



MINUTES OF

COMMITTEE OF COUNCIL MEETING

HELD ON

Tuesday 16 January 2018

AT 5.30 PM

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

PRESENT:

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

OFFICERS IN ATTENDANCE:

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MR	A CLAYDON	DIRECTOR WORKS & SERVICES
MR	T FREE	DIRECTOR SUSTAINABLE DEVELOPMENT
MR	G DAVIES	EXECUTIVE MANAGER STRATEGY & BUSINESS PERFORMANCE
MR	J HUGHES	MANAGER LIBRARIES, LEARNING, ARTS AND CULTURE
MR	S HUDSON	MANAGER INFRASTRUCTURE MANAGEMENT
MRS	L GREENE	COORDINATOR ELECTED MEMBER SUPPORT

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

The Chairman declared the meeting open at 5.31 pm.

APOLOGIES / LEAVE OF ABSENCE [AGENDA ITEM 2]

Hon Councillor Riebeling and Councillor Lynn Rodgers (on Leave of Absence) and Councillor Jackson.

DISCLAIMER [AGENDA ITEM 3]

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

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

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

Officers provided answers to questions taken on notice at the Committee of Council meeting of Tuesday 5 December 2017.

CC.1/1/18 TOWN PLANNING SCHEME NO 3 AMENDMENT 138: ADDITIONAL USE (DOG KENNELS) LOT 1175 OLD COAST ROAD HERRON FINAL ADOPTION (MINUTE CC.6/12/17 REFERS)

During the debate that ensued, and at the request of Councillors, the Manager Planning and Land Services provided clarification regarding complaints received regarding kennels that currently operate in the area, the size of the property and position of the Southern Mandurah Rural Structure Plan in terms of approval.

The Manager Planning and Land Services advised that whilst he was unaware of any recent complaints received in connection with kennel operations in the area, he would take the question on notice in order to check records and provide an accurate response.

Response:

The City's records do not indicate any complaints in respect to existing operative kennels in operation in the area.

(This information was provided at the Council meeting on 19 December 2017).

PUBLIC QUESTION TIME [AGENDA ITEM 5]

Nil.

PRESENTATIONS AND ANNOUNCEMENTS BY CHAIRMAN [AGENDA ITEM 6]

Nil.

DEPUTATIONS [AGENDA ITEM 7]

Nil.

CC.2/1/18 CONFIRMATION OF MINUTES [AGENDA ITEM 8]

RESOLVED: C Knight / M Darcy

That the Minutes of the Committee of Council meeting of Tuesday 5 December 2017 be confirmed.

CARRIED UNANIMOUSLY: 10/0

DECLARATION OF INTERESTS [AGENDA ITEM 9]

Nil.

QUESTIONS FROM ELECTED MEMBERS WITHOUT DISCUSSION [AGENDA ITEM 10]

Questions of which due notice has been given

Nil.

Questions of which notice has not been given

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil.

REPORTS [AGENDA ITEM 12]

CC.3/1/18 2016/17 MOSQUITO MANAGEMENT ANNUAL REPORT (TF / SS) (REPORT 1)

Mosquito management activities undertaken by the City, in conjunction with the Peel Mosquito Management Group (PMMG), increased significantly when compared to season 2015/16, resulting in a twofold increase in the number of broad scale aerial treatments required throughout the region. This increase in activity reflected predictions for the season made at the end of the 2015/16.

Following the exceptionally subdued 2015/16 season, the 2016/17 season was one of vast contrast and fundamentally linked to the change in regional and localised environmental conditions as a result of the shift from El Nino Southern Oscillation (ENSO) to ENSO Neutral.

Twenty one (21) aerial larviciding treatments were actioned over the period of July 2016 to June 2017, covering a total of 2627 hectares, a 263% increase on season 2015/16 and on par with seasons 2013 to 2015.

The PMMG continued to work and implement a number of improvements and refinements to helicopter application processes and equipment that has brought greater efficiency, accuracy, and quality control to aerial treatment operations over recent seasons.

The work and collaboration between the Department of Health (DoH), helicopter contractor and the PMMG continued to be at the forefront of broad scale mosquito management nationally. The program's success in managing mosquitoes effectively despite the more favourable mosquito breeding conditions in 2016/17 reflects the ongoing efforts to develop the program.

With regard to the outlook or 2017/18, as of July 2017, a shift in the Southern Oscillation Index (SOI) from El Niño values to Neutral and then La Niña is likely to have played some part in the demanding start to the first quarter of the 2017/18 season. This movement to a La Niña event may lead to more challenging seasons in the next 3 - 5 years with a return to a ENSO La Niña event of moderate to strong intensity.

The annual report provides an overview of the PMMG activities with a specific focus on the City of Mandurah during the 2016/17 season, and sought Council endorsement of the recommendations of the report.

Recommendation set out in the report:

That Council:

1 *Receives the City of Mandurah Mosquito Management Program: 2016/17 Annual Report.*

2 *Approves the release of these reports to the following key stakeholders:*

- *Residents of the City of Mandurah via access at Administration Centre and Library, "City Voice", website and media releases*
- *Department of Health*
- *The Minister for Health and local Parliamentary Representatives*
- *Peel Mosquito Management Group member local governments*
- *Peel Development Commission*
- *Department of Water Environment and Regulation*
- *Residents and Progress Associations*
- *Mandurah Environmental Advisory Group.*

- 3 *Notes the City's support for the Department of Health Fight the Bite Campaign.*
- 4 *Acknowledges the support provided by the Department of Health in the implementation of improvements in the Peel Mosquito Management Program.*
- 5 *Supports ongoing efforts to improve the aerial larviciding capacity of the mosquito management program.*
- 6 *Acknowledges the importance of the State Government's ongoing commitment to the annual programs, and in accordance with the Dawesville Channel Environmental Review and Management Program.*

Councillor Knight moved the following recommendation, which was seconded by Councillor Schumacher.

RESOLVED: C Knight / D Schumacher

That consideration of this item be deferred to the Council meeting on 30 January 2018.

CARRIED UNANIMOUSLY: 10/0

**CC.4/1/18 PROPOSED ROAD CLOSURES WITHIN YALGORUP NATIONAL PARK,
HERRON (BD / LP) (REPORT 2)**

The City has been requested by the Department of Biodiversity Conservation and Attractions (Parks and Wildlife Service - DPaw) to close various unmade road reserves within the Yalgorup National Park. These roads have never been constructed or used by the public for access to the Park.

The State Government has purchased several large parcels of land that have been earmarked for amalgamation into Yalgorup National Park, road access to these parcels is no longer required. DPaw have contacted the City with a request for the formal closure of these unmade road parcels, which aligns with their Management Plan for the Yalgorup National Park.

A public consultation process for road closure has been undertaken with one submission being received and detailed within the body of this report.

In accordance with Section 58 of the *Land Administration Act 1997 (LAA)* Council is requested to approve the application to the Minister for Lands for the closure of the unmade road portions within the Yalgorup National Park, as detailed within this report.

RESOLVED TO RECOMMEND: C Knight / M Darcy

That Council:

- 1 **Request the Minister for Lands to approve the closure of the unmade portions of gazetted road reserves adjacent to Lake Clifton and surrounding lakes, and amalgamation into Crown Reserve 11710 which are marked 'A' 'C' 'D' 'E' & 'F' on attachment one pursuant to Section 58 of the *Land Administration Act 1997*;**
- 2 **Request the Department of Parks and Wildlife to support the inclusion of the closed road land into Yalgorup National Park Reserve 11710;**

3 Acknowledges that all costs associated with the closure will be borne by the Department of Parks and Wildlife.

CARRIED UNANIMOUSLY: 10/0

CC.5/1/18 PROPOSED EXCISION PORTION RESERVE 2851 – CADDADUP RESERVE (BD / LP) (REPORT 3)

In May 2017, Council granted 'in principle' support to a request from the Water Corporation to excise approximately 3.2 hectares of land from Caddadup Reserve, for the purpose of expanding the public water supply to the City's southern corridor.

Council support was conditional upon the Water Corporation undertaking the relevant State and Federal environmental assessments for both an option to develop the additional infrastructure to the north and south of the existing water tank, in order to determine which land area would be the least impacted environmentally by the clearing required.

The Water Corporation returned to officers late in 2017 requesting that Council reconsider its position and grant unconditional approval for the excision of approximately 3.2 hectares of land from Reserve 2851 to the immediate south of existing Reserve 34542.

Notwithstanding this request, the Water Corporation confirm that no environmental assessments have commenced for either site, and none will be undertaken for the north option as this is not considered a viable option for the construction of a new tank. The Water Corporation's position is that, at this time, is to progress with the land tenure despite the lack of State or Federal environmental assessments or any other relevant approvals required.

In reviewing the project, officers identified that all of Reserve 2851 is reserved as Regional Open Space in the Peel Region Scheme (PRS), and any works within this reservation would require an amendment to the Scheme. This amendment will require the Western Australian Planning Commission (WAPC) to progress, which involves assessment by the Environmental Protection Authority as part of this process and ultimately a decision by the Minister for Planning Transport Lands to complete. It is considered appropriate that all statutory approvals and processes should be complete prior to any land tenure and excisions of reserves are undertaken. Water Corporation have the understanding that the process should be undertaken in the alternative manner.

Council is requested respond to the Water Corporation that environmental approvals and an amendment to the Peel Region Scheme are to be progressed prior to Council altering its in principle support with regard to land tenure associated with the water tank project.

RESOLVED TO RECOMMEND: Tahlia Jones / C Knight

That:

1 Council reaffirms its resolution of 23 May 2017 in respect to a request from the Water Corporation to excise land from Reserve 2851 Old Coast Road, Dawesville which states:

- 1 Grants 'in principle' consent for the excision of land required by the Water Corporation for the purpose of a Water Supply from Class A Reserve 2851 Old Coast Road Dawesville conditional upon:**

- 1.1** *The relevant State and Commonwealth agencies undertaking a full environmental assessment of both site one (north) and site two (south) to determine the site least environmentally impacted by the proposed clearing and construction of the proposed new water tank;*
 - 1.2** *Water Corporation to undertake the relevant public consultation required for the excision of land in accordance with S.51 of the Land Administration Act 1997, to the satisfaction of the Minister for Lands.*
 - 2** *Approves the relevant authorities either State or Federal access to Reserve 2851 to enable the environmental impact assessments to be undertaken;*
 - 3** *Acknowledges that a further report will be presented to Council for consideration upon completion of the State and Federal assessments.*
- 2** In addition to the above, Council advises the Water Corporation that to facilitate development of any part of Reserve 2851 for public utilities, an Amendment to the Peel Region Scheme is required to be considered and initiated by the Western Australian Planning Commission and that the northern and southern options will need to be reviewed based on environmental, social and economic perspectives.
- 3** Once progress is made to amend the Peel Region Scheme, the administrative requirements relative to the land tenure and resolutions of Council, if required, to facilitate excision of Reserve 2851 can be reconsidered.

CARRIED UNANIMOUSLY: 10/0

**CC.6/1/18 CRASH LOCATION REPORT: ESTUARY ROAD, DAWESVILLE (TB / SL)
(REPORT 4)**

Main Roads Western Australia (MRWA) has recently concluded a Crash Location Report on a fatal crash which occurred on Estuary Road, Dawesville in December 2016.

As the road is under the care, control and management of the City of Mandurah, MRWA has forwarded a copy of the report (*available in the Councillors Lounge*) and the accompanying findings and recommendations to the City for information, consideration and implementation of any appropriate remedial measures. The fatal crash occurred as a result of a vehicle crashing into a tree which is located less than one metre off the edge of the road pavement and within the road verge.

As the asset manager, the City is requested to give the crash report findings and recommendations due consideration and document acceptance or rejection of any findings and recommendations on the Corrective Action Report.

Officers have considered the Main Roads Western Australia (MRWA) recommendation and have come to the recommendation after considering a number of options that the appropriate response is to implement improved delineation of the road environment similar to that used by MRWA on many roads throughout the south west of the State.

Council is requested to endorse the officer's recommendation to retain the large mature tree and implement improved delineation of the road environment.

Councillor Schumacher moved the recommendation set out in the report, which was seconded by Councillor Shane Jones. During the debate that ensued, and at the request of Councillors, the Director Works and Services provided clarification regarding the risk implications for the City arising from the tree's retention and the location of the incident.

RESOLVED TO RECOMMEND: D Schumacher / Shane Jones

That Council:

- 1 Notes the findings of the Main Roads Western Australia Crash Location Report – Fatal – Estuary Road – (3.21 slk).**
- 2 Approves the installation of curve advanced warning signs, guide posts and curve alignment markers and advise Main Roads Western Australia that this is its response to the Corrective Action Report.**

CARRIED UNANIMOUSLY: 10/0

CC.7/1/18 STREET VERGE TREE: REQUEST FOR TREE REMOVAL (TB / KB) (REPORT 5)

Officers received a request from the owners of 3 Caspian Drive, Wannup to remove the street verge tree adjacent to their residence. This request was investigated and the outcome determined by officers is that the tree should remain.

Subsequently, the resident has requested an appeal to Council to overturn the officer's recommendation to retain the street verge tree. A number of reasons were offered challenging the officer's determination and are presented for Council's consideration. Officers remain unconvinced that there is an argument that would support the tree being removed.

Council is requested to resolve to retain this tree.

RESOLVED TO RECOMMEND: C Knight / R Wortley

That Council:

- 1 Acknowledges the resident's appeal to overturn the City officer's recommendation to retain the *Agonis flexuosa* (Native Peppermint) street verge tree adjacent to 3 Caspian Drive, Wannanup.**
- 2 Resolve to retain the *Agonis flexuosa* (Native Peppermint) street verge tree adjacent to 3 Caspian Drive, Wannanup.**

CARRIED UNANIMOUSLY: 10/0

**CC.8/1/18 TENDER 19-2017: MANDURAH COMMUNITY COURTROOM
INTERPRETATION, DESIGN AND INSTALLATION (JH / NP) (REPORT 6)**

On 16 September 2017, the City of Mandurah invited tenders for the Mandurah Community Museum Courtroom Interpretation Design and Installation.

The 2017/18 phase of the implementation of the Mandurah Community Museum's interpretation plan will encompass the redevelopment of the old courtroom within the building. This area has been identified as both the 'Industry Gallery', and the space within the Museum where the story of Mandurah's European settlement and economic development will be told. The space's previous use as a courtroom will also be interpreted for Museum visitors. This interpretation will take the form of text, displays of objects and interactive multimedia elements combined with modern, unified design to produce a professional display space that complements the similar work done during previous years in other areas of the Museum.

Council approval is sought to select Creative Spaces as a suitable tenderer for Mandurah Community Museum Courtroom Interpretation Design and Installation.

Councillor Wortley moved the recommendation set out in the report, which was seconded by Mayor Williams. During the debate that ensued, and at the request of Councillor Tahlia Jones, the Manager Libraries, Learning, Arts and Culture outlined the tender process that had been undertaken in an attempt to obtain multiple tenderers. The Manager advised Council that the City is satisfied with the quality of work delivered by Creative Spaces.

RESOLVED TO RECOMMEND: R Wortley / R Williams

That Council accepts Creative Spaces as suitable tenderer for Tender 19-2017 for the Mandurah Community Museum Courtroom Interpretation Design and Installation at a cost of \$76,401.40 (exclusive of GST).

CARRIED UNANIMOUSLY: 10/0

CC.9/1/18 TENDER 21-2017: IRRIGATION PUMP, WATER CONTROL SYSTEMS AND BORE MAINTENANCE (MH / NP) (REPORT 7)

On 21 October 2017, the City of Mandurah invited tenders for the Irrigation Pump, Water Control Systems and Bore Maintenance.

Council approval is sought to select All Pumps and Waterboring, Mandurah as the preferred tenderer for Irrigation Pump, Water Control Systems and Bore Maintenance for a three (3) year term with one twelve month option period.

RESOLVED TO RECOMMEND: D Schumacher / Peter Rogers

That Council accepts All Pumps and Waterboring as the preferred tenderer for Tender 21-2017 for Irrigation Pump, Water Control Systems and Bore Maintenance.

CARRIED UNANIMOUSLY: 10/0

CC.10/1/18 TENDER 22-2017: CCTV INSTALLATION AND MAINTENANCE SERVICES (SH / NP) (REPORT 8)

On 21 October 2017, the City of Mandurah invited tenders for Closed Circuit Television (CCTV) Installation and Maintenance Services.

The City uses CCTV to investigate incidents both externally and internally and has the capacity to be a preventative tool by acting as a deterrent against crime. The City currently owns and maintains 158 CCTV cameras mounted on or in buildings and on poles and other infrastructure. This tender covers maintenance, cleaning, firmware, installation and connection, and related services of the CCTV.

Council approval is sought to select Spyker Technologies Pty Ltd as the preferred tenderer for CCTV Installation and Maintenance Services for a three (3) year term with one twelve month option period.

Councillor Shane Jones moved the recommendation set out in the report, which was seconded by Councillor Tahlia Jones. At the request of Councillor Shane Jones, the Chief Executive Officer and Manager Infrastructure Management provided clarification regarding integration with existing products and systems, and the potential of additional sites where CCTV may be needed being facilitated via this tender.

RESOLVED TO RECOMMEND: Shane Jones / Tahlia Jones

That Council accepts Spyker Technologies Pty Ltd as the preferred tenderer for Tender 22-2017 for CCTV Installation and Maintenance.

CARRIED UNANIMOUSLY: 10/0

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 13]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 14]

Nil.

CLOSE OF MEETING [AGENDA ITEM 15]

There being no further business, the Chairman declared the meeting closed at 5.50 pm.

CONFIRMED:[CHAIRMAN]