amendments			
Version #	Council Approval Date, Reference	Date Document In force	Date Document Ceased
2	Minute G.57/2/12	29/02/2012	24/02/2015
3	Minute G.35/2/15	25/02/2015	23/07/2019
4	Minute G.12/7/19	24/07/2019	-

6	SUBJECT:	Club Night Lights Program
	DIRECTOR:	Place and Community
	MEETING:	Committee of Council
	MEETING DATE:	14 September 2021

Summary

The Club Night Lights Program is a new program administered by the Department of Local Government, Sport and Cultural Industries (DLGSC). It provides financial assistance to community groups and local governments to develop sports floodlighting infrastructure.

The Club Night Lights Program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities. The maximum grant offered for standard grant applications is one third of the total estimated project cost (excluding GST) up to a maximum grant of \$1 million. The application process for submissions requires local government authorities to undertake an initial assessment to ensure that the proposed projects are well planned, prioritised and of positive benefit to the community.

The City intends to submit one application for funding as part of the Club Night Lights Program for the Installation of flood lighting at Mandurah Tennis Club. A second application has been received by the Port Bouvard Sport and Recreation Club to upgrade luminaries to LED's around the bowling greens. It is a requirement that both applications come before Council prior to submission.

Council is requested to support the rating and priority of the two projects being submitted for the 2022/23 Club Night Lights Program. Sufficient funds are available for the purpose in the 2022/23 budget to cover the City of Mandurah's financial contribution towards these projects.

Disclosure of Interest

Nil

Location

Project 1 – Mandurah Tennis Club



Lot 201 Thomson Street Mandurah

Project 2 – Port Bouvard Sport and Recreation Club



1 Thisbe DR DAWESVILLE

Previous Relevant Documentation

Nil

Background

In June 2021, the DLGSC announced the new Club Night Lights Program. The purpose of the program is to provide financial assistance to community groups and local governments to develop sports floodlight infrastructure, with the aim to maintain or increase participation in sport and recreational activities.

The Club Night Lights Program complements the DLGSC's existing CSRFF program; a competitive grant program that aims to assist community groups and local governments to develop basic infrastructure for sports and recreation. Floodlighting was formerly an eligible project activity under the CSRFF program, however in 2021, the State Government announced an additional investment of \$10 million over four years towards floodlighting infrastructure under the new Club Night Lights Program.

The Club Night Lights Program identifies the following categories that will be considered for funding:

- Projects that provide floodlighting to community training and/or local match play where existing facilities do not meet training standards.
- Projects that meet strategic objectives for state sporting associations by providing facilities for competition play at formally identified locations.
- Projects that replace ageing metal-halide floodlighting with energy efficient LED floodlighting to community training and/or community match play standard.
- Power upgrade projects directly linked to the development of lighting.

Projects that are not eligible for funding include non-fixed floodlighting or safety, pathway or casual recreation floodlighting.

In the 2022/2023 funding round, the total funding available is \$2.5 million. Applicants may apply for up to \$1 million ex GST per project. The maximum grant provided is \$1 million, and grants awarded in this category must be claimed in the financial year following the date of approval. There is one round per year.

Council is required by the DLGSC to rank each project according to its priorities for the development or upgrade of facilities, ensuring consistency with relevant strategic documents, and then rate each project according to individual merit.

The project ratings are identified as follows:

Well planned and needed by the municipality	High
Well planned and needed by applicant	Medium/High
Needed by municipality, more planning required	Medium
Needed by applicant, more planning required	Medium/Low
Idea has merit, more preliminary work needed	Low
Not recommended	Not recommended

Comment

Council is requested to consider two applications as part of the Club Night Lights Program.

Project 1 – City of Mandurah

Project	Installation of flood lighting at Mandurah Tennis Club
Location	Lot 201 Thomson Street Mandurah
Years Applied for	2022/23
Total Project Cost	\$160,571.90
Eligible Grant Criterial Total	\$160,571.90
CSRFF Grant Request	\$53,523.96
CoM ContributionI (CSRFF)	\$107,047.92
Other Potential Funding	-
Clubs' Contribution (cash)	\$0
Clubs' Contribution (in kind)	\$0
Recommended Ranking	It is recommended that this project be given a ranking of "1" and a rating of "high"

Project Description

The City plays a pivotal role in ensuring that community spaces are designed to facilitate equitable access and are conducive to inclusive community participation. The Mandurah Tennis Club (MTC) has leased a portion of City freehold owned land at Rushton Park since 1981. The Club has 12 courts including four carpet courts and eight hard courts. Currently the Club has eight courts floodlit but they do not meet Australian Standard and so cannot be safely used at night.

The age, condition and location of the lighting infrastructure at the MTC now requires significant work to bring them to a compliant standard for night time use. Over the last 12 months five towers have come down which has significantly reduced the utilisation of the tennis courts. The current flood lighting infrastructure is metal-halide and provides inadequate lighting for tennis with the current standards being 250 lux.

Currently, a lighting design has been developed to install six new flood lighting towers with LED fittings on courts 1 to 4. The project will also include the safe removal of the old lighting towers which will no longer be required. The future provision for upgrading the lighting on the additional four courts (5 to 8) has been considered within the lighting design by ensuring the shared poles can accommodate the additional weight of lighting fittings.

In accordance with the MTC Lease Agreement, the Club will be responsible for maintaining, operating and repairing the floodlighting fittings to the appropriate Australian Standard and the City is responsible for maintaining and repairing the lighting poles. For outdoor tennis court lighting, AS2560. 2.1 specifies 250 lux average as the minimum required level of lighting to ensure a game of tennis can be played safely and comfortably.

The MTC provides opportunities for both competitive and social tennis players throughout central Mandurah. The Club has approximately 150 members and manages their courts and charges a fee for use by non-members. Installing the flood lighting to 250 lux will improve the accessibility of the courts and help build the capacity and future sustainability of the Club through increased membership and participation numbers. It will be especially beneficial to the Club in winter as they will be able to continue to offer tennis programs and promote these to a wider audience for participation.

Overall, this project has the potential to increase evening use of the four courts by more than 20 hours per week, making them more attractive and accessible to community hirers as well as players engaged in competitions and tennis participation and coaching programs.

Consultation

Consultation for the proposed facility lighting at MTC has occurred with the DLGSC – Sport and Recreation, MTC and within the City – project supported.

Project 2 – Port Bouvard Sport and Recreation Club

Project	Upgrade luminaries to LED's
Location	1 Thisbe Drive, Dawesville
Years Applied for	2022/23
Total Project Cost	\$35,582.72
Eligible Grant Criterial Total	\$35,582.72
CSRFF Grant Request	\$11,860.90
Requested from Council	\$11,860.90
Other Potential Funding	-
Clubs' Contribution (cash)	\$11,860.92
Clubs' Contribution (in kind)	\$0
Recommended Ranking	It is recommended that this project be given a ranking of "2" and a rating of medium/high

Project Description

Port Bouvard Sport and Recreation Club (PBSRC) is one of four bowling clubs within the City of Mandurah delivering lawn bowling participation opportunities and wider community benefits. The Club is financially sustainable with a strong membership base, vibrant social and competitive bowling programs, excellent and well-maintained facilities and an active engagement role within the local community.

Current membership is approximately 223 bowlers for pennant competitions and social bowls which is consistent with previous years. Furthermore, the Club promotes and encourages new memberships by running community coaching sessions and programs with local schools.

The Club has three synthetic bowling greens that are all floodlit, however they currently have metal halide fixtures which are not operating efficiently and are costly to repair. Night time participation and access to floodlights is considered important to delivering increased physical activity opportunities for both Club members and recreational lawn bowl participants.

With the Club Night Lights Program focussing on increased participation it is considered that the upgrade of luminaries to LED's on the bowling greens will meet this objective. The Club's application seeks to install the LEDS on the current existing pole in accordance with the Australian Standards and Lux levels.

The project is anticipated to provide 100 lux level lighting, the Australian Standards for outdoor bowling green lighting AS2560.2.8, specifies 100 lux average as the required level of lighting to ensure a game of bowls can be played safely and comfortably.

City Officers have requested the Club engage a structural engineer to conduct a structural capacity assessment of the current poles to ensure their suitability to handle the weight of the new luminaries.

In accordance with the PBSRC Lease Agreement, the Club will be responsible for maintaining, operating and repairing all sports floodlighting infrastructure to the appropriate Australian Standard. Importantly, the Club has demonstrated over an extended period that it is well governed and managed, and also has a proven ability to effectively maintain infrastructure in accordance with their Lease obligations.

The total project cost is \$35,582.72 (exclusive GST). The City will list \$11,860.90 on the 2022/2023 capital works budget for this project as the one third contribution to the total project cost if the application is successful. Should the structural report advise the poles are not suitable, the City will be required to reassess the grant application.

Officers have recommended that this project is ranked two and rated “medium/high”, as it is well planned and needed by the Club. In making this assessment, officers noted that the Port Bouvard Sport and Recreation Club have a sinking fund in place, is financially sustainable and is a good tenant of the City. However, the City’s commitment of funding should be based on the outcome of the structural capacity report. If the poles are deemed unsuitable for the LED fittings, the project should be reassessed and the City’s commitment reconsidered.

Consultation

Consultation for the proposed lighting upgrade at PBSRC has occurred with the DLGSC – Sport and Recreation, Bowls WA and with City staff.

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.

Financial Implications

The project recommended for support is:

Project	Lodged by	Council Contribution Requested
Installation of flood lighting at Mandurah Tennis Club	City of Mandurah	\$107,047.92
Upgrade luminaries to LED’s	Port Bouvard Sport and Recreation Club	\$11,860.90
Total		\$118,908.82

Results of the grant applications will be announced in December 2021 with the projects to be delivered in the 2022/23 financial year.

The two projects listed require a total funding contribution from Council of \$118,908.82. A requirement of the CSRFF funding program is that, if City funds are being contributed there is a pre-commitment of funding for the year in which the grant is approved. Currently the City has \$150,000 funding allocated in the 2022/23 long term financial plan under CSRFF Projects - Various

Risk Analysis

To ensure the provision of quality community infrastructure that is delivered in a safe and timely manner with little or no disruption to the community, a City Project Officer will be assigned to both project.

Strategic Implications

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

Social:

- Facilitate opportunities that promote community led initiatives and build local capacity and capability.
- Provide a range of social, recreational and cultural experiences for our residents and visitors to enjoy and take pride in.

Health:

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

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

The two applications proposed for submission to the Club Nights Light Program have been well prepared by the City and PBSRC and are consistent with Council's Community and Recreation Facilities Policy.

It is considered suitable that the City is the applicant for the MTC because the City is responsible for the pole infrastructure and has the experience to manage such a project.

It is considered suitable that the PBSRC is the applicant for the upgrade luminaries to LED's as the infrastructure is the responsibility of the Club and the proposal aligns with the priorities outlined in the Club Night Lights Program guidelines.

A requirement of the CSRFF funding program is that if the City funds are being contributed then there is a pre-commitment of funding for the year in which the grant is approved. The City contributions reflected in this report are contained within the table below:

Grant Type	Rank	Project	Rating	Lodged by	CSRFF Funding Requested	Club Contribution	City of Mandurah Contribution Requested
Small	1	Installation of flood lighting at Mandurah Tennis Club	High	COM	\$53,523.96	\$Nil	\$107,047.92
Small	2	Upgrade luminaries to LED's	Medium/ High	COM	\$11,860.90	\$11,860.92	\$11,860.90

Officer Recommendation

That the Committee of Council recommend that Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant application:

1. City of Mandurah
Project: Installation of flood lighting at Mandurah Tennis Club
Ranking: 1
Rating: High
Requested Council Contribution: \$107,047.92
2. Port Bouvard Sport and Recreation Club
Project: Upgrade luminaries to LED's
Ranking: 2
Rating: Medium/High
Requested Council Contribution: \$11,860.90 (subject to the findings of the pole assessment)

Committee Recommendation

That the Committee of Council recommend that Council supports the rankings and ratings for the Community Sport and Recreation Facility Fund Small Grant application:

1. City of Mandurah
Project: Installation of flood lighting at Mandurah Tennis Club
Ranking: 1
Rating: High
Requested Council Contribution: \$107,047.92
2. Port Bouvard Sport and Recreation Club
Project: Upgrade luminaries to LED's
Ranking: 2
Rating: Medium/High
Requested Council Contribution: \$11,860.90 (subject to the findings of the pole assessment)

1	SUBJECT:	Financial Report August 2021
	DIRECTOR:	Business Services
	MEETING:	Council Meeting
	MEETING DATE:	28 September 2021

Summary

The Financial Report for August 2021 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

- G.17/6/21 22/06/2021 Adoption of Annual Budget 2021/22

Background

Nil

Comment

Financial Summary

The financial report for August 2021 shows an actual surplus for this period of \$90.8 million. The reason why the first six months of any financial year has a large surplus is because over 80% of the total revenue has been recognised (from raising of rates and fees and charges), however most of the City's expenditure occurs evenly over the 12 months. This results in a timing variance and the actual surplus reduces as the financial year progresses.

The opening surplus is currently \$7.4 million. The opening surplus will be reduced once all invoices have been received and the end of year adjustments have been made for the 2020/2021 financial year. The actual opening surplus at 30 June 2021 will not be finalised until December 2021 and therefore over the next few months, the actual opening surplus will reduce until such time as the Audit Report and the 2020/21 Annual Financial Statements are adopted by Council. The reduction in the actual opening surplus is due to adjustments being made in accordance with the Accounting Standards. It is important to note that the budget variations approved in August 2021 were the previous financial year projects that were unspent before the end of the financial year and the actual opening surplus, when finalised, will be used to fund these projects.

	Current Budget	YTD Budget (a)	YTD Actual (b)	Var. (b)-(a)	Var.% (b)-(a)/(a)
	\$ 000s	\$ 000s	\$ 000s	\$ 000s	%
Opening Funding Surplus / (Deficit)	700	700	7,369	6,669	953%
<u>Revenue</u>					
Revenue from operating activities	117,220	99,446	100,428	982	1%
Capital revenue, grants and Contribution	18,961	1,673	2,514	842	50%
	136,182	101,119	102,942	1,824	
<u>Expenditure</u>					
Operating Expenditure	(138,274)	(21,432)	(18,581)	2,851	-13%
Capital Expenditure	(46,324)	(8,216)	(4,253)	3,963	-48%
	(184,597)	(29,647)	(22,834)	6,814	
Non-cash amounts excluded from operating activities	25,782	5,094	4,332	(763)	-15%
Other Capital Movements	20,867	(1,063)	(977)	86	-8%
Closing Funding Surplus / (Deficit)	(1,066)	76,203	90,832	14,629	19%

Key Capital Projects

The following table highlights the status of the City's key capital projects for the 2021/2022 financial year:

Project	2021/22 Actuals Incl. CMT \$'000s	2021/22 Annual Budget \$'000s	Comment
Western Foreshore Recreation Precinct	1,980	4,082	<i>Project status:</i> <u>Play Space</u> Fabrication of main play tower & cubby pods continues to progress off-site. Fabrication of additional items, including ramp sections, now completed and on-site, ready for installation. Boardwalk under the Sheoak trees in fenced area is completed, slide construction nearing completion. Installation of manufactured play equipment including swings, climbing elements, carousel & 'human hamster wheel' commences this month. Expected date for Play Space completion is December 2021. <u>Surrounds</u> Site Electrical & Pedestrian Lighting works progressing. Pedestrian light poles installed to paths around skate park (luminaires not yet installed), lighting & electrical works continuing on west side & within play space. Planting to swale/garden areas & tree planting on north side of skate park completed. 3.5m wide shared path network installed from toilets to the bridge. Installation of turf ready to commence & area between the skate park & foreshore & around the public artwork. <u>Meeting Place Artwork</u> Testing of lighting & audio took place recently. Some fine tuning being carried out & artwork will be complete & commissioned shortly. Area expected to be open to the public in mid-September, once lighting & audio can be commissioned, path works & landscaping are completed.

Eastern Foreshore South Precinct	1,007	5,717	<i>Project status:</i> Estuary Pool floating pontoon lighting & electrical works progressing. Commissioning of lighting scheduled to be complete mid-August. A new Site Main Switchboard installed near southern Mandurah Terrace carpark to replace the existing Switchboard. Installation of the water supply to Estuary Pool & shower commenced. Remaining works adjacent to pool including paving treatments, furniture, shelters and landscape works is still to be completed. Electrical & Lighting works in reserve area taking place over next couple of months. Completion of Estuary Pool & immediate surrounds expected to be completed by end of November.
Smart Street Mall Upgrade	539	898	<i>Project status:</i> Paving to central area significantly progressed. Expected completion of paving works to central construction area (pedestrian mall area excluding Sholl Street road reserve) mid-September. Civil & paving works to complete top section of mall in Sholl Street road reserve is to continue into September, completion in October. Preparation for landscape works (planting) underway, works to commence in mid-September following completion of paving works.
Peel Street – Power Relocation	57	1,500	<i>Project status:</i> Engaged power company's design section is progressing through the detailed design & consultation with affected landowners along Peel Street continues. Anticipated site works to commence late 2021 / early 2022.
Pinjarra Road Stage 1 to 3	765	2,679	<i>Project status:</i> Stage 2 construction 65% complete, targeted completion date mid quarter 2. Site works for Stage 3 scheduled to commence late quarter 2.
RR Mandurah Terrace	50	1,408	<i>Project status:</i> Preliminary design is progressing. Site works scheduled to commence late 2021 / early 2022.

Statutory Environment

Local Government Act 1995 Section 6.4 Financial Report
Local Government (Financial Management) Regulations 1996 Part 4 Financial Reports

Policy Implications

Nil

Financial Implications

Any material variances that have an impact on the outcome of the budgeted surplus position are explained in the Monthly Financial Report, as detailed in Attachment 1.1.

Risk Analysis

Nil

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.

2021/22 Unbudgeted Expenditure

2022 State National Resource Management and Coastal Conference

The City of Mandurah has been successful in securing the State National Resource Management and Coastal Conference, which will be held next financial year between 20-22 September 2022. The conference will aim to attract 150 – 250 people to Mandurah and the City is also exploring options for virtual attendance should the City meet the target of 200+ in person attendees. The focus of the conference is the sharing of ideas and projects around the current and future management of inland and coastal natural resources.

The City has procured a conference manager to assist with the planning and delivery of the conference, which will result in the need for an expenditure budget to be allocated in the 2021/22 financial year. Contributions have been confirmed from the Shire of Murray (\$8,000) and the Shire of Waroona (\$2,000); therefore, it is recommended that unbudgeted revenue and expenditure of \$10,000 be approved to enable utilisation of these funds.

Round the Estuary Trail – Feasibility Study

The City has been successful in obtaining a grant of up to \$50,000 from the Peel Development Commission (PDC) to undertake the Round the Estuary Trail – Feasibility Study. A pre-feasibility study was released in April 2020, noting that the Round the Estuary Trail holds significant tourism potential due to the diversity of landscape experiences and would appeal to visitors seeking a natural and cultural experience over a two day ride or a three to four day walk. This next stage of the study will involve a site assessment and cost/benefit analysis of establishing a mixed-use trail around the +80km perimeter of the Peel-Harvey Estuary. The project costs for this study are estimated at \$100,000. With the PDC committing to 50% of the project costs, the City will provide a matched co-contribution of \$50,000 to be funded from an existing Economic Development - Corporate Project budget.

It is therefore recommended that unbudgeted revenue and expenditure of up to \$50,000 be approved to enable utilisation of these funds and further progression of this study.

MARC Geothermal Pump & VSD

The Geothermal pump system installed at the MARC is utilised to provide a cost effective and environmentally friendly source of heated water to provide heated water to the pools and HVAC systems throughout the Centre. In February 2021, a fault occurred on the geothermal pump and associated speed control system, shutting down all functions of the system causing the heating to revert to the backup fuel supply, namely Natural Gas. After significant investigations it was found that both the variable speed drive (VSD) for the pump control and the pump itself had failed and were not economical to repair. A replacement is required for both the pump itself and the VSD at a cost of approximately \$114,000 (quotes were obtained from several companies). An additional \$50,000 is required to complete necessary remedial works to the bore which will require some reinstatement and cleaning out to ensure it is suitable for use when the pump is available. In addition, there will be some flushing of the supply lines required due to the length of time the system has been offline and redundant.

If this pump and VSD are not replaced there are risks to the City's environmental performance, community reputation and also a likely increase in costs when gas prices return to more typical levels and the pools are reopened after roof repairs. It is therefore recommended that unbudgeted expenditure of \$164,000 be approved to enable replacement of the pump and VSD and for completion of the ancillary work.

With a total capital budget of \$164,000, an insurance claim will fund \$63,897 of the pump and VSD cost. It is proposed that the remaining \$100,103 be funded from the 2020/21 actual closing surplus as savings of approximately \$150,000 were identified in the MARC Maintenance budget as at 30 June 2021 as a result of the actual utility costs being less than what was budgeted due to favourable pricing.

City Parks Capital Projects

Boardwalk Renewal Program

The 2021/22 Capital Budget Program includes a \$250,000 Boardwalk Renewal Program. In order to deliver boardwalk projects and complete construction within a financial year, design and specifications need to be completed in the prior year. This enables procurement to commence at the start of the financial year to include the tender process, and also accommodates construction timings as typically construction of boardwalks needs to be finished prior to April/May, as site conditions begin to limit the ability of contractors to undertake works (i.e. site becomes inundated). There are also significant efficiencies to be gained if two years' worth of boardwalk renewals is bundled into one procurement package.

As a result of this assessment, it is requested that the Boardwalk Renewal Program budget be reduced to \$50,000 in 2021/22 to cover minor repairs to boardwalks at Redcliffe Road and St Ives Lagoon and to complete the 2022/23 boardwalk renewal design work. The remaining \$200,000 is proposed to be allocated into Asset Management Reserve and will be accessed in 2022/23 to bolster the 2022/23 Boardwalk Renewal Project budget.

Artesian Pump Replacement Program

The City has identified a need to implement an Artesian Pump Replacement Program with a capital budget of \$50,000. There is currently an operating budget of \$134,388 for the Artesian Reticulation/Bore Maintenance activity, however throughout a financial year the Irrigation Team need to purchase a number of new pumps that are capital in nature (i.e. value is more than \$5,000). Approval is therefore sought to move \$50,000 from the Artesian Reticulation/Bore Maintenance operating budgets to the new Artesian Pump Replacement Program capital budget.

Pinjarra Road East Median Stage 4

It is requested that the current capital budget of \$129,185 be increased by \$20,000 to enable completion of the Pinjarra Road East Median upgrade this financial year. As this is stage 4 of this project, it is preferable to finalise the works this financial year to avoid further disruption to users of the area in another financial year.

Falcon Reserve Cricket Net Renewal

Quotes have been sought to deliver the Falcon Reserve Cricket Net Renewal capital project, however due to the escalation in the price of steel and availability of contractors, quotations are higher than first anticipated. It is requested that the current capital budget of \$43,328 be increased by \$20,000 to enable completion of this project.

Lavender Gardens Reserve

A variation is required to the design of the original BMX track at Lavender Garden Reserve, being the addition of concrete surface to high wearing areas of the track. Due to this scope increase, it is requested that the capital budget be increased by \$10,000 to \$75,839 to enable completion of this project.

It is proposed that the increase in budget for the Pinjarra Road East Median Stage 4, the Falcon Reserve Cricket Net Renewal and the Lavender Gardens Reserve capital projects be funded from the 2021/22 Mandurah Road Median capital project. This would reduce the budget for this project by \$50,000 from \$167,781 to \$117,781. A change of scope for the Mandurah Road project has resulted in surplus funding being available.

Conclusion

The City strives to manage its finances adequately and maintain expenditure within budget to ensure services that have been approved through the budget process are fully funded. By submitting the budget variation requests to Council as they arise it allows identification of financial implications and ensures there is nil effect on the budget adopted.

It is recommended that Council receive the Monthly Financial Report, Schedule of Accounts, and the proposed budget variations.

NOTE:

- Refer **Attachment 1.1** *Monthly Financial Report*
Attachment 1.2 *Schedule of Accounts (electronic only)*

RECOMMENDATION

That Council:

- 1** **Receives the Financial Report for August 2021 as detailed in Attachment 1.1 of the report.**
- 2** **Receives the Schedule of Accounts for the following amounts as detailed in Attachment 1.2 of the report:**

Total Municipal Fund	\$ 13,691,986.53
Total Trust Fund	\$ 0.00
	<u>\$ 13,691,986.53</u>

- 3 Approves the following budget variations for 2021/22 annual budget:**
- 3.1 Unbudgeted operating expenditure of \$10,000* for 2022 State National Resource Management and Coastal Conference**
 - To be funded from Shires of Murray and Waroona contribution \$10,000*
 - 3.2 Unbudgeted operating expenditure of \$50,000* for Round the Estuary Trail – Feasibility Study**
 - To be funded from Peel Development Commission grant \$50,000*
 - 3.3 Unbudgeted capital expenditure of \$164,000* for MARC Geothermal Pump & VSD**
 - To be funded from non-operating contribution from LGIS \$63,897*
 - To be funded from the 2020/21 actual closing surplus at 30 June 2021, once finalised \$100,103*
 - 3.4 Decrease in capital expenditure of \$200,000* for Boardwalk Renewal Program**
 - \$200,000* to be allocated to Asset Management Reserve for expenditure on the Boardwalk Renewal Program in 2022/23.
 - 3.5 Unbudgeted capital expenditure of \$50,000* for Artesian Pump Replacement Program**
 - To be funded from Artesian Reticulation/Bore Maintenance activity operating budget \$50,000*
 - 3.6 Increase in capital expenditure of \$20,000* for Pinjarra Road East Median Stage 4**
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.7 Increase in capital expenditure of \$20,000* for Falcon Reserve Cricket Net Renewal**
 - To be funded from Mandurah Road Median capital budget \$20,000*
 - 3.8 Increase in capital expenditure of \$10,000* for Lavender Gardens Reserve**
 - To be funded from Mandurah Road Median capital budget \$10,000*

*** ABSOLUTE MAJORITY REQUIRED**

Monthly Financial Report

August 2021



City of Mandurah

August 2021

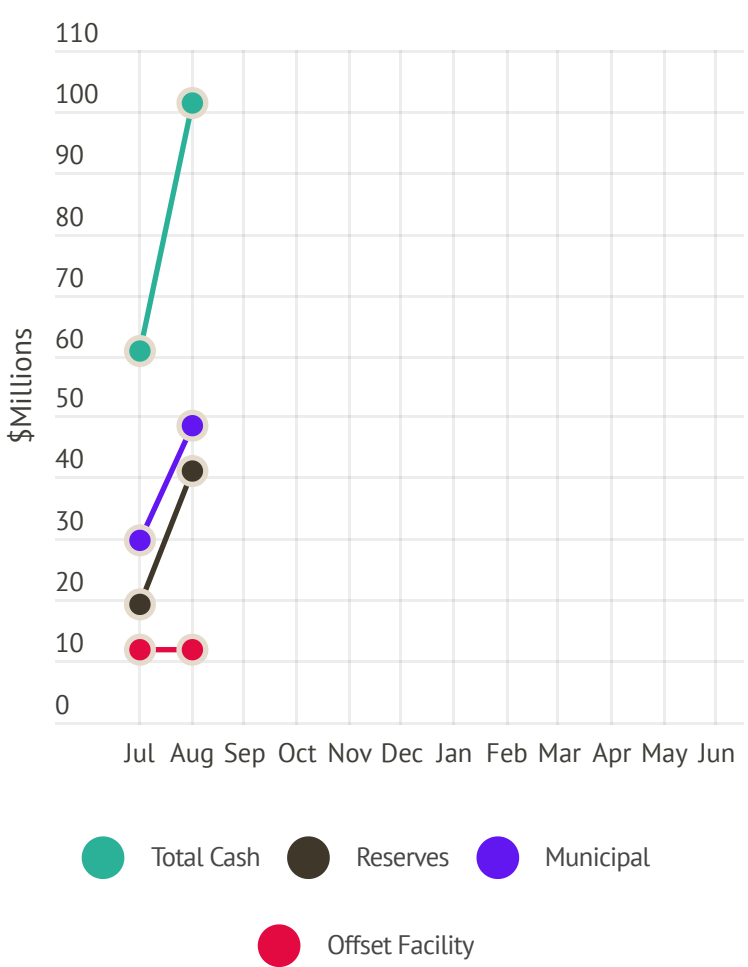
\$1.07 M

Estimated Deficit at 30 June 2022 with proposed budget amendments

\$90.8 million

Year to Date Actual Surplus

Investments



Loans

- Actual Principal Outstanding \$23.7M ▼
- Actual Principal Repayments Made \$844K ▲
- Actual Interest Paid \$59K ▲
- Actual New Loans Drawdown \$0
- Amount of Interest Saved from Loan Offset Facility \$35,337 ▲

Rates Outstanding

- 29 Properties with >\$10K outstanding ▼
- 191 Properties \$3K to \$10K outstanding ▼
- 2 Properties commenced legal action in 21/22 ▲
- \$2.03M Rates Exemptions —

Sundry Debtors Outstanding

- 143 current accounts due (\$1.8M) ▲
- 217 accounts overdue i.e >30 days (\$518K) ▲

Budget Proposed Amendments

- 2022 State National Resource Management and Coastal Conference \$10K to be funded by contribution \$10K
 - Round the Estuary Trail Feasibility Study to be funded by grant \$50K
 - MARC Geothermal Pump & VSD \$164K to be funded from insurance claim \$64K and MARC utility savings from 2020/21 in opening surplus \$100K
 - Decrease Boardwalk Renewal Capital Program and transfer to Asset Management Reserve \$200K
 - Artesian Pump Replacement Capital Program to be funded from operating program \$50K
 - Increase in capital projects: Pinjarra Rd East Median Stage 4 \$20K, Falcon Reserve Cricket Net Renewal 20K and Lavender Gardens Reserve \$10K. To be funded from decrease in capital project Mandurah Rd Median \$50K
- 3

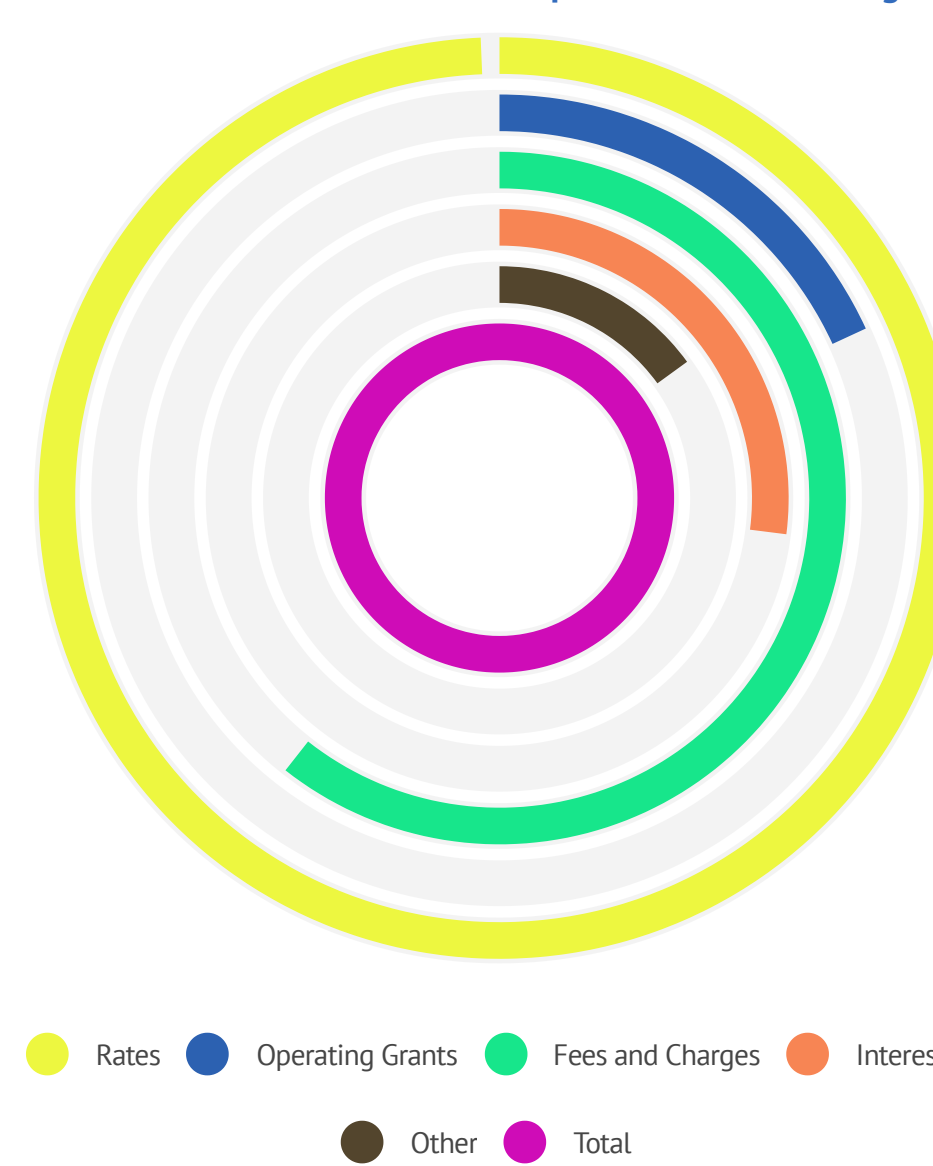
Tenders awarded during the month through CEO delegation ▲
- 15

Council Meetings received for the 21/22 year ▲
28 September 2021

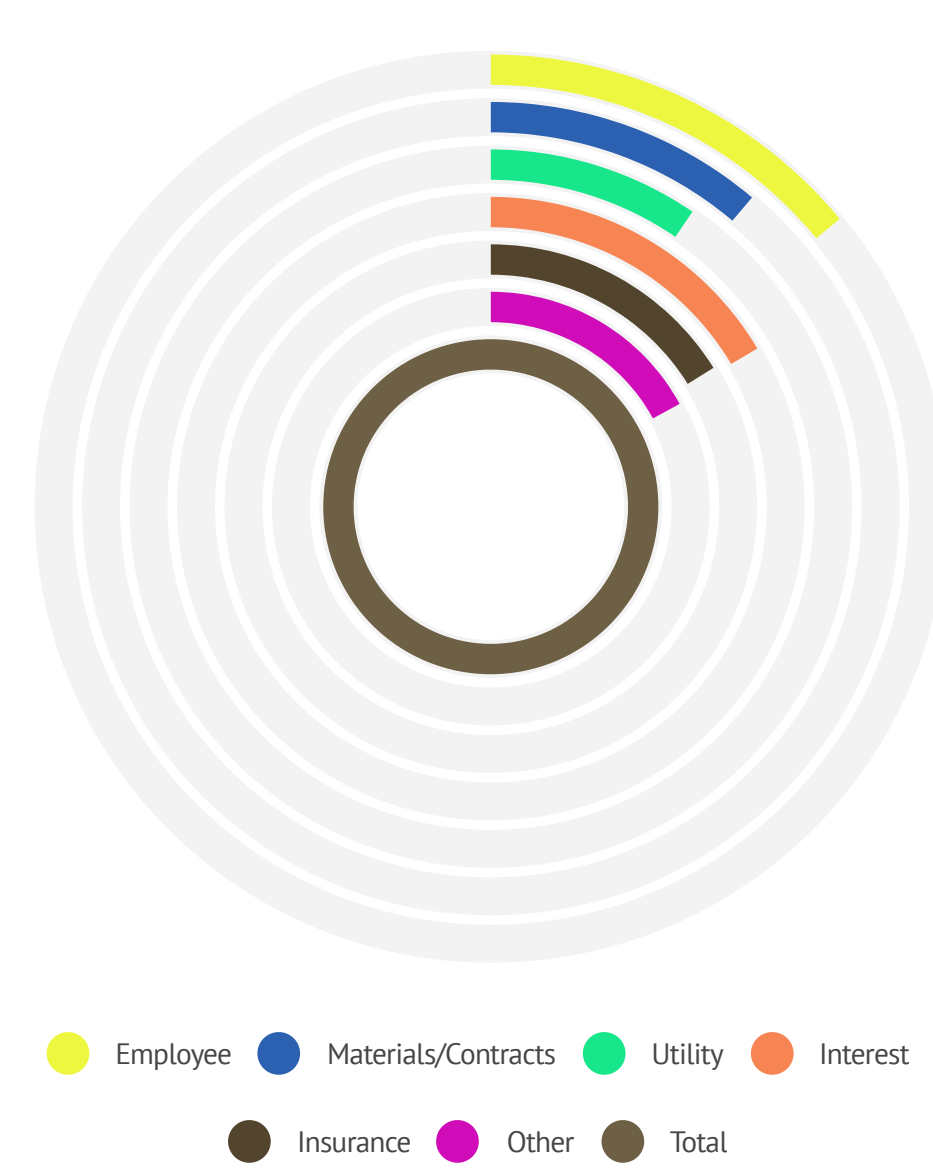
Summary

- Actual Rates Raised \$82.1M ▲
- Actual Rates Received \$46.0M (54% collected) ▲
- Actual Operating Revenue \$100.4M ▲
- Actual Capital Revenue \$2.5M ▲
- Actual Operating Expenditure \$18.6M ▲
- Actual Capital Expenditure \$4.3M ▲
- Actual Proceeds from Sale of Assets \$0

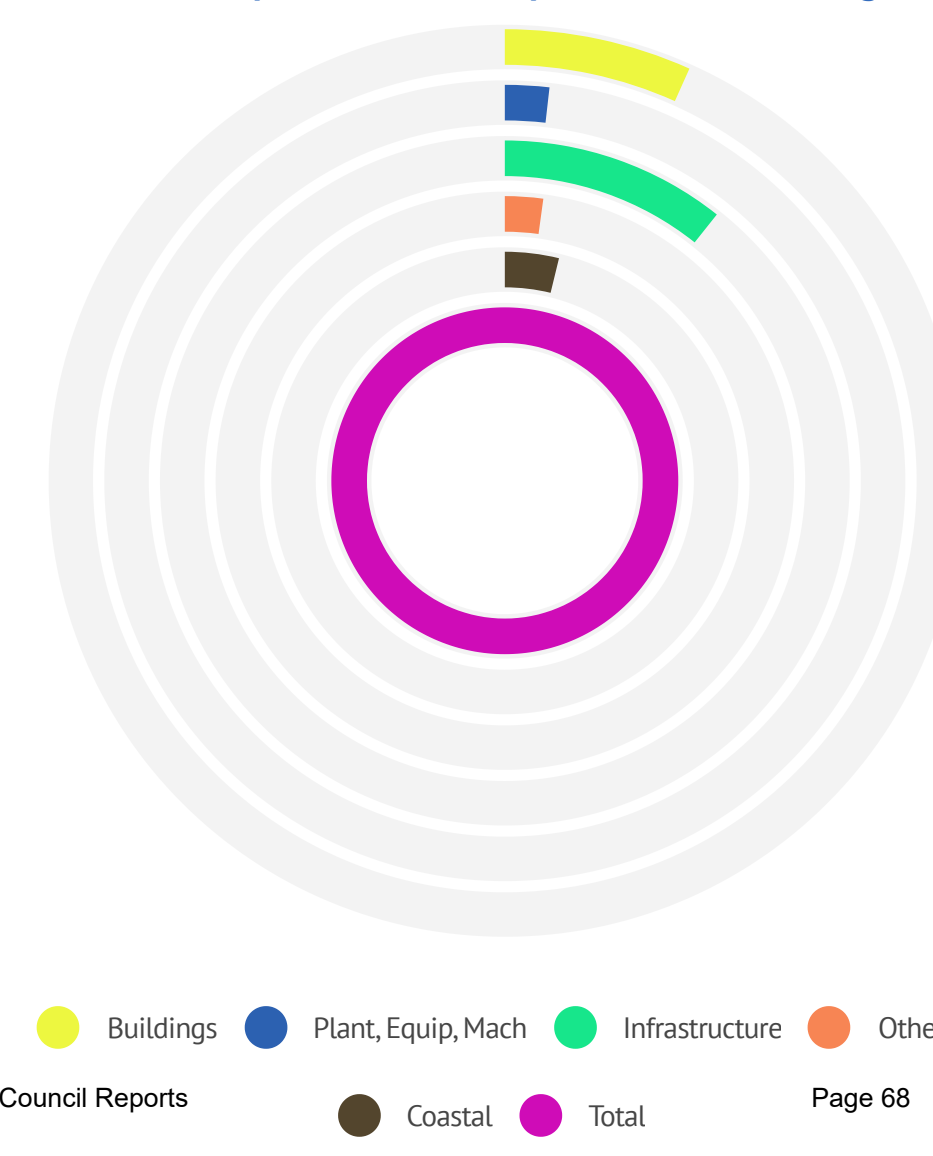
Year to Date Revenue Actuals Compared to Current Budget

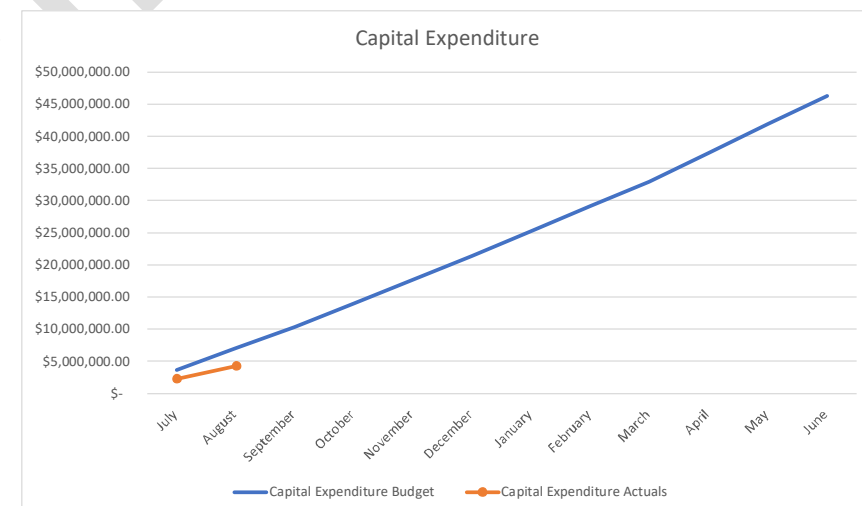
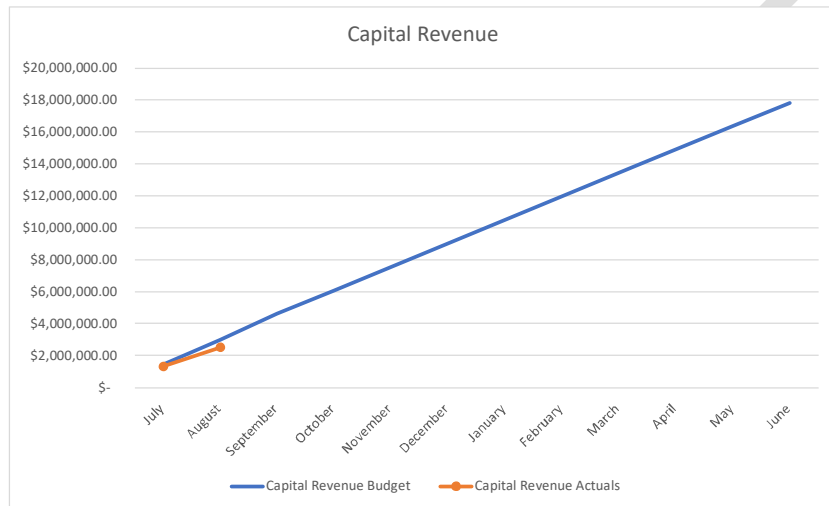
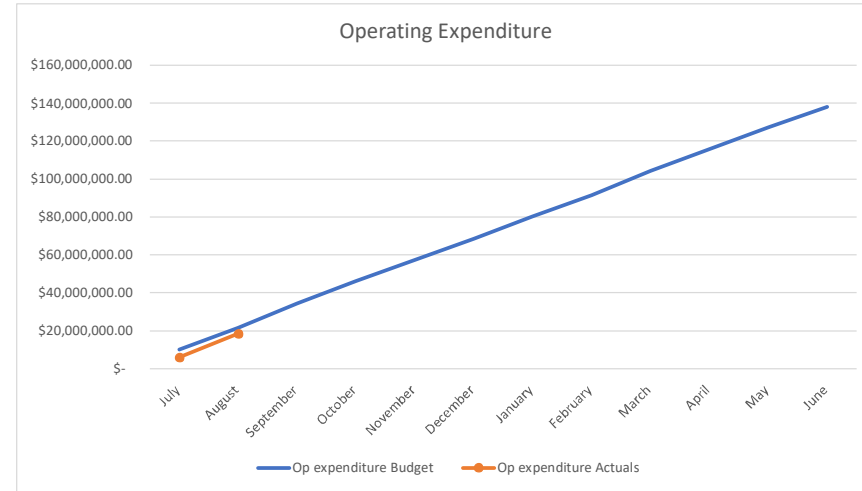
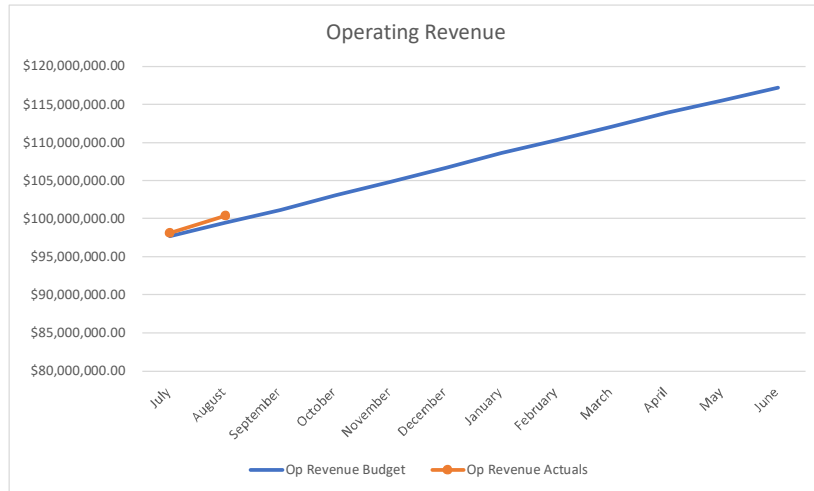


Year to Date Expenditure Actuals Compared to Current Budget



Year to Date Capital Actuals Compared to Current Budget





CITY OF MANDURAH
MONTHLY FINANCIAL REPORT
For the Period Ended 31 August 2021

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**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

BY NATURE OR TYPE

	Ref Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus / (Deficit)		700,000	700,000	7,368,794			
Revenue from operating activities							
Rates		82,683,569	82,141,902	82,149,290	7,388	0.01%	
Operating grants, subsidies and contributions		3,019,346	454,356	547,044	92,688	20.40%	▲
Fees and charges		28,181,414	16,169,932	17,072,416	902,484	5.58%	
Interest earnings		1,350,000	225,000	366,722	141,722	62.99%	▲
Other revenue		1,986,117	454,892	292,281	(162,611)	(35.75%)	▼
		117,220,446	99,446,082	100,427,753	981,671	0.99%	
Expenditure from operating activities							
Employee costs		(47,689,578)	(6,217,561)	(6,685,999)	(468,438)	(7.53%)	
Materials and contracts		(54,377,519)	(9,063,525)	(6,070,786)	2,992,739	33.02%	▲
Utility charges		(4,494,203)	(749,035)	(428,603)	320,432	42.78%	▲
Depreciation on non-current assets		(29,868,215)	(5,094,320)	(5,088,200)	6,120	0.12%	
Interest expenses		(748,252)	(124,709)	(123,257)	1,452	1.16%	
Insurance expenses		(1,095,774)	(182,632)	(176,641)	5,991	3.28%	
Other expenditure		-	-	(7,139)	(7,139)	100.00%	▼
		(138,273,541)	(21,431,782)	(18,580,625)	2,851,157	13.30%	
Non-cash amounts excluded from operating activities	1(a)	25,781,972	5,094,320	4,331,627	(762,693)	(14.97%)	
Amount attributable to operating activities		4,728,877	83,108,620	86,178,755	3,070,135	(3.69%)	
Investing activities							
Non-operating grants, subsidies and contributions	10	17,852,344	1,487,695	2,514,406	1,026,711	69.01%	▲
Proceeds from disposal of assets	4	1,108,878	184,813	-	(184,813)	(100.00%)	▼
Payments for property, plant and equipment	6	(46,323,629)	(8,215,607)	(4,253,052)	3,962,555	48.23%	▲
Amount attributable to investing activities		(27,362,407)	(6,543,099)	(1,738,646)	4,804,452	73.43%	
Financing Activities							
Proceeds from new debentures	7	9,826,754	-	-	0	0.00%	
Payment of lease liability		(685,027)	(171,257)	(134,120)	37,137	21.68%	▼
Proceeds from community loans		82,553	13,759	667	(13,092)	(95.15%)	▼
Transfer from reserves		20,196,554	-	-	0	0.00%	
Advances of community loans		(50,000)	-	-	0	0.00%	
Repayment of debentures	7	(5,432,960)	(905,493)	(843,643)	61,850	6.83%	
Transfer to reserves		(3,070,805)	-	-	0	0.00%	
Amount attributable to financing activities		20,867,069	(1,062,991)	(977,096)	85,895	8.08%	
Closing Funding Surplus / (Deficit)	1(c)	(1,066,462)	76,202,530	90,831,807	14,629,277	19.20%	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Budget data as per the adopted materiality threshold.

Refer to Note 13 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Local Government (Financial Management) Regulation 1996.

	Notes	Annual Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$
Adjustments to operating activities				
Less: Movement in liabilities associated with restricted cash		(5,124,697)	-	(790,790)
Movement in pensioner deferred rates (non-current)		-	-	34,244
Movement in employee benefit provisions (non-current)		1,038,454	-	(27)
Add: Depreciation on assets		29,868,215	5,094,320	5,088,200
Total non-cash items excluded from operating activities		25,781,972	5,094,320	4,331,627

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with regulation 32 of the Local Government (Financial Management) Regulations 1996 to agree to the surplus/(deficit) after imposition of general rates.

		Budget Closing 30 Jun 2021	Budget Closing 30 Jun 2022	Year to Date 31 Aug 2021
Adjustments to net current assets				
Less: Reserves - restricted cash		(20,116,870)	(24,888,945)	(39,199,174)
Less: Unspent loans		(431,591)	(207,137)	(331,153)
Less: Other receivables		-	(80,000)	(94,570)
Less: Prepaid Rates		(2,455,879)	-	-
Less: Clearing accounts				(957)
Add: Borrowings	7	7,499,999	9,826,754	4,594,628
Add: Other liabilities		3,081,188	3,417,743	284,493
Add: Lease liability		608,382	759,243	311,940
Add: Provisions - employee		5,041,426	5,216,724	3,806,211
Add: Loan Facility offset		-	-	12,000,000
Total adjustments to net current assets		(6,773,345)	(5,955,618)	(18,628,582)

(c) Net current assets used in the Statement of Financial Activity

Current assets				
Cash and cash equivalents	2	23,835,328	27,414,724	89,389,412
Rates receivables	3	3,519,116	2,480,445	39,228,155
Receivables	3	3,644,928	4,341,798	11,869,861
Other current assets		524,062	549,233	1,617,991
Less: Current liabilities				
Payables		(4,555,419)	(9,848,897)	(14,820,140)
Borrowings	7	(7,499,999)	(9,826,754)	(4,594,628)
Unspent non-operating grant, subsidies and contributions liability		(3,464,329)	(1,065,909)	(4,170,665)
Lease liabilities		(608,382)	(759,243)	(311,940)
Provisions		(8,621,960)	(8,396,241)	(8,747,656)
Less: Total adjustments to net current assets	1(b)	(6,773,345)	(5,955,618)	(18,628,582)
Closing Funding Surplus / (Deficit)		-	(1,066,462)	90,831,807

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

	Total Amount	Interest rate	Total calculated interest Earnings	Institution	S&P rating	Deposit Date	Maturity Date	Term days
	\$	\$	\$	\$				
Cash on hand								
Westpac Municipal Bank Account	22,754,942	Variable		Westpac	AA-	NA	NA	
	22,754,942							
Municipal Investments								
Muni 10 - 9652-46197	29,770	0.25%	74	ANZ	AA-	1/10/2020	1/10/2021	365
Muni 38 - 36-724-1038	3,009,873	0.28%	2,077	CBA	AA-	18/08/2021	16/11/2021	90
MNS 31 - 582058	11,128,511	0.35%	2,168	Westpac	AA-	31/07/2021	31/08/2021	31
MNS 60 - 582007	11,351,075	0.40%	2,555	Westpac	AA-	31/07/2021	31/08/2021	31
	25,519,230							
Reserve Investments								
Reserve 35 - B33713404.75	3,010,748	0.33%	4,946	CBA	AA-	20/05/2021	18/11/2021	182
Reserve 36 - 97-996-3904	3,010,590	0.32%	4,743	NAB	AA-	12/05/2021	8/11/2021	180
Reserve 39 - B33713404.55	3,009,848	0.38%	5,630	CBA	AA-	19/05/2021	15/11/2021	180
Reserve 40 - B33713404	3,002,293	0.31%	2,293	CBA	AA-	17/08/2021	15/11/2021	90
Reserve 41 - B33713404	3,005,207	0.35%	5,207	CBA	AA-	17/08/2021	14/02/2022	181
Reserve 42 - 36-976-7906	3,002,663	0.27%	2,663	CBA	AA-	26/08/2021	24/12/2021	120
Reserve 43 - 36-956-4375	3,001,997	0.27%	1,997	CBA	AA-	26/08/2021	24/11/2021	90
RNS 31 - 581565	10,851,262	0.35%	2,140	Westpac	AA-	31/07/2021	31/08/2021	31
RNS 60 - 581573	9,220,632	0.40%	1,195	Westpac	AA-	31/07/2021	31/08/2021	31
	41,115,240							
Total	89,389,412		37,688					

Interest revenue

Investment Interest Accrued	37,688
Investment Interest Matured	(15,978)
Rates Interest	345,013
	366,722

Interest Earned

\$366,722

Total Municipal and Reserve Funds

89,389,412

	Amount	Interest rate on loans	Interest Saved	YTD Interest Saved
Loan Offset Facility				
Westpac	12,000,000	1.91%	19,649	35,337

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of twelve months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Total Municipal Cash	Unrestricted
\$101.39 M	\$60.27 M

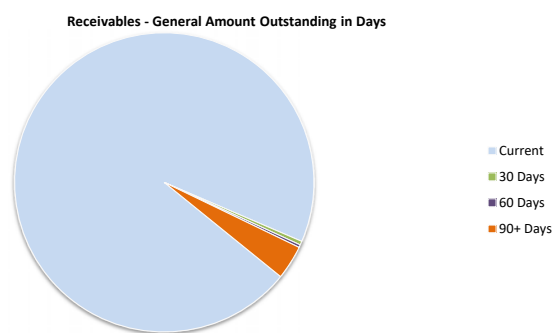
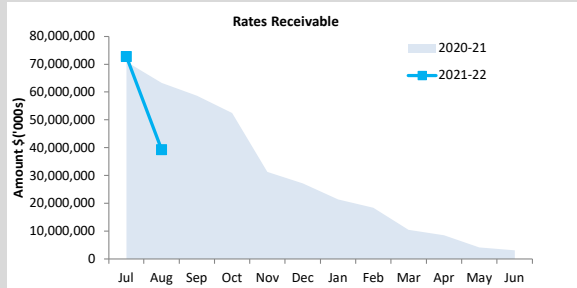
Rates Receivable	30-Jun-21	31-Aug-20	31 Aug 21
	\$		\$
Opening Arrears Previous Years	3,317,555	3,317,555	3,093,324
Rates levied	80,353,712	80,045,904	82,149,290
Less - Collections to date	(80,577,943)	(20,109,339)	(46,014,458)
Equals Current Outstanding	3,093,324	63,254,120	39,228,155
Net Rates Collectable	3,093,324	63,254,120	39,228,155
% Collected	96.3%	24.1%	54%

	31 Aug 20	31 Aug 21
- No. of Legal Proceedings Commenced for the financial year	4	2
- No. of properties > \$10,000 outstanding	30	29
- No. of properties between \$3,000 and \$10,000 outstanding	220	191
- Value of Rates Concession	73,427	69,766
- Value of Rates Exemptions	1,988,179	2,027,889

Receivables - General	31-Aug-20	Current	30 Days	60 Days	90+ Days	31 Aug 21
	\$	\$	\$	\$	\$	\$
Balance per Trial Balance						
Sundry receivable	476,185	985,968	46,266	34,763	436,865	1,503,863
Recreation Centres	120,892	93,986				93,986
Mandurah Ocean Marina	428,246	713,124				713,124
GST receivable	236,826	328,123				328,123
Allowance for impairment of receivables	0	(139,014)				(139,014)
Infringements	1,000,786	1,032,283				1,032,283
Pensioners rates and ESL deferred	5,784,342	4,318,067				4,318,067
Other Receivables	13,316,254	4,019,429				4,019,429
Total Receivables General Outstanding	21,363,531	11,351,966	46,266	34,763	436,865	11,869,861
Percentage		95.6%	0.4%	0.3%	3.7%	

KEY INFORMATION

Rates and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of rates and other receivables is reviewed on an ongoing basis. Other receivables that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due
\$11,869,861
Over 30 Days
4%
Over 90 Days
4%

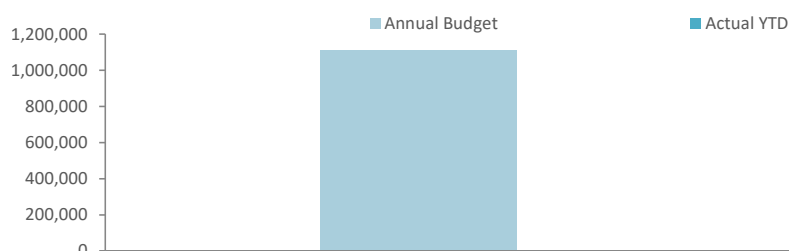
Collected	Rates Due
54%	\$39,228,155

Asset	Asset Description	Budget	YTD Actual
		Proceeds	Proceeds
		\$	\$
Land			
Infrastructure Assets			
Light Passenger Vehicles - Replacement			
MITSUBISHI-MIRAGE - C00518 - C00518	People & Communities-YOUTH SERVICES COORDINATOR	7,847	0
HYUNDAI-SANTE FEC01718 - C01718	People & Communities-DIRECTOR PEOPLE AND COMMUNITIES	15,836	0
SUBARU-OUTBACKC02518 - C02518	People & Communities-GENERAL MANAGER MPAC	15,765	0
TOYOTA-RAV4 C03818 - C03818	Built & Natural -DEVELOPMENT SERVICES	12,326	0
MAZDA-CX-5C04318 - C04318	Built & Natural -CIVIL MAINTENANCE	15,478	0
MITSUBISHI-LS OUTLANDERC04717 - C04717	Built & Natural -PROJECTS COORDINATOR	12,500	0
HOLDEN-TRAILBLAZER C06518 - C06518	Built & Natural -	10,565	0
TOYOTA-COROLLAC05917 - C05917	Built & Natural -OPERATIONS STORE	10,542	0
TOYOTA-RAV4C06918 - C06918	Built & Natural -DEVELOPMENT SERVICES	12,326	0
TOYOTA-RAV4C07418 - C07418	Built & Natural -CITYPARKS	12,241	0
MAZDA-CX-5C07618 - C07618	People & Communities-RECREATION SERVICES COORDINATOR	15,400	0
Light Commercial Vehicles - Replacement			
FORD-RANGER - U00217	Built & Natural -CITYBUILD	17,911	0
FORD-RANGER - U00417	Built & Natural -CITYWORKS	20,353	0
FORD-RANGER - U00617	Built & Natural -CITYWORKS	15,784	0
MITSUBISHI-TRITON - U00817	Built & Natural -CITYPARKS	18,673	0
FORD-RANGER - U01018	Built & Natural -CITYWORKS	12,451	0
HOLDEN-COLORADO - U02017	Built & Natural -CITYWORKS	18,053	0
HOLDEN-COLORADO - U02317	Built & Natural -CITYBUILD	16,569	0
FORD-RANGER - U02418	Built & Natural -SURVEYING SERVICES	19,329	0
HOLDEN-COLORADO - U02517	Built & Natural -RANGERS - BUSHFIRE BRIGADE	18,405	0
HOLDEN-COLORADO - U02717	Built & Natural -CITYBUILD	16,569	0
HOLDEN-COLORADO - U03117	Built & Natural -CITYBUILD	18,228	0
FORD-RANGER - U03417	Built & Natural -TRAFFIC MANAGMENT	20,507	0
HYUNDAI-ILOAD - U03617	Built & Natural -PARKS MAINTENANCE - RETIC	18,607	0
TOYOTA-HILUX - U03817	Built & Natural -CITYBUILD	17,486	0
FORD-RANGER - U05017	Built & Natural -CITYBUILD	21,528	0
ISUZU-D'MAX - U05717	People & Communities-ENVIRONMENTAL HEALTH COORDINATOR	18,815	0
HOLDEN-COLORADO - U06118	Built & Natural -SURVEYING SERVICES	17,356	0
HOLDEN-COLORADO - U06717	Built & Natural -CITYBUILD	18,228	0
HYUNDAI-ILOAD - U07117	Built & Natural -CITYBUILD	20,157	0
FORD-RANGER - U07217	Built & Natural -PARKS CENTRAL	16,337	0
FORD-RANGER - U07417	Built & Natural -OPERATIONAL SERVICES	16,048	0
HOLDEN-COLORADO - U07818	Built & Natural -RANGERS - BUSHFIRE BRIGADE	22,036	0
Trucks & Buses Replacements			
Trailers			
Parks & Mowers			
TORO - ZERO TURN 60" SD DECK - M00117	Built & Natural PARKS CENTRAL	12,000	0
RAZORBACK - MOWER SLASHER PTO - M00517	Built & Natural PARKS-NATURAL AREAS	7,000	0
TORO - ZERO TURN 72" RD DECK - M01817	Built & Natural PARKS-SOUTHERN	7,643	0
Minor Equipment >\$5000			
PUMPS AUSTRALIA-HPM WATER CLEANER HOT AND COLD - P61517	Built & Natural -CITYBUILD	2,500	0
PUMPS AUSTRALIA-HPM WATER CLEANER HOT AND COLD - P61617	Built & Natural -CITYBUILD	2,500	0
HAKO-CITYMASTER - P61817	Built & Natural -CIVIL MAINTENANCE	25,000	0
Construction Vehicles - Replacement			
KOMATSU - WHEEL LOADER - G005	WORKS CONSTRUCTION	65,410	0

Plant Disposed from 2020/21 budget:

Asset	Asset Description	Budget	YTD Actual
		Proceeds	Proceeds
Toyota Rav 4	Place & Communities	11,815	0
Kia Sportage	Sustainable Development	14,002	0
Kia Sportage	Strategy & Economic Development	16,460	0
Toyota Prado	Mayor's Office	24,367	0
Mazda CX-5	Recreation Services	16,150	0
Light Commercial Vehicles - Replacement			
Ford transit van	Built & Natural	16,157	0
Ford transit van	Built & Natural	16,588	0
Ford Ranger /Hi-drive	Rangers	16,822	0
Ford Ranger	Built & Natural	16,100	0
Ford Ranger	Health Services	18,809	0
Ford Ranger	Built & Natural	18,915	0
Ford Ranger	Emergency Management	19,720	0
Ford Ranger	Built & Natural	18,450	0
Ford Ranger	Built & Natural	15,760	0
Isuzu Ute	Sustainable Development	16,460	0
Isuzu Ute	Built & Natural	17,356	0
Isuzu Ute	Built & Natural	19,630	0
Trucks & Buses Replacements			
Trailers			
3T Tandem Tipper Trailer	Built & Natural	1,660	0
Mowing 4500kg Trailer	Built & Natural	3,040	0
Wastech Semi Trailer	Built & Natural	35,327	0
Wastech Semi Trailer	Built & Natural	35,327	0
Parks & Mowers			
5 Gang mower	Built & Natural	18,252	0
Mower with Cab	Built & Natural	7,500	0
Mower 72"	Built & Natural	6,000	0
Minor Equipment >\$5000			
Construction Vehicles - Replacement			
MULTI ROLLER	Built & Natural	45,900	0
		1,108,878	0

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

**NOTE 5
TENDERS/QUOTES AWARDED FOR THE MONTH**

CEO delegation – accepted/rejected tenders during the month
Awarded under Financial Authorisation \$250,000 and above

Tender code	Tender Description	Company Awarded to	Contract Term	Contract Amount
				\$
T01-2021	Supply and delivery of two 65M3 quad axle compaction trailers	Wastech Engineering Pty Ltd	1 years	548,000
T05-2021	Supply and construct boardwalks and viewing platforms at Bortolo Reserve	Not awarded	-	-
T06-2021	Provision of pavement marking services	Clune Family Trust (trading as Peel Line Marking Services)	5 years	1,500,000

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

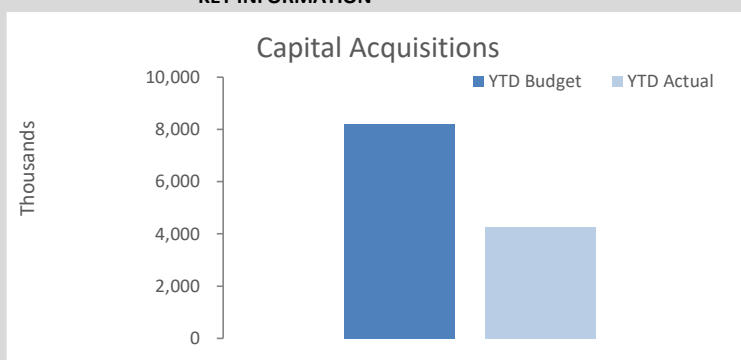
**INVESTING ACTIVITIES
NOTE 6
CAPITAL ACQUISITIONS**

Capital Acquisitions	Adopted Budget	Annual Budget	YTD Budget	YTD Actual	YTD Actual Variance
	\$		\$	\$	\$
Buildings	5,327,975	5,724,993	1,329,528	384,460	(945,068)
Equipment	61,127	172,874	51,849	5,702	(46,146)
Machinery	4,185,542	4,185,542	694,638	73,471	(621,167)
Infrastructure - Roads	14,775,329	15,072,786	2,453,879	1,770,878	(683,002)
Bridges	3,871,067	4,021,067	187,734	21,067	(166,667)
Parks	14,256,393	14,515,239	2,962,424	1,766,716	(1,195,709)
Drainage	1,222,989	1,323,722	292,177	190,851	(101,326)
Coastal & Estuary	706,907	706,907	99,130	26,907	(72,222)
Other Infrastructure	600,500	600,500	144,249	13,000	(131,249)
Capital Expenditure Totals	45,007,828	46,323,629	8,215,607	4,253,052	(3,962,555)
Capital Acquisitions Funded By:					
	\$		\$	\$	\$
City of Mandurah Contribution	7,543,360	7,928,678	5,211,664	1,738,646	(3,473,018)
Capital grants and contributions	17,656,844	17,852,344	2,973,141	2,514,406	(458,735)
Borrowings	9,826,754	9,826,754	-	-	-
Other (Disposals & C/Fwd)	1,108,878	1,108,878	30,802	-	(30,802)
Cash Backed Reserves					
Building Reserve	1,771,058	1,854,517	-	-	-
Asset Management Reserve	3,666,399	3,954,428	-	-	-
Cultural Centre Reserve	-	213,495	-	-	-
Sustainability Reserve	259,000	259,000	-	-	-
Sanitation Reserve	1,238,520	1,238,520	-	-	-
Traffic Bridge Reserve	-	150,000	-	-	-
Waterways Reserve	13,425	13,425	-	-	-
Unspent Grants & Contributions Reserve	1,028,409	1,028,409	-	-	-
Plant Reserve	895,181	895,181	-	-	-
Capital Funding Total	45,007,828	46,323,629	8,215,607	4,253,052	(3,962,555)

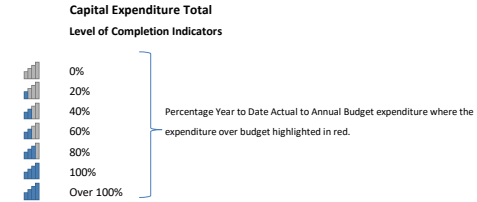
SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$46.32 M	\$4.25 M	9%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$17.85 M	\$2.51 M	14%



Level of completion indicator, please see table at the end of this note for further detail.

Account Description		Adopted Budget	Annual Budget	YTD Budget	YTD Actual	Remaining Unspent Funds	Comment
Buildings							
750647	Dawesville Community Centre	719,847	719,847	136,514	19,847	700,000	Construction to commence Q1.
750648	Enhancements to Reserve Changerooms to Make Amenities Unisex	25,286	25,286	5,286	5,286	20,000	Construction to commence Q2.
750649	Falcon Family Centre - External Works	57,683	57,683	7,683	7,683	50,000	Construction to commence Q3.
750650	Air Conditioner at Madora Bay Hall	10,411	10,411	411	411	10,000	Construction to commence Q1.
750651	Air Conditioner at Halls Head Community and Sports Facility	30,566	30,566	566	566	30,000	Construction to commence Q1.
750652	LED Buildings Plan	80,514	80,514	18,292	514	80,000	Ongoing Program 2021/22.
750653	MARC - Administration Office CCTV Camera Installation	15,514	15,514	514	514	15,000	Construction to commence Q2.
750654	MARC CCTV Stadium	30,514	30,514	514	514	30,000	Construction to commence Q2.
750655	MARC Leisure Pool Acoustics	206,736	206,736	6,736	6,736	200,000	Construction to commence Q3/Q4.
750656	MARC Plantroom Chlorine Gas Detectors & Shutdown System	15,566	15,566	10,566	566	15,000	Construction to commence Q2.
750657	MPAC Internal Refurb	328,084	328,084	328,084	8,084	320,000	Construction to commence Q1.
750658	Reserve Meter Replacement Program	50,566	50,566	566	566	50,000	Construction to commence Q3.
750659	WMC - CCTV Upgrade	15,754	15,754	754	754	15,000	Construction to commence Q3.
750660	WMC Tipping Shed	261,491	261,491	11,491	11,491	250,000	Construction to commence Q2.
750661	Works & Services Building Refurb	211,848	211,848	45,181	11,848	200,000	Construction to commence Q1.
750662	WMC Fire Water Service	50,463	50,463	463	463	50,000	Construction to commence Q3.
750662	Site Main Switchboard Program	50,514	50,514	514	514	50,000	Construction to commence Q2.
750663	Admin Building Carpet	107,621	107,621	7,621	7,621	100,000	Construction to commence Q3.
750664	Billy Dower Offices Flooring	20,952	20,952	14,952	2,952	18,000	Construction to commence Q3.
750665	Civic Building - Rates Team Work Area	15,286	15,286	5,286	5,286	10,000	Construction to commence Q2.
750666	Civic Staff Amenity Room Refurbishment	44,622	44,622	4,622	4,622	40,000	Construction to commence Q2.
750667	External Painting Program	25,463	25,463	463	463	25,000	Construction to commence Q3.
750668	Falcon E - Library ACH1 Replacement	55,411	55,411	411	411	55,000	Construction to commence Q2.
750669	Fire System Replacement Program	20,566	20,566	566	566	20,000	Construction to commence Q2.
750670	Mandurah Library HVAC	95,514	95,514	514	514	95,000	Construction to commence Q2.
750671	Mandurah Library Re Roofing Project	161,428	161,428	6,428	6,428	155,000	Construction to commence Q1.
750672	Mandurah Ocean Marina Chalets	158,269	158,269	8,269	8,269	150,000	Construction to commence Q3.
750673	Mewburn Ablution Refurbishment	55,883	55,883	5,883	5,883	50,000	Construction to commence Q3.
750674	Museum CCTV Upgrade	40,514	40,514	514	514	40,000	Construction to commence Q2.
750675	Rushton Park Pavilion - Ext Coatings	45,463	45,463	463	463	45,000	Construction to commence Q2.
750676	Oven Replacement Peelwood Pde Facility	9,238	9,238	6,572	1,238	8,000	Construction to commence Q1.
750677	District Cooling System	614,316	614,316	14,316	14,316	600,000	Construction to commence Q3.
400015	South Mandurah FC Changerooms (CSRFF)	6,666	6,666	0	0	6,666	Carryover project, construction 95% complete.
400021	Mandurah Mustangs FC - Facility Development	204,289	204,289	8,252	8,252	196,037	Construction to commence Q2.
400026	Peel Community Kitchen	26,615	26,615	17,743	64,909	(38,294)	Construction complete. Finances to be finalised. Budget Variation for overspend to be processed in due course.
400030	Owen Avenue Ablution	279,242	279,242	186,161	40,416	238,826	Construction 25% complete.
400046	Site Main Switchboards	95,133	95,133	0	0	95,133	Construction to commence Q1.
750620	Solar Plan	60,000	60,000	40,000	3,148	56,852	Construction to commence Q1.
750623	Administration Building - Foyer Security	68,280	68,280	45,520	0	68,280	Construction to commence Q1.
750625	Mandurah Community Museum Roof Replacemt	143,400	143,400	95,600	0	143,400	Construction to commence Q1.
750631	Mdh Bowling & Rec Club - Bar Repairs	21,364	21,364	1,364	1,364	20,000	Construction to commence Q4.
750633	Stage 2 of Upgrades to Peelwood Reserve	99,720	99,720	33,240	0	99,720	Construction to commence Q1.
750638	Ablution Bortolo Reserve	247,540	247,540	82,513	0	247,540	Construction to commence Q2.
750639	Peel Hockey Association - Floodlighting	56,923	56,923	37,949	38,520	18,404	Complete.
750643	Falcon Family Centre Upgrade	96,000	96,000	0	0	96,000	Construction to commence Q2.
750644	Mandurah Visitors Centre Refurbishment	92,145	92,145	61,430	44,065	48,080	Construction 80% complete.
750646	MARC Leisure Pool Acoustics	68,000	68,000	22,667	0	68,000	Design only.
750679	Solar Plan 2021/22	130,754	130,754	11,754	11,754	119,000	Construction to commence Q3.
750680	Peel Community Kitchen	0	238,495	0	0	238,495	Construction to comment Q2.

Level of completion indicator, please see table at the end of this note for further detail.

Account Description	Adopted Budget	Annual Budget	YTD Budget	YTD Actual	Remaining Unspent Funds	Comment
750628 Civic Building-Mayors Office Reconfiguration	0	44,500	29,667	36,130	8,370	Construction 95% complete.
400022 Peelwood Res - Changeroom Upgrade	0	13,959	4,653	0	13,959	Construction to commence Q3.
750636 WMC - Upgrade Alarm System	0	30,000	0	0	30,000	Construction to commence Q2.
750627 Administration Centre External Painting Project	0	70,064	0	0	70,064	Carryover project, construction 95% complete.
Bridges						
880013 BR Pedestrian Bridge Mandurah Road	3,521,067	3,521,067	21,067	21,067	3,500,000	Construction to commence Q4.
880012 Lakelands-Madora Bay Pedestrian Bridge	350,000	350,000	116,667	0	350,000	Construction to commence Q1.
880000 Old Mandurah Bridge	0	150,000	50,000	0	150,000	Carryover project, construction 90% complete.
Parks						
700476 Installation of Permanent Soccer Goals	10,353	10,353	8,020	3,353	7,000	Construction to commence Q3.
700478 Meadow Springs Golf Course Fence	46,004	46,004	6,004	6,004	40,000	Construction to commence Q3.
700479 Rushton Precinct Master Plan - Netball Courts	74,805	74,805	4,805	4,805	70,000	Construction to commence Q2.
700480 Central Irrigation Management System Renewal	93,407	93,407	3,407	3,407	90,000	Construction to commence Q1.
700481 Bin Enclosures for Eastern/Western foreshore	55,839	55,839	5,839	5,839	50,000	Construction to commence Q3. Linked to City Centre Waterfront project.
700440 Major Public Artworks	90,411	90,411	411	411	90,000	Ongoing Program 2021/22.
700482 Abbotswood Park Erskine Path Connection	26,857	26,857	19,523	4,857	22,000	Construction to commence Q1.
700483 Falcon Reserve Cricket Net renewal	43,328	43,328	29,994	4,648	38,680	Construction to commence Q1. Budget Variation required for \$20k increase to be funded from Mandurah Road Median.
700484 Avalon Foreshore Westview Parade Stage 2	60,894	60,894	10,894	11,144	49,750	Construction to commence Q2.
700485 Bortolo Park Drainage Basin	61,613	61,613	11,613	11,613	50,000	Construction to commence Q4.
700487 Eros Reserve - Basketball Crt Concrete	28,280	28,280	19,946	3,280	25,000	Construction to commence Q3.
700488 Gallop Reserve	109,096	109,096	9,096	9,096	100,000	Construction to commence Q2.
700489 Mandurah Road Median	167,781	167,781	17,781	17,781	150,000	Construction to commence Q3. Budget Variation required for \$50k decrease to fund Pinjarra Road East Median Stage 4, Falcon Reserve Cricket Net Renewal and Lavender Gardens Reserve.
700490 Meadow Springs Turf Wicket	12,404	12,404	9,071	2,404	10,000	Construction to commence Q1.
700491 Milgar BMX Track	24,805	24,805	11,472	4,805	20,000	Construction to commence Q3.
700492 Lavender Gardens Reserve	65,839	65,839	25,839	5,839	60,000	Construction to commence Q1. Budget Variation required for \$10k increase to be funded from Mandurah Road Median.
700493 Pinjarra Road East Median Stage 4	129,185	129,185	37,518	86,056	43,128	Construction 25% complete. Budget Variation required for \$20k increase to be funded from Mandurah Road Median.
700494 Pleasant Grove Foreshore	85,832	85,832	17,832	17,832	68,000	Construction to commence Q3/Q4.
700495 Kangaroo Paw Park	55,175	55,175	5,175	5,175	50,000	Design only.
700496 Riverside Gdns Foreshore Park Furniture	51,045	51,045	6,045	6,045	45,000	Construction to commence Q2.
700497 Shade Tree Planting at Sports Grounds	22,038	22,038	17,038	7,038	15,000	Construction to commence Q4.
700498 Tickner Reserve Final Stage	226,414	226,414	26,414	26,414	200,000	Construction to commence Q3.
700499 Western Foreshore Bore Hole Replacement	25,497	25,497	17,497	1,497	24,000	Construction to commence Q1.
700500 Mary Street (near Lagoon)	18,497	18,497	12,830	1,497	17,000	Construction to commence Q3.
700501 Florida Reserve Fencing	21,497	21,497	8,164	1,497	20,000	Construction to commence Q2.
700502 Northport Oval Fencing	35,466	35,466	5,466	5,466	30,000	Construction to commence Q2.
700503 Henry Sutton	37,089	37,089	27,089	7,089	30,000	Construction to commence Q1.
700504 Hennessy Reserve	91,754	91,754	4,754	4,767	86,987	Construction to commence Q4.
700505 Madora Bay Hall	56,798	56,798	6,798	6,798	50,000	Construction to commence Q3.
700506 Caterpillar Park	25,738	25,738	5,738	5,738	20,000	Construction to commence Q2.
700507 Replacement of Rubber Softfall	83,456	83,456	3,456	54,950	28,506	Ongoing Program 2021/22.
700508 Signage Renewal	49,045	49,045	9,045	9,045	40,000	Ongoing Program 2021/22.
700509 BBQ New Program	51,548	51,548	1,548	12,838	38,710	Ongoing Program 2021/22.
700510 Boardwalk Renewal Program	250,000	250,000	0	0	250,000	Ongoing Program 2021/22. Budget Variation required to reduce budget to \$50k and transfer \$200k to Reserve for use in 2021/22.
700439 Enclosed Dog Park	229,849	229,849	153,233	168,250	61,599	Construction 95% complete.
700441 Bortolo Reserve - Shade Sail	34,011	34,011	10,678	4,011	30,000	Construction to commence Q2/Q3.
700471 Hermitage Park - Shade Sail	45,419	45,419	14,308	5,419	40,000	Construction to commence Q2/Q3.
700472 Country Club Drive - Shade Sail	34,011	34,011	10,678	4,011	30,000	Construction to commence Q2/Q3.
700443 Falcon Bay Upgrade - Stage 4 of 5	129,261	129,261	28,725	22,689	106,572	Carryover project, construction 95% complete.
700444 Novara Foreshore Stage 4	282,348	282,348	94,116	17,884	264,464	Carryover project, construction 50% complete.
700453 Falcon Reserve Activation Plan - Stage 2	127,331	127,331	28,296	610	126,721	Carryover project, construction 50% complete.
700462 Madora Bay Beach	113,441	113,441	13,441	13,441	100,000	Design only.
700464 Shade Sails Over Playgrounds	196,198	196,198	65,399	54,786	141,412	Construction 50% complete.
700511 Mandurah Parks - Shade Sails	0	150,000	0	0	150,000	Construction to commence Q3.
700512 Meadow Springs SF - Cricket Nets	0	45,500	30,333	0	45,500	Construction to commence Q2.
700020 Pebble Beach Boulevard Res 46649	0	6,099	2,033	921	5,178	Construction complete. Finances to be finalised.
700463 Madora Beach Shade Shelters	0	57,247	19,082	41,324	15,923	Construction 75% complete.
Roads						
501087 Access Pathway at Rushton North Pavilion	60,665	60,665	3,665	3,665	57,000	Construction to commence Q3.
501088 RC Leslie Street Stage 2	786,420	786,420	36,420	44,780	741,640	Construction to commence Q4.
501089 RC Peel Street Stage 3	1,540,664	1,540,664	290,664	41,541	1,499,123	Construction to commence Q4.
501090 RC Pinjarra Road Stage 3	1,553,728	1,553,728	387,061	53,728	1,500,000	Refer to Financial Report, Key Capital Projects table.
501091 SL Street Lighting New Program	130,276	130,276	46,943	30,276	100,000	Ongoing Program 2021/22.
501092 TM Discretionary Traffic Management Program	202,864	202,864	52,864	80,304	122,560	Ongoing Program 2021/22.
501093 WTC Roadway and Concrete Hardstand	320,852	320,852	20,852	20,852	300,000	Construction to commence Q3. Seeking Department of Water and Environmental Regulation approval.
501094 MRF Building Hardstand	57,281	57,281	7,281	7,281	50,000	Construction to commence Q3.

Level of completion indicator, please see table at the end of this note for further detail.

Account Description			Adopted Budget	Annual Budget	YTD Budget	YTD Actual	Remaining Unspent Funds	Comment
	501051	SF Street Furniture New Program	57,179	57,179	15,513	7,179	50,000	Ongoing Program 2021/22.
	501097	Tims Thicket Road	567,929	567,929	27,929	27,929	540,000	Construction to commence Q4.
	501098	RR France/Aldgate St Intersection	350,958	350,958	20,958	20,958	330,000	Construction to commence Q3.
	501099	RR Bortolo Drive/Lowden St Intersection	259,435	259,435	19,435	19,435	240,000	Construction to commence Q2.
	501100	RR Sticks Boulevard	33,004	33,004	8,004	8,004	25,000	Construction to commence Q3.
	501111	RS Tennyson Avenue (HALLS HEAD)	220,576	220,576	77,243	5,576	215,000	Construction to commence Q1/Q2.
	501112	SP Falcon Coastal Shared Path	75,086	75,086	15,086	15,086	60,000	Construction to commence Q3/Q4.
	501113	SP Halls Head PSP	416,663	416,663	16,663	16,663	400,000	Construction to commence Q3.
	501114	SP Missing Links	111,543	111,543	28,210	11,543	100,000	Ongoing Program 2021/22.
	501115	SP Biara Court PAW Renewal	43,446	43,446	5,946	5,946	37,500	Construction to commence Q3.
	501116	SP Pleasant Grove POS	46,102	46,102	4,602	4,602	41,500	Construction to commence Q3/Q4.
	501117	SP Waterside Gardens Paving Rehabilitation	32,022	32,022	5,022	5,022	27,000	Construction to commence Q4.
	501123	Ayrton St POS Carpark	76,098	76,098	17,098	17,098	59,000	Construction to commence Q4.
	501124	Emulsion tank with bunding	45,566	45,566	566	566	45,000	Construction to commence Q2.
	501125	Corsican Road	101,439	101,439	1,439	1,439	100,000	Construction to commence Q2/Q3.
	501126	Southern Operations Centre	164,245	164,245	14,245	14,245	150,000	Construction to commence Q3/Q4.
	501118	SL Carpark Lighting Replacement Program	100,874	100,874	23,097	874	100,000	Ongoing Program 2021/22.
	501119	SL Light Pole Replacement	100,926	100,926	23,148	926	100,000	Ongoing Program 2021/22.
	501120	SL Mandurah Marina Canal Light Poles	68,874	68,874	874	874	68,000	Construction to commence Q3.
	501121	SL Parks and Reserves LED Program	70,874	70,874	16,430	874	70,000	Ongoing Program 2021/22.
	501101	Halls Head Beach Car Park Stage 2	105,303	105,303	24,303	24,303	81,000	Construction to commence Q3.
	501102	RS Aldgate Street (MANDURAH)	56,048	56,048	6,048	6,048	50,000	Construction to commence Q2.
	501103	RS Ayrton Street (DAWESVILLE)	166,255	166,255	6,255	6,255	160,000	Construction to commence Q2.
	501104	RS Chapman Road (DAWESVILLE)	105,928	105,928	5,928	5,928	100,000	Construction to commence Q2.
	501105	RS Durham Crescent (DAWESVILLE)	80,964	80,964	5,964	5,964	75,000	Construction to commence Q2.
	501106	RS Inneston Place (DAWESVILLE)	50,793	50,793	5,793	5,793	45,000	Construction to commence Q2.
	501107	RS Napier Close (HALLS HEAD)	40,778	40,778	17,445	5,778	35,000	Construction to commence Q1/Q2.
	501108	RS Sabina Drive (MADORA BAY)	83,248	83,248	7,248	7,248	76,000	Construction to commence Q2.
	501109	RS Sandford Crescent (HALLS HEAD)	106,048	106,048	39,381	6,048	100,000	Construction to commence Q1/Q2.
	501110	RS Seaton Close (HALLS HEAD)	35,778	35,778	15,778	5,778	30,000	Construction to commence Q1/Q2.
	501127	Falcon Reserve Activation Plan - Stage 3	424,794	424,794	24,794	26,173	398,621	Construction to commence Q4.
	501083	RR Mandurah Terrace	1,408,095	1,408,095	49,951	49,951	1,358,144	Refer to Financial Report, Key Capital Projects table.
	501041	SL Rushton Sports Flood Lighting	52,826	52,826	36,159	2,826	50,000	Construction to commence Q2.
	501027	RR Pinjarra Road Stage 1	1,125,578	1,125,578	375,193	440,854	684,724	Refer to Financial Report, Key Capital Projects table.
	501031	RR Catalina Dr/Badgerup Ave Roundabout	14,069	14,069	0	0	14,069	Construction to commence Q2.
	501033	RR Old Coast Road/Albany Drive	106,247	106,247	0	16,787	89,461	Construction to commence Q2.
	501064	SP Mulberry Close PAW	52,009	52,009	34,673	11,646	40,363	Construction 45% complete.
	500016	Smart Street Mall Upgrade	897,835	897,835	149,639	243,311	654,524	Refer to Financial Report, Key Capital Projects table.
	501076	RR Guava Way	301,000	301,000	200,667	186,262	114,738	Construction complete. Finances to be finalised.
	501084	Peel Street - Power Relocation	1,500,000	1,500,000	0	11,350	1,488,650	Refer to Financial Report, Key Capital Projects table.
	501128	Dawesville Channel SE Foreshore Upgrade	466,144	466,144	181,461	106,509	359,635	Construction 20% complete.
	501038	SP Stingray Point Footpath Replacement	0	65,246	10,874	39,386	25,860	Construction complete. Finances to be finalised.
	501050	Mandurah Road Median	0	80,218	26,739	1,027	79,191	Construction to commence Q3.
	501086	SP Denham Street	0	21,844	7,281	70,244	(48,400)	Construction complete. Finances to be finalised. Year end reconciliation for 2020/21 carryover projects to be completed in September 2021.
	501039	SL Street Lighting New Program	0	80,149	26,716	16,604	63,545	Balance of ongoing program from 2020/21.
	501042	SL Light Pole Replacement	0	50,000	8,333	0	50,000	Carryover project, construction 60% complete.
	501062	SP Pinjarra Road Park	0	0	0	1,539	(1,539)	Invoice for 2020/21 project processed post 2020/21 EOFY. Budget to be adjusted at Budget Review.
Drainage								
	600181	Septic Tank and Grease Arrestor at Milgar Reserve	30,720	30,720	720	720	30,000	Construction to commence Q2.
	600182	Discretionary Drainage Projects	165,705	165,705	82,372	73,001	92,704	Ongoing Program 2021/22.
	600183	Halls Head Pde Beach Central CP Stage 2	235,361	235,361	15,361	15,361	220,000	Construction to commence Q3.
	600184	DR Mathew Street, Falcon	104,969	104,969	19,969	19,969	85,000	Construction to commence Q2.
	600185	DR Koolinda Street, Falcon Stage 2	99,298	99,298	71,631	16,298	83,000	Construction to commence Q1/Q2.
	600186	DR Yeedong Road, Falcon - Stage 2	168,544	168,544	67,877	17,544	151,000	Construction to commence Q2.
	600187	DR Pump Station Replacement of Pumps	55,669	55,669	669	669	55,000	Ongoing Program 2021/22.
	600180	Bortolo Sump-Water Sensitive UrbanDesign	362,723	362,723	0	0	362,723	Construction to commence Q3.
	600173	DR Koolinda Street	0	100,733	33,578	47,289	53,444	Construction 60% complete.
Coastal & Estuary								
	900012	Parkridge Boat Ramp	33,426	33,426	3,426	3,426	30,000	Design only.
	910068	All Access Launching Ramp - Riverside Gardens	154,714	154,714	54,714	4,714	150,000	Construction to commence Q3.
	910108	South Harbour Paving Upgrade Stage 3 to 6	107,744	107,744	29,967	7,744	100,000	Construction to commence Q3.
	910109	Cambria Island Abutment Walls Repair	411,023	411,023	11,023	11,023	400,000	Construction to commence Q3.
Equipment								
	820181	Monitor (TV/Display) in Marina Administration Office	5,386	5,386	3,719	386	5,000	Construction to commence Q3.
	820182	Furniture & Equipment Renewal Program	55,741	55,741	13,241	4,741	51,000	Ongoing Program 2021/22.
	820183	Office Equipment	0	79,219	13,000	0	0	Carryover project, construction 90% complete.

Level of completion indicator, please see table at the end of this note for further detail.

Account Description		Adopted Budget	Annual Budget	YTD Budget	YTD Actual	Remaining Unspent Funds	Comment
820180	Furniture & Equipment Renewal Program	0	32,528	21,685	575	31,953	Balance of ongoing program from 2020/21.
Plant & Machinery							
770001	Replacement Light Passenger Vehicles	528,531	528,531	88,088	29,740	498,791	Ongoing Program 2021/22.
770002	Replacement Light Commercial Vehicles	1,342,546	1,342,546	223,756	42,008	1,300,538	Ongoing Program 2021/22.
770007	Trailers	644,969	644,969	107,494	0	644,969	Ongoing Program 2021/22.
770008	Construction Vehicles	664,209	664,209	110,702	0	664,209	Ongoing Program 2021/22.
770009	Parks and Mowers	278,009	278,009	46,334	0	278,009	Ongoing Program 2021/22.
770010	New - Heavy Vehicles Plant and Equipment	55,000	55,000	9,167	0	55,000	Ongoing Program 2021/22.
770011	Miscellaneous Equipment	469,815	469,815	78,301	1,260	468,555	Ongoing Program 2021/22.
770018	New - Light Commercial Vehicles	182,000	182,000	30,333	0	182,000	Ongoing Program 2021/22.
770019	WMC Weighbridge Enhancements	20,463	20,463	463	463	20,000	Construction to commence Q2.
Other Infrastructure							
930036	Christmas Decorations 2021	213,000	213,000	79,667	13,000	200,000	Construction to commence Q1.
930037	CSRF Program - Small Grants	150,000	150,000	25,000	0	150,000	Funding allocations to be determined.
930035	Restart Mandurah - Other	237,500	237,500	39,582	0	237,500	Remaining balance of Restart Mandurah funds.
400050	Lakelands DOS Clubroom Facility	152,512	152,512	50,837	16,346	136,166	Carryover project. Construction complete, finances to be finalised.
700052	Lakelands DOS Flood Lights	471,189	471,189	157,063	444,064	27,125	Carryover project, construction 95% complete.
500085	Lakelands DOS Parking	1,794	1,794	0	0	1,794	Carryover project. Construction complete, finances to be finalised.
700050	Lakelands DOS Irrigation	21,981	21,981	0	0	21,981	Carryover project. Construction complete, finances to be finalised.
700053	Lakelands DOS Sports Specific Infrastructure	20,199	20,199	6,733	0	20,199	Carryover project, construction 20% complete.
700054	Lakelands DOS Water Provision Infrastructure	310,156	310,156	103,385	0	310,156	Carryover project. Construction complete, finances to be finalised.
700055	Eastern Foreshore South Precinct	5,716,803	5,716,803	1,026,128	249,946	5,466,857	Refer to Financial Report, Key Capital Projects table.
700056	Western Foreshore Recreation Precinct	4,082,096	4,082,096	741,829	363,983	3,718,113	Refer to Financial Report, Key Capital Projects table.
Grand Total		45,007,828	46,323,629	8,215,607	4,253,052	42,070,577	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

**FINANCING ACTIVITIES
NOTE 7
BORROWINGS**

Repayments - Borrowings

Information on Borrowings		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	1 July 2021	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Community amenities									
Compactor Waste Trailers and Dolly [336]	182,928	0	0	9,734	58,331	173,195	124,745	718	4,381
Waste Water Reuse [349]	123,584	0	0	3,798	22,445	119,786	101,209	472	3,176
Halls Head Ablution Block [350]	82,406	0	0	2,531	14,959	79,875	67,482	315	2,117
Halls Head Recycled Water 2019/20	181,932	0	0	3,006	18,418	178,926	163,642	746	4,863
Ablutions 2020/21	0	0	200,000	0	17,580	0	182,420	0	5,375
Ablutions 2021/22	0	0	70,000	0	0	0	70,000	0	0
Recreation and culture									
Rushton Park Redevelopment [318(ii)]	242,243	0	0	15,604	88,447	226,639	154,735	288	5,565
Meadow Springs Recreation Facility [318(iii)]	181,967	0	0	11,721	67,388	170,246	113,661	217	4,240
Mandurah Rugby Club [320]	649	0	0	-	667	649	0	0	0
Mandurah Cricket Club [321]	215	0	0	-	203	215	0	0	0
Mandurah Football & Sporting Club [324]	84,392	0	0	13,622	82,264	70,771	2,242	308	1,316
Mandurah Rugby Club [325]	6,512	0	0	1,048	6,331	5,463	162	24	101
Bowling Club Relocation [326]	531,183	0	0	93,919	531,913	437,264	41	1,009	7,721
Ablutions - Netball Centre [329(ii)]	43,859	0	0	7,236	43,702	36,623	2,054	160	672
Parks Construction [329(v)]	43,859	0	0	7,236	43,702	36,623	561	160	672
Halls Head Bowling Club upgrade [331]	273,985	0	0	6,147	36,250	267,838	237,916	1,097	7,214
Parks - Falcon Bay Reserve [333(i)]	47,067	0	0	3,999	24,066	43,069	24,634	181	1,012
MARC Redevelopment [338]	599,116	0	0	27,401	156,515	571,715	442,909	1,149	14,785
MARC Redevelopment Stage 1 [340]	420,178	0	0	13,459	80,042	406,718	340,372	1,673	10,750
MARC Redevelopment Stage 2 [341]	1,051,932	0	0	37,300	207,471	1,014,633	844,896	1,748	26,817
Eastern Foreshore Wall [344]	689,125	0	0	24,065	134,120	665,061	555,055	1,219	17,584
MARC Stage 2 [345]	1,018,914	0	0	34,798	192,185	984,116	826,120	1,576	26,058
Falcon Bay Seawall [351]	206,930	0	0	6,348	37,509	200,582	169,554	790	5,319
MARC Solar Plan [353]	153,181	0	0	3,392	20,000	149,789	133,272	614	4,036
Novara Foreshore Development [355]	306,341	0	0	6,785	40,000	299,556	266,543	1,227	8,072
Falcon Bay Foreshore Upgrades [356]	306,341	0	0	6,785	40,000	299,556	266,543	1,227	8,072
Mandjar Square Development [358]	382,826	0	0	8,480	49,996	374,345	333,093	1,534	10,088
Lakelands DOS [360]	2,040,331	0	0	53,775	282,919	1,986,556	1,758,134	2,301	53,536
Mandjar Square Stage 3 and 4	413,013	0	0	7,829	88,290	405,184	715,884	1,311	21,390
Falcon Seawall	803,936	0	0	16,957	43,828	786,980	369,445	1,323	11,012
Novara Foreshore Stage 3	165,255	0	0	3,052	17,530	162,203	147,818	604	4,406
Smart Street Mall Upgrade 2019/20	450,310	0	0	8,278	46,159	442,032	404,481	1,846	12,029
Falcon Bay Foreshore Stage 3 of 4	272,894	0	0	4,509	27,626	268,385	245,463	1,119	7,294
Mandjar Square Final Stage	272,894	0	0	4,509	27,626	268,385	245,463	1,119	7,294
Falcon Skate Park Upgrade	108,084	0	0	1,987	11,081	106,097	97,071	443	2,887
Westbury Way North side POS Stage 3	181,937	0	0	3,006	18,417	178,931	163,648	746	4,863
Eastern/ Western Foreshore 2020/21	1,140,973	0	0	0	100,278	1,140,973	1,040,652	1,373	30,666
Smart Street Mall 2020/21	1,102,206	0	0	0	96,868	1,102,206	1,005,297	1,254	29,624
Novara Foreshore Stage 4	100,004	0	0	0	8,784	100,004	91,216	309	2,688
Bortolo Reserve - Shared Use Parking and Fire Track Facility	300,011	0	0	0	26,377	300,011	273,623	929	8,063
Falcon Bay Upgrade - Stage 4 of 5	280,011	0	0	0	24,610	280,011	255,390	867	7,526
Enclosed Dog Park	20,152	0	0	0	1,774	20,152	18,377	62	542
South Harbour Paving Upgrade Stage 2	50,002	0	0	0	4,392	50,002	45,608	155	1,344
Falcon Skate Park Upgrade 2020/21	75,456	0	0	0	6,636	75,456	68,817	234	2,028
Eastern/ Western Foreshore 2021/22	0	0	1,629,070	0	143,186	0	1,485,884	0	43,785
Smart Street Mall 2021/22	0	0	897,835	0	78,912	0	818,923	0	24,131
Enclosed Dog Park 2021/22	0	0	179,849	0	15,818	0	164,031	0	4,834
Novara Foreshore Stage 4 2021/22	0	0	230,000	0	20,218	0	209,782	0	6,182
Falcon Bay Upgrade - Stage 4 of 5 2021/22	0	0	90,000	0	7,913	0	82,087	0	2,419
Parks and Reserves Upgrades 2021/22	0	0	609,000	0	0	0	609,000	0	0
Mandurah Library Re Roofing Project	0	0	155,000	0	0	0	155,000	0	0
Falcon Reserve Activation Plan	0	0	400,000	0	0	0	400,000	0	0
Rushton Park Precinct	0	0	70,000	0	0	0	70,000	0	0
Western Foreshore Yr 3	0	0	800,000	0	0	0	800,000	0	0
District Cooling System	0	0	600,000	0	0	0	600,000	0	0
Transport									
Drainage [318(iv)]	60,277	0	0	3,883	21,059	56,394	41,075	72	1,325
Road Construction [318(v)]	605,040	0	0	38,974	227,434	566,066	374,516	720	14,309
Road Construction [329(ii)]	95,457	0	0	15,749	95,116	79,709	84	348	1,463
Drainage Construction [329(iii)]	30,959	0	0	5,108	30,849	25,851	2,545	113	474
Peelwood Oval - Parking [329(iv)]	12,900	0	0	2,128	12,854	10,771	0	47	198
Path Construction [329(vi)]	7,740	0	0	1,277	7,712	6,463	0	28	119
Street Lighting [329(viii)]	10,320	0	0	1,703	10,283	8,617	0	38	158
Road Construction [333(ii)]	214,418	0	0	18,215	109,632	196,202	103,431	825	4,610
New Pedestrian Bridge Construction [335]	364,096	0	0	19,687	117,999	344,409	246,419	1,429	8,697
New Road Construction [339]	430,312	0	0	18,635	111,602	411,677	318,948	1,701	10,630
New Road Construction [342]	539,017	0	0	18,597	103,365	520,420	435,861	927	13,779
WMC Tims Thicket [343]	83,051	0	0	2,599	15,451	80,452	67,640	331	2,129
Road Construction [346]	325,323	0	0	10,000	59,091	315,323	266,459	1,342	8,361

Repayments - Borrowings

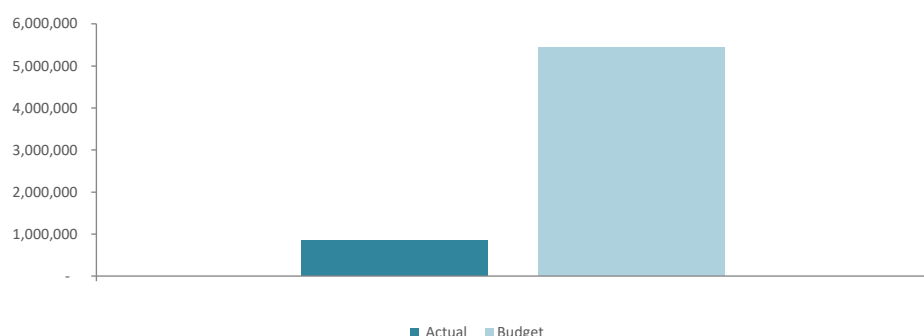
Information on Borrowings Particulars	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
MARC Carpark [347]	247,155	0	0	7,596	44,888	239,558	202,432	944	6,352
MPAC Forecourt [348]	103,000	0	0	3,165	18,701	99,835	84,353	393	2,647
Mandurah Marina [352]	153,181	0	0	3,392	20,000	149,789	133,272	614	4,036
MARC Carpark [354]	229,772	0	0	5,088	29,993	224,684	199,929	920	6,055
Mandurah Foreshore Boardwalk Renewal [357]	344,544	0	0	7,632	44,993	336,912	299,785	1,380	9,079
New Road Construction [359]	1,028,241	0	0	26,659	143,054	1,001,582	885,540	1,679	26,973
Smoke Bush Retreat Footpath [361]	76,588	0	0	1,697	10,006	74,890	66,616	307	2,018
New Boardwalks 18/19	413,013	0	0	7,631	43,828	405,382	369,445	1,509	11,012
Coodanup Drive - Road Rehabilitation	82,641	0	0	1,526	8,765	81,115	73,909	302	2,203
Pinjarra Road Carpark	165,255	0	0	3,052	17,530	162,203	147,818	604	4,406
New Road Construction 2018/19	1,329,504	0	0	27,992	145,594	1,301,512	1,183,854	2,168	35,366
New Road Construction 2019/20	798,115	0	0	16,810	83,446	781,305	714,969	1,414	21,290
South Harbour Upgrade 2019/20	209,228	0	0	3,456	21,180	205,772	188,193	858	5,592
New Roads 2020/21	600,023	0	0	0	57,134	600,023	592,866	992	17,470
Carryover Roads 2020/21	0	0	500,000	0	43,945	0	456,055	0	13,439
Roads 2021/22	0	0	1,250,000	0	0	0	1,250,000	0	0
Boardwalks 2021/22	0	0	250,000	0	0	0	250,000	0	0
Carparks 2021/22	0	0	438,000	0	0	0	438,000	0	0
Pedestrian Bridge Mandurah Road	0	0	908,000	0	0	0	908,000	0	0
Cambria Island Abutment Wall	0	0	400,000	0	0	0	400,000	0	0
Economic services									
Mandurah Ocean Marina Chalets Refurbishment	0	0	150,000	0	0	0	150,000	0	0
Other property and services									
IT Communications Equipment [318(i)]	47,766	0	0	3,077	16,847	44,689	33,262	57	1,060
IT Equipment [329(vii)]	12,900	0	0	2,128	12,854	10,771	251	47	198
Land Purchase [330]	589,352	0	0	106,244	590,181	483,108	21	910	8,424
Civic Building - Tuckey Room Extension	413,013	0	0	7,631	43,828	405,382	369,445	1,509	11,012
Total	24,561,332	0	9,826,754	843,643	5,432,960	23,717,689	29,019,948	58,876	723,433
Current borrowings	5,432,960		9,826,754	843,643	5,432,960	4,594,628	5,432,960	58,876	723,433
Non-current borrowings	19,128,372					19,123,061	23,586,988		
	24,561,332					23,717,689	29,019,948		

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

2021/22 Principal Repayments



Principal Repayments

\$843,643

Interest Expense

\$58,876

Loans Due

\$23.72 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

**OPERATING ACTIVITIES
NOTE 8
CASH RESERVES**

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Building	1,750,807	8,658	0	0	0	(1,415,844)	0	343,621	1,750,807
Parking	476,233	9,051	0	0	0	0	0	485,284	476,233
Asset Management	3,414,420	105,409	0	1,700,000	0	(5,242,928)	0	(23,099)	3,414,420
Cultural Centre	149,781	0	0	66,194	0	(213,495)	0	2,480	149,781
Museum	160,150	0	0	0	0	0	0	160,150	160,150
Property Acquisition	3,913,886	0	0	0	0	0	0	3,913,886	3,913,886
Sustainability	660,441	6,923	0	0	0	(259,000)	0	408,364	660,441
Sanitation	2,382,545	17,922	0	0	0	(1,238,520)	0	1,161,947	2,382,545
Community Improvements	33,233	0	0	0	0	0	0	33,233	33,233
Traffic Bridge	399,886	0	0	0	0	(150,000)	0	249,886	399,886
Tims Thicket Septage	75,697	0	0	0	0	0	0	75,697	75,697
Tims Thicket Inert	105,041	0	0	0	0	0	0	105,041	105,041
Inert Landfill	39,728	0	0	0	0	0	0	39,728	39,728
Arts and Craft Centre	229,699	0	0	0	0	0	0	229,699	229,699
Sand Pit Restoration	66,969	0	0	0	0	0	0	66,969	66,969
Interest Free Loans	200,984	0	0	0	0	(50,000)	0	150,984	200,984
CLAG	62,404	1,183	0	0	0	0	0	63,587	62,404
Emergency Relief Fund	3,295	0	0	0	0	0	0	3,295	3,295
Mandurah Ocean Marina	176,073	3,358	0	0	0	0	0	179,431	176,073
Waterways	277,341	4,497	0	0	0	(13,425)	0	268,413	277,341
Interest on Investments	12,771	0	0	0	0	0	0	12,771	12,771
Port Mandurah Canals Stage 2 Maintenance	92,105	1,733	0	0	0	0	0	93,838	92,105
Mariners Cove Canals	83,920	1,599	0	0	0	0	0	85,519	83,920
Port Bouvard Canal Maintenance Contributions	264,143	5,012	0	0	0	0	0	269,155	264,143
Soccer Club Rooms Refurbishment	29,292	0	0	0	0	0	0	29,292	29,292
Unspent Grants & Contributions	7,974,498	0	0	0	0	(4,355,968)	0	3,618,530	7,974,498
Long Service Leave	5,103,667	0	0	971,036	0	(883,534)	0	5,191,169	5,103,667
Carbon Offset	130,117	0	0	0	0	0	0	130,117	130,117
Bushland Acquisition	3,000,000	0	0	0	0	0	0	3,000,000	3,000,000
Port Bouvard Surf Life Saving Clubrooms	18,000	0	0	0	0	0	0	18,000	18,000

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

OPERATING ACTIVITIES

NOTE 8

CASH RESERVES

Coastal Storm Contingency	255,699	4,856	0	0	0	0	0	260,555	255,699
Refurbishment Bortolo Pavillion	6,000	0	0	0	0	0	0	6,000	6,000
Refurbishment Rushton Park	13,500	0	0	0	0	0	0	13,500	13,500
Refurbishment Meadow Springs Pavillion	8,712	0	0	0	0	0	0	8,712	8,712
Digital Futures	83,029	1,577	0	0	0	0	0	84,606	83,029
Decked Carparking	997,716	18,947	0	0	0	0	0	1,016,663	997,716
Specified Area Rates - Waterside Canals	101,760	1,689	0	0	0	(6,737)	0	96,712	101,760
Specified Area Rates - Port Mandurah Canals	345,992	2,748	0	62,906	0	(336,260)	0	75,386	345,992
Specified Area Rates - Mandurah Quay Canals	199,550	4,129	0	8,669	0	0	0	212,348	199,550
Specified Area Rates - Mandurah Ocean Marina	220,268	6,818	0	0	0	0	0	227,086	220,268
Specified Area Rate - Port Bouvard Canals	118,299	2,253	0	0	0	(134)	0	120,418	118,299
Specified Area Rate - Mariners Cove	22,719	46	0	0	0	(10,656)	0	12,109	22,719
Specified Area Rate - Eastport	28,010	544	0	0	0	(175)	0	28,379	28,010
Sportclubs Maintenance Levy	141,402	3,911	0	12,000	0	0	0	157,313	141,402
City Centre Land Acquisition Reserve	3,000,000	0	0	0	0	0	0	3,000,000	3,000,000
City Facility Relocation Reserve	214,531	0	0	0	0	0	0	214,531	214,531
Lakelands Community Infrastructure Reserve	1,090,206	20,703	0	0	0	0	0	1,110,909	1,090,206
Plant Reserve	952,687	14,308	0	0	0	(895,181)	0	71,814	952,687
Workers Compensation Reserve	111,968	2,126	0	0	0	0	0	114,094	111,968
Restricted Cash Reserve	-	0	0	0	0	(5,124,697)	0	(5,124,697)	0
	39,199,174	250,000	0	2,820,805	0	(20,196,554)	0	22,073,425	39,199,174

OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Operating Grant, Subsidies and Contributions Liability				Operating Grants, Subsidies and Contributions Revenue			
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Adopted Budget	Budget Variations	Annual Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating Grants and Subsidies								
General purpose funding								
Financial Assistance Grant - General Purpose	0	0	0	0	897,773	0	897,773	246,448
Financial Assistance Grant - Local Roads	0	0	0	0	627,034	0	627,034	169,445
Law, order, public safety								
Lifeguard Service Funding: DPIRD	0	95,667	0	95,667	101,500	0	101,500	0
Southern Districts Bush Fire Brigade LGGS: DFES	0	0	0	0	35,000	0	35,000	0
SES LGGS: DFES	0	0	0	0	50,000	0	50,000	0
Bushfire Mitigation Activity Fund (MAF) Grants: DFES	0	28,550	0	28,550	64,600	0	64,600	0
Education and welfare								
Waterwise Verge Grant: Water Corp	0	0	0	0	10,000	0	10,000	0
Local Youth Alcohol Campaign: ADF	26,350	0	0	26,350	26,050	0	26,050	0
Ask for Angela: WAPOL	20,060	0	0	20,060	20,060	0	20,060	0
NAIDOC: PMC	0	0	0	0	3,084	0	3,084	0
International Disability Day Grant: Alcoa	0	0	0	0	1,028	0	1,028	0
Digital Health Literacy Workshop: PLWA	0	826	0	826	0	0	0	0
Recreation and culture								
Christmas Pageant: Lotterywest	0	0	0	0	10,468	0	10,468	0
Crabfest: Lotterywest	0	0	0	0	143,868	0	143,868	0
Every Club Funding 2021: DLGSC	40,000	0	0	40,000	40,000	0	40,000	0
Mandurah & Peel Aquatic Clubs Amalgamation: DLGSC	3,500	0	0	3,500	3,500	0	3,500	0
Every Club Funding 2022: DLGSC	0	0	0	0	20,554	0	20,554	0
Wearable Art	0	0	0	0	20,000	0	20,000	0
Gnoonie Youth Football Cup: WA Health Promotion Fo	0	0	0	0	1,000	0	1,000	0
CHRMAP: DPLH	0	0	0	0	37,500	0	37,500	0
	89,910	125,043	0	214,953	2,113,019	0	2,113,019	415,893
TOTALS	89,910	125,043	0	214,953	2,113,019	0	2,113,019	415,893

Provider	Unspent Non Operating Grants, Subsidies and Contributions Liability				Non Operating Grants, Subsidies and Contributions Revenue				
	Liability	Increase in Liability	Liability Reduction (As revenue)	Liability	Adopted Budget Revenue	YTD Budget	Budget Variations	Annual Budget	YTD Revenue Actual (b)
	1-Jul			30-Jun					
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non-Operating Grants and Subsidies									
Recreation and culture									
Eastern Foreshore South Precinct: DoH	0	0	0	0	2,500,000	0	0	2,500,000	0
Eastern Foreshore South Precinct: RfR	752,828	0	(249,946)	502,881	3,034,127	0	0	3,034,127	249,946
Western Foreshore Recreation Precinct: RfR	1,173,733	0	(363,983)	809,750	1,673,933	0	0	1,673,933	363,983
Lakelands DOS Clubroom Facility: AFL	0	0	0	0	50,000	0	0	50,000	0
Lakelands DOS: DLGSC	0	0	0	0	325,000	0	0	325,000	0
Mandurah Parks - Shade Sails: DPIRD	0	150,000	0	150,000	0	0	150,000	150,000	0
Meadow Springs SF - Cricket Nets: Cricket Australia	0	9,450	0	9,450	0	0	10,500	10,500	0
Meadow Springs SF - Cricket Nets: PDC	0	0	0	0	0	0	35,000	35,000	0
All Access Launching Ramp - Riverside Gardens	0	0	0	0	75,000	0	0	75,000	0
MPAC Internal Refurb: DPIRD	0	0	0	0	160,000	0	0	160,000	0
Transport									
BR Pedestrian Bridge Mandurah Road	0	0	0	0	2,000,000	0	0	2,000,000	0
RC Leslie Street Stage 2	0	0	0	0	500,000	0	0	500,000	200,000
RC Peel Street Stage 3	0	0	0	0	1,000,000	0	0	1,000,000	400,000
RC Pinjarra Road Stage 3	0	0	0	0	1,000,000	0	0	1,000,000	400,000
Tims Thicket Road	0	0	0	0	540,000	0	0	540,000	0
RR France/Aldgate St Intersection	0	0	0	0	330,000	0	0	330,000	132,720
RR Bortolo Drive/Lowden St Intersection	0	0	0	0	156,977	0	0	156,977	94,400
RS Tennyson Avenue (HALLS HEAD)	0	0	0	0	215,000	0	0	215,000	65,000
SP Falcon Coastal Shared Path	0	0	0	0	30,000	0	0	30,000	0
SP Halls Head PSP	0	0	0	0	200,000	0	0	200,000	0
RS Aldgate Street (MANDURAH)	0	0	0	0	50,000	0	0	50,000	70,788
RS Ayrton Street (DAWESVILLE)	0	0	0	0	160,000	0	0	160,000	160,000
RS Durham Crescent (DAWESVILLE)	0	0	0	0	75,000	0	0	75,000	75,000
RS Inneston Place (DAWESVILLE)	0	0	0	0	40,000	0	0	40,000	40,000
RS Sandford Crescent (HALLS HEAD)	0	0	0	0	85,708	0	0	85,708	85,708
RR Mandurah Terrace	0	0	0	0	1,358,144	0	0	1,358,144	0
RR Pinjarra Road Stage 1	0	0	0	0	200,000	0	0	200,000	0
RR Old Coast Road/Albany Drive	0	0	0	0	96,955	0	0	96,955	0
RR Guava Way	165,511	0	(165,511)	(0)	301,000	0	0	301,000	165,511
Peel Street - Power Relocation	1,429,072	0	(11,350)	1,417,722	1,500,000	0	0	1,500,000	11,350
	3,521,143	159,450	(790,790)	2,889,803	17,656,844	0	195,500	17,852,344	2,514,406
Non-Operating Contributions									
Recreation and culture									
PEET - Cash in Lieu Contribution	1,065,909	0	0	1,065,909	0	0	0	0	0
	1,065,909	0	0	1,065,909	0	0	0	0	0
Total Non-operating grants, subsidies and contributions	4,587,052	159,450	(790,790)	3,955,712	17,656,844	0	195,500	17,852,344	2,514,406

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

**NOTE 11
BUDGET AMENDMENTS APPROVED**

Amendments to original budget since budget adoption. Surplus/(Deficit)

A positive number in the amended budget running balance represents an estimated closing surplus.

A negative number in the amended budget running balance represents an estimated closing deficit

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Opening Surplus/(Deficit)				(571,372)
	Mh Mustangs FC - Facility Development	G.13/7/21	Community Loan Advance			(50,000)	(621,372)
	Transfer from Interest Free Loans Reserve	G.13/7/21	Other: Transfer Out of Reserve		50,000		(571,372)
101011-4570-1045-61001	Community Assistant Grants over 2,000 (Lakelands Community Garden Project)	G.13/7/21	Operating Expenses			(10,000)	(581,372)
	Asset Management Reserve	G.13/7/21	Other: Transfer Out of Reserve		10,000		(571,372)
100055-4700-1263-61001	Colours of Mandurah Artwork Project	G.13/7/21	Operating Expenses			(3,134)	(574,506)
	Unspent Grant Reserve	G.13/7/21	Other: Transfer Out of Reserve		3,134		(571,372)
	Additional Capital Works 2020/21 Carryovers	G.13/7/21	Capital Expenses			(881,806)	(1,453,178)
	Additional Capital Works 2020/21 Carryovers	G.13/7/21	Other: Transfer Out of Reserve		496,488		(956,690)
700511-6600-1045-61129	Mandurah Parks - Shade Sails	G.13/7/21	Capital Expenses			(150,000)	(1,106,690)
700511-6600-1045-41403	DPIRD Small Grants Program	G.13/7/21	Capital Revenue		150,000		(956,690)
700512-6600-1045-61129	Meadow Springs SF - Cricket Nets	G.13/7/21	Capital Expenses			(45,500)	(1,002,190)
700512-6600-1045-41403	Cricket Australia Grant	G.13/7/21	Capital Revenue		10,500		(991,690)
700512-6600-1045-41403	PDC Grant	G.13/7/21	Capital Revenue		35,000		(956,690)
750678-6100-1045-xxxxx	ManPAC RVIF Lighting	G.13/7/21	Capital Expenses			(238,495)	(1,195,185)
	Cultural Reserve	G.13/7/21	Other: Transfer Out of Reserve		213,495		(981,690)
	Building Reserve	G.13/7/21	Other: Transfer Out of Reserve		25,000		(956,690)
750678-6100-1421-41458	ManPAC RVIF Lighting - Reimbursement	G.13/7/21	Operating Revenue		66,194		(890,496)
	Cultural Reserve	G.13/7/21	Other: Transfer Into Reserve			(66,194)	(956,690)
100010-1110-1169-61001	Economic Development - Corporate Projects	G.13/7/21	Operating Expenses			(42,000)	(998,690)
100010-1000-1169-61001	CEO - Corporate Projects	G.13/7/21	Operating Expenses			(25,000)	(1,023,690)
101904-4700-1263-61001	Grow City Centre Business Investment	G.13/7/21	Operating Expenses			(4,842)	(1,028,532)
102821-4200-1588-61001	Wearable Art Program	G.13/7/21	Operating Expenses			(37,930)	(1,066,462)
102711-4200-1263-61001	CASM - General Operations	G.12/8/21	Operating Expenses			(3,000)	(1,069,462)
102711-4200-1263-41450	CASM - Contributions - Operating	G.12/8/21	Operating Revenue		3,000		(1,066,462)
				0	1,062,811	(1,557,901)	

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021**

NOTE 12

PROPOSED BUDGET VARIATIONS FOR COUNCIL APPROVAL

The following are for consideration for Council to approve as budget variations

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
			Opening Surplus/(Deficit)				(1,066,462)
New-3407-1263-61129	2022 Conference		Operating Expenses			(10,000)	(1,076,462)
New-3407-1263-41450	Shire of Murray & Waroona Contribution		Operating Revenue		10,000		(1,066,462)
100010-1110-1169-61001	Economic Development - Corporate Project		Operating Expenses			(50,000)	(1,116,462)
100010-1110-1263-41400	Peel Development Commission Grant		Operating Revenue		50,000		(1,066,462)
New	MARC Geothermal Pump & VSD		Capital Expenses			(164,000)	(1,230,462)
xxxxx-xxxx-1263-41452	LGIS Non-Operating Contribution		Capital Revenue		63,897		(1,166,565)
700510-6600-1045-61129	Boardwalk Renewal Program		Capital Expenses		200,000		(966,565)
	Asset Management Reserve		Other: Transfer Into Reserve			(200,000)	(1,166,565)
New	Artesian Pump Replacement Program		Capital Expenses			(50,000)	(1,216,565)
xxxxxx-xxxx-1702-xxxxx	Artesian Retic/Bore Maintenance Activity		Operating Expenses		50,000		(1,166,565)
700493-6600-1045-xxxxx	Pinjarra Road East Median Stage 4		Capital Expenses			(20,000)	(1,186,565)
700483-6600-1045-61129	Falcon Reserve Cricket Net Renewal		Capital Expenses			(20,000)	(1,206,565)
700492-6600-1045-xxxxx	Lavender Gardens Reserve		Capital Expenses			(10,000)	(1,216,565)
700489-6600-1045-xxxxx	Mandurah Road Median		Capital Expenses		50,000		(1,166,565)
							(1,166,565)
				0	423,897	(524,000)	

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 AUGUST 2021

NOTE 13
EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is 10.00%

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Operating grants, subsidies and contributions	92,688	20.40%	▲ Timing	Variance primarily due to Financial Assistance Grants received in advance.
Interest earnings	141,722	62.99%	▲ Timing	Favourable variance primarily due to rates instalment interest earnings and will be monitored as year progresses.
Other revenue	(162,611)	(35.75%)	▼ Timing	Variance primarily due to Working Smarter quarterly reimbursement not yet received.
Expenditure from operating activities				
Materials and contracts	2,992,739	33.02%	▲ Timing	Variance due to operating projects which haven't commenced, to be monitored as year progresses.
Utility charges	320,432	42.78%	▲ Timing	Variance due to utility invoices not yet received, to be monitored as year progresses.
Other expenditure	(7,139)	100.00%	▼ Permanent	Variance due to small debt write off for interest and legal charges in accordance with the Write-Off Debts Delegation (DA-FCM06). An adjustment will be made at the mid-year Budget Review.
Investing Activities				
Non-operating Grants, Subsidies and Contributions	1,026,711	69.01%	▲ Timing	Milestones not met yet for the receipt of capital grants. Will be monitored throughout the remainder of the year.
Proceeds from Disposal of Assets	(184,813)	(100.00%)	▼ Timing	Will be monitored throughout the year.
Capital Acquisitions	3,962,555	48.23%	▲ Timing	Refer to note 4.
Financing Activities				
Proceeds from community loans	(13,092)	(95.15%)	▼ Timing	Varying repayment terms on loan agreements. Will be monitored throughout the remainder of the year.
Payment of lease liability	37,137	21.68%	▼ Timing	Varying repayment terms on lease agreements. Will be monitored throughout the remainder of the year.

2	SUBJECT:	T08-2021 Tree Pruning and Associated Services
	DIRECTOR:	Built and Natural Environment
	MEETING:	Council
	MEETING DATE:	28 September 2021

Summary

The City of Mandurah (City) recently invited tenders for the Provision of Tree Pruning and Associated Services (T08-2021).

During the evaluation of this Tender it was identified that the schedule of rates requested did not reflect the way the City will operate the contract and improvements were necessary to ensure that the Tender is evaluated in a manner that better reflects the delivery of this service (refer *Confidential Attachment 2.1*).

Therefore, it is recommended that Council decline to accept any offer, revise the specifications and future forecast for the service (for evaluation of pricing purposes) and recommence the procurement process.

Disclosure of Interest

Nil

Previous Relevant Documentation

- G.30/6/18 26 June 2018 Accept Tuckey's Tree and Garden Services for Tender 04-2018 Pruning of Trees and Associated Works

Background

The current contract for Tree Pruning and Associated Services was awarded to Tuckey's Tree and Garden Service for a three year period which concluded on 9 July 2021. Utilising regulation 11(2)(ja) of the *Local Government (Functions and General) Regulations 1996* the Chief Executive Officer (CEO) extended the contract until 9 October 2021. No further options for extension are available.

Comment

The grounds on which Council may decide to decline to accept any tender are not limited and may be made for any reasons including the requirement to review and revise the service specifications, pricing evaluation and methodology prior to recommencing the procurement process.

The Manager, Governance, Procurement and Land reviewed the evaluation process and as such, recommends that Council declines to accept all offers (refer *Confidential Attachment 2.1*). Due to the expectation that the tenderers who submitted an offer will again submit another offer to the proposed tender, the summary is confidential in nature.

The acceptance and rejection of tenders is regulated by both the *Local Government (Functions and General) Regulations 1996* (the Regulations) and the provisions within Clause 4.7 of RFT T08-2021 states that Council '*is not bound to accept any particular Tender*' in a manner consistent with regulation 18(5), which states that a local government may '*decline to accept any tender*'.

It should be noted that the recommendation proposed for Council consideration does not disadvantage any particular tenderer and once specifications and schedule of rates have been revised the tender will be advertised to the open market.

The recommendation to decline all tenders and to recommence a new procurement process will have an impact on the delivery of the tree pruning services. This will be addressed in part through the issuing of works requests to the incumbent contractor, prior to the contract expiry date, to ensure service continuity for high risk areas, such as powerline tree pruning services.

Consultation

The City of Mandurah Tendering Committee (internal committee) are in support of this recommendation.

Statutory Environment

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

18. *Rejecting and accepting tenders*

(5) *The local government may decline to accept any tender.*

Policy Implications

Policy POL-CPM 02 – *Procurement*.

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

Policy POL-CPM 06 – *Authority to Execute Documents*.

Delegations DA- CPM 04 Rejecting and Accepting Expressions of Interests and Tenders.

Financial Implications

The City budgets \$750,000 per year for this service and over a five year period the estimated expenditure is \$3,750,000. Under the Delegations DA- CPM 04 Rejecting and Accepting Expressions of Interests and Tenders, the CEO is delegated to accept or decline to accept any tenders where the consideration is, or is expected to be, \$3,000,000 (GST exclusive) or less. As the estimated expenditure for this contract exceeds the CEO's delegation, this decision has been referred to Council.

Risk Analysis

The contract with the incumbent supplier is due to expire on 6 October 2021. The City will issue works requests for powerline tree pruning required over the next three months, however for works that have not been pre-determined the City will need to obtain three quotes in accordance with Council Procurement Policy COM 02, until the Council has awarded the next contract following an open Tender process.

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

Council are requested to decline to accept all tenders for T08-2021, revise the specifications, future forecasting and recommence the procurement process.

NOTE:

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

RECOMMENDATION

That Council:

- 1. Declines to accept all tenders for Tender T08-2021.**
- 2. Notes that the City will revise the specifications and recommence the procurement process.**

CONFIRMED