

# **CITY OF MANDURAH**

## **MINUTES OF**

### **GOVERNANCE AND INFRASTRUCTURE COMMITTEE MEETING**

**HELD ON**

**TUESDAY 8 AUGUST 2006**

**AT 5.00 PM**

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

#### ***PRESENT:***

COUNCILLOR	H WHITE [CHAIRMAN]	COASTAL WARD
"	G BROWN	TOWN WARD
"	V GOFF	TOWN WARD
"	D LEE	EAST WARD {Deputising}
"	S WILSON	NORTH WARD [Deputising]
"	R WORTLEY	NORTH WARD

#### ***ELECTED MEMBERS OBSERVING:***

COUNCILLOR	J HUGHES	COASTAL WARD
"	L RODGERS	EAST WARD
"	M WERNER	TOWN WARD [from 5.30pm]

#### ***OFFICERS IN ATTENDANCE:***

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
"	A CLAYDON	DIRECTOR WORKS AND SERVICES
"	I HILL	DIRECTOR ECONOMIC AND COMMUNITY DEVELOPMENT
"	M YOUNG	ACTING DIRECTOR SUSTAINABLE DEVELOPMENT
"	W PEPPINCK	CORPORATE LAWYER
MS	G MARTELLI	ACTING DIRECTOR BUSINESS RESOURCES
MR	G MACMILE	ACTING MANAGER COMMUNITY SERVICES
MS	M BUSHBY	MANAGER INFORMATION MANAGEMENT
"	P SUTTON	MINUTES OFFICER
MRS	L GREENE	MINUTES OFFICER [Observing]

**OPENING OF MEETING [AGENDA ITEM 1]**

The Chairman declared the meeting open at 5.03pm

**APOLOGIES [AGENDA ITEM 2]**

Mayor Creevey, Councillor Atkins and Councillor Joynes

**DISCLAIMER [AGENDA ITEM 3]**

**GI.1/8/06        DISCLAIMER**

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.

**RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]    NIL**

**QUESTION TIME [AGENDA ITEM 5]**

**Questions from the Public:** **NIL**

**Questions from Elected Members:** **NIL**

**ORDERS OF THE DAY [AGENDA ITEM 6] **NIL****

**CONFIRMATION OF MINUTES [AGENDA ITEM 7]**

**GI.2/8/06        CONFIRMATION OF MINUTES**

RESOLVED: S Wilson / G Brown

**That the Minutes of the Governance and Infrastructure Committee meeting of Tuesday 11 July 2006 be confirmed.**

CARRIED: 6/0

**DEPUTATIONS [AGENDA ITEM 8]**

**GI.3/8/06 MR DENIS BROAD (REPRESENTING PEEL PROJECTS) :  
ROLLERCOASTER CONCERT (ITEM 1 – DIRECTOR COMMUNITY AND  
ECONOMIC DEVELOPMENT)**

Mr Broad addressed some concerns which had arisen with the 2006 Rollercoaster event. He said:

- Objections from a minority of residents should be balanced against the support received from many Mandurah residents.
- Community information will be distributed prior to the event to affected residential areas and an open public forum will be held.
- Enhanced police and security effectiveness for the 2006 event is proposed.

**REPORTS [AGENDA ITEM 9]**

**Report from Director Community and Economic Development**

**GI.4/8/06 CONCERTS AND EVENT PROGRAM : FURTHER CONSIDERATION –  
ROLLERCOASTER ET AL (FILE: A01871) (IH/GMAC/TB) (ITEM 1)**

On Boxing Day 2005, the first large outdoor concert since 1987 was held on the Western Foreshore, Hall Park. Approximately 9,700 patrons attended the event, below the approved limit of 15,000. Although attendance was below the approved limit, the event was successful in terms of the promoters objectives and by any objective criteria the 'trial' event could be judged a success overall. Peel Projects Pty Ltd subsequently sought approval for the usage of the Hall Park venue for an annual program including Christmas Eve (24 December 2006) – Carols / Family event, Boxing Day (26 December 2006) – Rollercoaster and Friday (29 December 2006).

Further information has been obtained regarding the impact of 'non-conforming' events legislation on the proposed program, a separate proposal for an outdoor cinema, availability of police resourcing and implications for Council resources. It is recommended Council now approves, with conditions, the Rollercoaster concert on Tuesday 26 December 2006 as a 'non-conforming' event, and requests that event promoters identify alternative dates for the concert program for 2007 onwards.

Councillor Wortley said it would be the busiest time of the year for police and he suggested that the maximum approved patronage be reduced from 12,500 to 10,000 to enable adequate police resources for the whole of Mandurah on the evening of the Concert.

Councillor Goff expressed concerns about controlling the number of patrons attending the event and asked what was the percentage of tickets sold in advance.

*Mr Macmille said he was not aware and took the question on notice.*

The Officer's Recommendation was then moved with an amendment to *Clause (i)* to limit the patronage to 10,000.

RESOLVED TO RECOMMEND: R Wortley / D Lee

**That Council:**

**1. reaffirms approval of events at the Hall Park venue as follows:**

- **Sunday 24 December 2006 – Family Christmas Concert (local groups)**
- **Tuesday 26 December 2006 – Rollercoaster Concert conditional upon:**

- i. A maximum approved patronage limit of 10,000**
- ii. imposed hire and statutory approval charges being paid in accordance with City of Mandurah, Schedule of Fees and Charges 2006/07 (estimated to be \$7,500 based on 2005 concert and not inclusive of charges incurred under condition iii.)**
- iii. the application and payment of a charge calculated at cost, with overheads for officer time spent providing any special assistance to planning and preparation elements of concerts / events that are the responsibility of the applicant, but not provided to the necessary standard, delegating authority to Chief Executive Officer (Manager Environmental Health and Ranger Services) to calculate and impose the amount**
- iv. the community information / consultation proposed by the promoters, that forms part of this report being undertaken to the satisfaction of the City**
- v. the undertaking of a community survey that examines the localised and broader impacts / benefits of these and other feature outdoor events within Mandurah, on a 50 / 50 cost-share basis with the City based on an anticipated total cost of up to \$20,000**
- vi. provision of the necessary statutory approvals and event document including but not limited to risk management plan, security management plan, noise control plan and traffic management plan**
- vii. given the information regarding future police resource availability, the event promoters are required to identify alternative dates for 2007 onwards**
- viii. further information regarding the application of a ticket levy being provided, particularly in relation to what may be a reasonable levy value and how funds raised would be distributed / utilised**

2. notes the allowable non-conforming events on the Western Foreshore as being the 'Rollercoaster' concert, with an additional event available for approval
3. considers an allocation of up to \$10,000 in the Council's 2006/07 Budget review process in 'Community Development – Consultation'.

CARRIED: 6/0

**GI.5/8/06 TENDER 20/2006 FOR THE PROVISION OF CLEANING SERVICES : CITY'S BARBECUES, BUS SHELTERS AND PUBLIC TOILETS (FILE: A02128) (IH/TB) (ITEM 2)**

The City invited tenders for the provision of cleaning services for the City's barbecues, bus shelters and public toilets. Four tenders were received. Following the tender evaluation process, none of the tenders was considered to represent good value for money and it is recommended that officers review the tender specifications and re-advertise.

RESOLVED TO RECOMMEND: S Wilson / G Brown

**That:**

1. **Tender 20/2006 for Cleaning Services for the City's Barbeques, Bus Shelters and Public Toilets not be awarded.**
2. **Officers are requested to review the tender specification and advertise the revised tender, reporting further to Council on the outcomes of the fresh tender process.**

CARRIED: 6/0

***Reports from Director Works and Services***

**GI.6/8/06 FALCON BAY AND ROBERTS POINT – BOAT LAUNCHING RAMP CLOSURES (FILE A00007-02) (AC/SS) (ITEM 1)**

The Council endorsed Coastal Management Plan for the City of Mandurah 2004-2009 provided recommendations for the closure of the Falcon Bay and Roberts Point (Halls Head) over the beach boat launching ramps. The City has received a request from the Department of Fisheries to close the Roberts Point boat ramp.

It is recommended that Council notes the recommendation provided within the Coastal Management Plan and the request by the Department of Fisheries to close both ramps in accordance with previous recommendations, and approves advertising for public comment on the proposed boat ramp closures.

*Councillor Hughes (observing) left the Chamber at 5.26pm*

RESOLVED TO RECOMMEND: G Brown / V Goff

**That:**

1. **Council notes recommendations of the Coastal Management Plan for the City of Mandurah 2004–2009 for the closure of the Falcon Bay and Roberts Point boat ramps.**
2. **The City advertises for public comment for a minimum of twenty eight days the proposed closure of the Falcon Bay and Roberts Point boat ramps.**
3. **A further report be submitted to Council on the submissions received.**

CARRIED: 6/0

**GI.7/8/06 MANDURAH OCEAN MARINA BOAT PENS : VARIATION TO CONTRACT (FILE: A17-02) (SS) (ITEM 2)**

The City of Mandurah is responsible for managing the Mandurah Ocean Marina in accordance with the provisions of in the Management Agreement between the State of Western Australia and the City, dated October 2000. The Agreement requires the City and the Mandurah Offshore Fishing and Sailing Club to progressively construct the Public and Club boat pens in the Marina, undertaken through a contract with Poralu Marine Australia Pty Ld which commenced in March 2001.

Presently there is a demand to construct additional Public and Club pens in 2006, however there have been a number of unforeseeable circumstances that have arisen since the commencement of the contract with Poralu Marine Australia Pty Ltd that require a formal change to the contract prior to further construction progressing. Council is requested to approve two variations to the existing contract which will enable the City to proceed with the installation of additional pens.

*Councillor Werner (observing) arrived at the meeting and Councillor Hughes (observing) returned to the Chamber at 5.30pm*

RESOLVED TO RECOMMEND: G Brown / R Wortley

1. **That Council approves a variation to Contract 5384-5 (C00848) – Mandurah Ocean Marina Design and Construction of Floating Marina with Poralu Marine Australia Pty Ltd for:**
  - (a) **an increase of structural live load from 2kPa to 3kPa as required by Australian Standard AS2962-2001 amounting to \$111,870 (ex GST) for Stage 4 and \$45,694 (ex GST) for Stage 5; and**
  - (b) **an increase in indexation rates to 28% in 2006 (Year 6), 42% in 2007 (Year 7) and 56% in 2008 (Year 8).**

CARRIED: 6/0

**GI.8/8/06 BOARDWALK PRECINCT : FERRY OPERATORS LICENCES (FILE: A21)  
(SS) (ITEM 3)**

Licences to operate ferry services from the Boardwalk precinct were issued to Bouvard Cruises and Mandurah Ferry Cruises for a period of two years to 30 June 2006, together with a one year option to 30 June 2007, subject to Council approval. Both Ferry Operators have requested Council's approval to take up the one year option.

Bouvard Cruises and Mandurah Ferry Cruises are currently under negotiation for sale and Council is also requested to approve assignment of the Licences from Bouvard Cruises to Waterside Marine Pty Ltd and from Mandurah Ferry Cruises to Cameron and Deborah Nobbs subject to settlement and to Council being satisfied as to the credentials of the purchasers.

RESOLVED TO RECOMMEND: S Wilson / R Wortley

**That Council:**

1. Approves the extension of the Ferry Operator Licences for a further term to 30 June 2007 to Bouvard Cruises and Mandurah Ferry Cruises in accordance with the provisions of the Commercial Operations Jetty Licence – Boardwalk Precinct Mandurah.
2. Approves the assignment of:
  - (a) the Commercial Operations Jetty Licence – Boardwalk Precinct Mandurah granted by the City to Beachport Investments Pty Ltd trading as Bouvard Cruises to Waterside Marine Pty Ltd (Company "A")
  - (b) the Commercial Operations Jetty Licence – Boardwalk Precinct Mandurah granted by the City to Maxwell Wauchope and Carolyn Wauchope trading as Mandurah Ferry Cruises to Cameron Nobbs and Deborah Nobbs (Company "B")

**Subject to:**

- (i) settlement of commercial agreements outlined in 2(a) and 2(b) above
- (ii) Council (Chief Executive Officer) being satisfied of the intended assignees of the licence having the financial capacity and relevant business experience to operate the business
- (iii) acknowledgement by each of Waterside Marine Pty Ltd and Cameron Nobbs and Deborah Nobbs (the Assignees) that the licences assigned by the City expire on 30 June 2007 and that the City is under no obligation to renew the licences.

CARRIED: 6/0

**GI.9/8/06 UNDERGROUNDING POWER : ORMSBY TERRACE MANDURAH (OR5/G)  
(MH/RH) (ITEM 4)**

The residents of Ormsby Terrace between Orion Road and Wade Street including No 4 Wade Street Silver Sands, have indicated their willingness to pay for the undergrounding of power lines in this street. They have requested the City to contribute to the project by contributing the cost to provide underground power connections to Council owned facilities (toilet block located on the public open space adjacent to Orion Road and a car park street light located adjacent Wade Street car park).

This is a fully funded contribution from the landowners of Ormsby Terrace. The City has been requested to participate in the project to underground the power to its own facilities to enhance the visual amenity of the street. The cost for this is to be the same as for each resident for their properties, ie per property basis. Council is requested to approve contributing to this project.

RESOLVED TO RECOMMEND: S Wilson / D Lee

1. **That Council authorises the expenditure for the City's contribution toward undergrounding the power to City owned facilities located in Reserve 28737 and Reserve 40276 (Wade Street car park) from Street Light Capital.**
2. **That the residents of Ormsby Terrace be commended on the initiative to fund underground power in the street.**

CARRIED: 6/0

**\*\*ABSOLUTE MAJORITY REQUIRED\*\***

**GI.10/8/06 PERMANENT CLOSURE OF THOROUGHFARE TO VEHICLES : WANJEEP STREET GREENFIELDS (MH / FK) (FILE: WA/9/G) (ITEM 5)**

The City of Mandurah is managing a Federally funded Blackspot project at the Lakes Road / Pinjarra Road and Wanjeep Street / Pinjarra Road intersections. Funds were allocated to Main Roads Western Australia (MRWA) and the City of Mandurah to address safety issues at these intersections. Improvements include constructing slip lanes, installing traffic signals, altering the Alderley Place and Wanjeep Street intersection to give priority to traffic travelling from Wanjeep Street to Alderley Place (and vice versa) allowing traffic to travel straight through and intersect with the proposed traffic signals at Pinjarra Road and Lakes Road, and to cul de sac Wanjeep Street so it no longer intersects with Pinjarra Road.

Council approval is sought to undertake the permanent closure of Wanjeep Street to vehicular traffic at its intersection with Pinjarra Road in order to implement the proposed road safety improvements.



RESOLVED TO RECOMMEND: D Lee / R Wortley

1. That the proposed closure order for Wanjeep Street, Greenfields be advertised for public comment in accordance with Section 3.50 of the *Local Government Act 1995*.
2. That Council notes that Main Roads Western Australia has indicated it will not accept keeping the Wanjeep Street intersection open on the basis of traffic safety.
3. That service authorities and residents who would use the Wanjeep Street intersection as their main access / egress route be notified of Council's intention to close Wanjeep Street, Greenfield in accordance with Section 3.50 of the *Local Government Action 1995*.

CARRIED: 6/0

**GI.11/8/06 WASTE ALLIANCE STRATEGIC PLAN 2006 – 2010 (KB) (FILE: A450)  
(ITEM 6)**

Council is requested to adopt the Waste Alliance Strategic Plan 2006–2010. The Strategic Plan was developed following considerable input from City of Mandurah and Cleanaway staff at a one and a half day workshop held in late 2005. The workshop was independently facilitated by Mr Norman Venus from the Australian Institute of Management WA. The Strategic Plan will guide the City's waste management operations and activities over the next five years and will be reviewed by the Waste Alliance Board annually.

The Waste Alliance Board considered the Strategic Plan at its meeting in May 2006 and now recommends that Council adopt the Waste Alliance Strategic Plan 2006-2010.

RESOLVED TO RECOMMEND: V Goff / G Brown

**That Council endorses:**

- the Waste Alliance Vision – 'The Alliance partnership – committed to customers, committed to resource management, committed to excellence'
- the Waste Alliance Values – 'Respect, Confidence, Integrity and Trust'
- the Waste Alliance Principles – 'Transparency, Performance, Vision, Creativity and Teamwork'; and
- the Waste Alliance Strategic Plan 2006-2010.

CARRIED: 6/0

***Reports from Director Sustainable Development:***

**GI.12/8/06 RENEWAL OF IDENTILITE STREET SIGNS CONTRACT (FILE: A110)  
(JH/GW) (ITEM 1)**

Council is requested to consider whether or not to renew a contract agreement to install and maintain identilite street signs within the City of Mandurah. The options available to the City are as follows:

- Renew the current agreement held with Claude Outdoor for a contract period of 5 years with a 2 year extension option and seek further contributions and update existing street signs and other options.
- Not renew the agreement and advise the current contractor to remove all existing identilite street signs within the City of Mandurah
- Invite new tenders to ensure competitive offers and seek other interest and options that may be available.

**Councillor Goff moved the Officer's Recommendation, seconded Councillor Wilson.**

Councillor Wortley said it should be ensured that signs be designed, erected and maintained in accordance with the City of Mandurah Signage Policy and asked that dot point 5 of the Recommendation be changed to reflect this. The mover and seconder agreed.

RESOLVED TO RECOMMEND: V Goff / S Wilson

**That tenders are invited for the right to erect illuminated street signs within the district of the City of Mandurah. The Tender is to be on the basis of a suitable specification that will include the following elements and which will be reviewed by Council on completion of the tender process:**

- **That the Chief Executive Officer (Manager Natural and Built Environment) be delegated the authority to approve illuminated street name signs and shall reserve the right to refer an application to a full meeting of Council, should an unresolved issue concerning conflict exist, or should the need be considered otherwise.**
- **Require the approval from Main Roads Western Australia where appropriate.**
- **Provide clarity on the Information Contained on the Signs including requirements for the inclusion of the City of Mandurah Logo, Community Message, street names and ensure signs are not left blank.**
- **Ensure that the signs are properly constructed, finished and maintained.**
- **Ensure signs to be designed, erected and maintained in accordance with sustainable design principles including solar energy technology and the City of Mandurah Signage Policy.**

- Clarify the Tender period and Tender requirements at the expiry of an agreement
- Specify General Provisions such as
  - Public Risk Policy for each individual Sign approved.
  - Community messages and other messages as approved to be altered or amended at the successful tenderers expense at the discretion of the City of Mandurah where they become obsolete or no longer relevant.
  - Clarify the maximum number of Signs that may be erected at any one road intersection.
  - Restrict the number of sign a single business can use.
  - Place limits on the time an advertisement may be displayed to provide other business's the opportunity to advertise.
  - Ensure all signs are to be illuminated internally.
- Set out an ability to undertake advertising where it is considered that a proposed sign may be in conflict with the amenity of the streetscape or the area, with the businesses in the general locality or with any other party for a related issue at the discretion of the City of Mandurah

CARRIED: 6/0

**\*\*ABSOLUTE MAJORITY REQUIRED\*\***

**ADOPTION OF ACCOUNTS [AGENDA ITEM 10]**

**GI.13/8/06 ADOPTION OF ACCOUNTS : JULY 2006**

Councillor Wortley asked for comment on the Financial Report which was not included in the agenda.

Ms Martelli apologised for the omission and explained that a number of officers in the Business Services Section had been on sick leave and the end of financial year reconciliation was still being finalised. The July Financial Report would be included in next month's Governance and Infrastructure Committee agenda.

RESOLVED TO RECOMMEND: S Wilson / R Wortley

**That authority be granted for payment of the following:**

**Municipal Fund**

<b>Cheques 52061 - 52439</b>	<b>\$1,366,072.81</b>
<b>EFT Batch 151 Creditors Payments</b>	<b>\$1,138,204.78</b>
<b>EFT Batch 152 Westpac Bank</b>	<b>\$ 4,717.03</b>
<b>EFT Batch 153 Creditors Payments</b>	<b>\$ 954,656.01</b>
<b>EFT Batch 154 Australian Taxation Office</b>	<b>\$ 146,464.70</b>
<b>EFT Batch 155 Creditors Payments</b>	<b>\$1,074,842.66</b>
<b>EFT Batch 156 Creditors Payments</b>	<b>\$ <u>194,020.35</u></b>

**Total Municipal Fund \$4,848,978.34**

**Trust Fund**

**Cheques 11470 - 11531**

**\$ 17,075.00**

**Mandurah Visitor Centre 893 - 943**

**\$ 25,950.89**

**Total Trust Fund**

**\$ 43,025.89**

**TOTAL as at 26 July, 2006**

**\$4,892,004.23**

CARRIED: 6/0

***CONFIDENTIAL ITEMS [AGENDA ITEM 11]***

***NIL***

***CLOSE OF MEETING [AGENDA ITEM 12]***

There being no further business the meeting closed at 5.44pm

CONFIRMED: .....[CHAIRMAN]