



24 February 2009

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## GLOSSARY OF ABBREVIATED TERMS

<b>Term</b>	<b>Explanation</b>
1:100	Ratio of 'one in one hundred'
AD	Acceptable Development
ARI	Annual Recurrence Interval
AHD	Australian Height Datum
ANEF	Australian Noise Exposure Forecast
AWARE	All West Australians Reducing Emergencies (grant funding)
BCA	Building Code of Australia
BCCI	Bunbury Chamber of Commerce & Industries
BCRAB	Bunbury Community Recreation Association Board
BEAC	Built Environment Advisory Committee
BESAC	Bunbury Environment and Sustainability Advisory Committee
BHRC	Bunbury Harvey Regional Council
BPA	Bunbury Port Authority
BRAG	Bunbury Regional Art Galleries
BRAMB	Bunbury Regional Arts Management Board
BREC	Bunbury Regional Entertainment Centre
BSSC	Big Swamp Steering Committee
BWEA	Bunbury Wellington Economic Alliance
CALM	Department of Conservation and Land Management
CBD	Central Business District
CCAFF	Community Cultural and Arts Facilities Fund
CERM	Centre of Environmental and Recreation Management
CPI	Consumer Price Index
CSRFF	Community Sport and Recreation Facilities Fund
DADAAWA	Disability in the Arts Disadvantage in the Arts Australia, Western Australia
DAP	Detailed Area Plan (required by WA Planning Commission)
DCU	Development Coordinating Unit
DEC	Department of Environment and Conservation (formerly CALM)
DEWCP	Department for Environment, Water and Catchment Protection
DLI	Department of Land Information
DoE	Department of Environment
DOLA	Department of Land Administration
DoPI	Department of Primary Industry
DoW	Department of Water
DPI	Department for Planning and Infrastructure
DSR	Department of Sport and Recreation
DUP	Dual-use Path
ECT	Enforcement Computer Technology
EDAC	Economic Development Advisory Committee
EDWA	Education Department of Western Australia
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
ERMP	Environmental Review and Management Program
ESL	Emergency Services Levy
FESA	Fire and Emergency Services Authority
FFL	Finished Floor Level
GBPG	Greater Bunbury Progress Group

<b>Term</b>	<b>Explanation</b>
GBRP	Greater Bunbury Resource Plan report
GBRS	Greater Bunbury Region Scheme
GL	Gigalitres
GRV	Gross Rental Value
GST	Goods and Services Tax
HCWA	Heritage Council of Western Australia
ICLEI	International Council for Local Environmental Initiatives
ICT	Information and Communications Technology
IP	Internet Protocol
IT	Information Technology
ITC	In Town Centre
ITLC	Former In-Town Lunch Centre (now the "In Town Centre")
LAP	Local Action Plan
LCC	Leschenault Catchment Council
LEMC	Bunbury Local Emergency Management Committee
LIA	Light Industrial Area
LN (2000)	Liveable Neighbourhoods Policy (2000)
LSNA	Local Significant Natural Area
MHDG	Marlston Hill Design Guidelines
MRWA	Main Roads Western Australia
NDMP	National Disaster Mitigation Program
NEEDAC	Noongar Employment & Enterprise Development Aboriginal Corp.
NRM	Natural Resource Management
NRMO	Natural Resource Management Officer
ODP	Outline Development Plan
PAW	Public Access Way
PHCC	Peel-Harvey Catchment Council
PR	Plot Ratio
R-IC	Residential Inner City (Housing) - special density provisions
RDC	Residential Design Codes
RDG	Residential Design Guidelines
Residential R15	Town Planning Zone – up to 15 residential dwellings per hectare
Residential R20	Town Planning Zone – up to 20 residential dwellings per hectare
Residential R40	Town Planning Zone – up to 40 residential dwellings per hectare
Residential R60	Town Planning Zone – up to 60 residential dwellings per hectare
RFDS	Royal Flying Doctor Service
RMFFL	Recommended Minimum Finished Floor Levels
ROS	Regional Open Space
ROW	Right-of-Way
RSL	Returned Services League
SBCC	South Bunbury Cricket Club Inc.
SCADA	Supervisory Control and Data Acquisition
SGDC	Sportsgrounds Development Committee
SW	South West
SWACC	South Western Area Consultative Committee
SWAMS	South West Aboriginal Medical Service
SWBP	South West Biodiversity Project
SWCC	South West Catchments Council
SWDC	South West Development Commission
SWDRP	South West Dolphin Research Program

<b>Term</b>	<b>Explanation</b>
SWEL	South West Electronic Library
SWSC	South West Sports Centre
TME	Thompson McRobert Edgeloe
TPS	Town Planning Scheme
USBA	Union Bank of Switzerland Australia
VGO	Valuer General's Office
VOIP	Voice-Over Internet Protocol
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission
WAPRES	Western Australian Plantation Resources
WAWA	Water Authority of Western Australia
WC	Water Corporation
WML	WML Consultants
WRC	Waters and Rivers Commission

## COUNCIL (STANDING) COMMITTEE

Minutes of an Ordinary Meeting of the Council (Standing) Committee held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 24 February 2009.

### MINUTES

24 February 2009

**NOTE: The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the subsequent Council Meeting on 3 March 2009.**

#### 1. DECLARATION OF OPENING BY THE PRESIDING MEMBER

His Worship the Mayor, Mr David Smith, declared the meeting open at 6.02.

#### 2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

*PRESENT*

<b>Council Committee Members</b>	
Presiding Member:	His Worship the Mayor, Mr D Smith
Deputy Presiding Member:	Deputy Mayor, Councillor S Craddock
Members:	Councillor J Jones
	Councillor S Rooney
	Councillor B Kelly
	Councillor W Major
	Councillor M Steck
	Councillor H Punch
	Councillor N Whittle
	Councillor R Slater
	Councillor J Harrop
	Councillor D Spencer
<b>Executive Management Team (Non-Voting)</b>	
Chief Executive Officer:	Mr G Trevaskis
Executive Manager Corporate Services:	Mr K Weary
Executive Manager City Services:	Mr M Scott
Executive Manager City Development:	Mr G Klem
Executive Manager City Life:	Mr D Marzano
<b>Council Officers (Non-Voting):</b>	
Visitor Centre Coordinator	Ms F Anderson
Sport & Recreation Club Development Officer	Mr C Hatchman
Administration Officer Corporate Services:	Ms F Wood

*PRESENT (continued)*

<b>Others (Non-Voting):</b>	
Members of the Public:	7
Members of the Press:	1

*APOLOGIES:*

Councillor Alfred Leigh – Leave of Absence

3. **RESPONSES TO 'PUBLIC QUESTIONS' FROM THE PREVIOUS COUNCIL COMMITTEE MEETING (WHERE THEY COULD NOT BE ANSWERED AT THAT MEETING)**

Nil.

4. **PUBLIC QUESTION TIME**

Nil.

5. **QUESTIONS ON NOTICE FROM MEMBERS OF THE COMMITTEE (WITHOUT DISCUSSION)**

Cr Steck submitted the following question (in writing) prior to the close of the meeting agenda.

*Question 1: Under what process and authority was the Architect engaged to design the addition for the Art Gallery?*

*Question 2: What research was undertaken to indicate that the current addition was in the most favourable position for the future of the City of Bunbury?*



*Question 3: What amount of money if any, was the Architect employed?*

*Question 4: What date, was a formal motion of council moved to undertake the current process of addition for the Art Gallery?*

*Question 5: How many meeting occurred between the City of Bunbury Executives and Landcorp in relation to the Eastside Development Proposal?*

The following responses have been provided (overleaf):

Response 1: The project was initiated by Council resolution, decision 265/07 18 December 2007, as follows:

PART A

*The \$1million allocated to the City of Bunbury by the Department of Culture and the Arts in 2001 for the purpose of a museum, be re-allocated to the Bunbury Regional Art Galleries for use as follows:*

<i>Install a dual-purpose lift</i>	<i>\$448,328.00</i>
<i>Internet Arts Access Project</i>	<i>\$98,600.00</i>
<i>Refurbish foyer/hallway</i>	<i>\$97,138.00</i>
<i>Refurbish and partly enclose courtyard for exhibit of large objects/sculpture</i>	<i>\$134,498.00</i>
<i>Replace wall (north side) to provide gated access</i>	<i>\$22,416.00</i>
<i>Create storage area (south side of building) to maximize exhibition space</i>	<i><u>\$164,387.00</u></i>
<i>Total</i>	<i>\$965,367.00</i>

PART B

*The Minister and the Department of Culture and the Arts be informed of the decision in Part A. above and requested to confirm that each of the items listed qualifies for re-allocation of the money available.*

PART C

*In the event that the quotations for the works listed in Part A. above are in excess of \$1million, the list is to be considered to be in order of priority and reduced accordingly*

A project management plan was prepared and endorsed by the Executive on 12/8/08 that included the appointment of an architect. The Architect was engaged following a "request - for quote" process in accordance with Council's policies and procedures, and as the associated architect fees are less than \$100,000, no formal Council decision is required.

Response 2: The Architect commenced work on the project in October 2008. Between October and December 2008, options to address the project objectives were examined in detail, including consultation with BRAG Management Committee, the BRAG Manager, Council Staff, builders and mechanical engineers. The Architect has undertaken, at his own time and expense to explore some additional options outside of the original scope of works.

The outcome was the presentation of the 2 upgrading options to the Council briefing on 17 February 2009. The Architects preferred option was option 2 - "Build new gallery wing in the Wittenoom Street forecourt" .

Response 3: The Architects fee (with variations) is in the order of \$ 50,000.

Response 4: Decision 265/07 18 December 2007.

Response 5: Contact between the City of Bunbury Executive and Landcorp on the Eastside development proposal have been numerous. A majority of these contacts are by way of telephone conversations and are primarily an exchange of information. Records of meetings are not kept in a formal manner. They may consist of a "file note, notation on correspondence, or written detail". Minutes of any meetings are not compiled and records may be created by any individual that is involved in the communication or the meeting. Also, meetings with Landcorp can cover a variety of subjects/projects including the Bunbury Waterfront Project. As such it is difficult to precisely advise on the extent of the number of meeting actually held on this topic alone.

Landcorp would record their own meeting notes where appropriate.

**6. CONFIRMATION OF PREVIOUS MINUTES**

The minutes of the Council (Standing) Committee Meeting held 3 February 2009, have been circulated.

**Outcome of the Council Committee Meeting - 24 February 2009**

The following motion was moved Cr Major, seconded Cr Whittle and adopted to become a Council Decision:

**Council Decision 20/09**

*The minutes of the Council (Standing) Committee Meeting held 3 February 2009, be confirmed as a true and accurate record with the following amendment:*

*Item 12.1 Titled "Motion on Notice – Landcorp Surplus Revenue" (Page 63):*

*The statement "Cr Whittle indicated that he had been in contact with the City of Mandurah and that Mandurah regrets not having done as his motion suggests" be amended to read*

*"Cr Whittle understood that the City of Mandurah regrets not having done as his motion suggests".*

**CARRIED**

**12 Votes "For" / Nil Votes "Against"**

**7. DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1995**

- Cr Rooney disclosed an impartiality interest in the item 12.3 titled "*Motion on Notice – Vehicle – Dolphin Discovery Centre*" as he is on the board of the Dolphin Discovery Centre. Cr Rooney indicated he would stay for the duration of discussion and vote on the item.

**8. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

Nil.

**9. CHIEF EXECUTIVE OFFICER REPORTS/DISCUSSION TOPICS**

**9.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR STEPHEN CRADDOCK**

<b>File Ref:</b>	A00215
<b>Applicant/Proponent:</b>	Councillor Stephen Craddock
<b>Author:</b>	Greg Trevaskis, Chief Executive Officer
<b>Executive:</b>	Greg Trevaskis, Chief Executive Officer

**Summary/Background**

Councillor Craddock requests leave of absence from all Council-related business from 6 to 16 March 2009 (inclusive).

Section 2.25 of the Local Government Act 1995, allows a council to grant leave of absence to one of its members provided that the period of leave does not exceed six consecutive ordinary meetings of the Council.

**Recommendation**

Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Stephen Craddock is granted leave of absence from all Council-related business from 6 to 16 March 2009 (inclusive).

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Major, seconded Cr Harrop. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Recommendation**

**Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Stephen Craddock is granted leave of absence from all Council-related business from 6 to 16 March 2009 (inclusive).**

**10. RECEPTION OF FORMAL PETITIONS AND MEMORIALS**

Nil.

**11. RECEPTION OF REPORTS AND RECOMMENDATIONS FROM OFFICERS & ADVISORY COMMITTEES**

**11.1 PROPOSED LOCAL PLANNING POLICY (LPP) – PRESTON RIVER TECHNOLOGY PARK DEVELOPMENT DESIGN GUIDELINES (WAS LISTED AS ITEM 11.7 ON THE MEETING AGENDA)**

<b>File Ref:</b>	P13181-02
<b>Applicant/Proponent:</b>	TME
<b>Author:</b>	Teshome Tadesse, Planning Officer
<b>Executive:</b>	Geoff Klem, Executive Manager City Development

**Summary**

TME has submitted a draft Local Planning Policy (LPP) – Preston River Technology Park Development Design Guidelines (DDG) with reference to a parcel of land (currently lots 51, 52, 120, 123 and 63) at the corner of South Western Highway and Dodson Road for consideration by Council.

The formulation of a DDG for the subject site is a Scheme requirement so as to promote orderly and proper planning on the subject land. It is considered that the proposed draft LPP is complementary to the approved Development Guide Plan (DGP) and is generally in line with the Scheme requirements.

The proposed draft LPP is required to be advertised for public consultation for a period of 21 days in accordance with Clause 2.3 of TPS7. Following the expiry of the public consultation, the proposal will be referred back to Council for further consideration.

**Background**

Council at its ordinary meeting of 28 August 2007 adopted a Development Guide Plan (DGP) for Special Use No.36 site otherwise known as Preston River Technology Park at the corner of South Western Highway and Dodson Road.

Condition 2.13 of the approval states in the following terms:

*“The proposed Development Design Guidelines to be removed from the DGP document at this point in time and resubmitted for consideration following adoption and endorsement of the DGP by Council and WAPC respectively”*

Council has adopted the DGP for the subject site as endorsed by the Commission, and therefore the proposed LPP can be considered by Council.

Moreover, Condition 9 of Special Use No. 36 provides the need for a Development Design Guidelines (DDG) on site prior to development onsite. The applicant has submitted the DDG for consideration by Council in line with Council decision and the Scheme requirements.

## **Proposal**

TME, acting on behalf the landowners (Broga Pty Lt), has submitted a draft LPP – Preston River Technology Park DDG for Special Use No.36 site. The preparation and adoption DGG as a LPP is one of the final details required to be fulfilled prior to development occurring on site.

The subject site includes lots 51, 52, 120, 123 and 63 Dodson and Olive Roads and all are owned by Broga Pty Ltd. The subject land is bounded by South Western Highway in the north a railway reserve in the south the Preston River in the east and Dodson Road in the west. The portion of the site identified as a Regional Open Space extends along Preston River (north east to south east).

**Attached** at Appendix 2 is the location plan which indicates the current lot configuration.

At present, the site works are being undertaken to fulfil the subdivision and the associated DGP conditions to facilitate the creation of new industrial/commercial lots and development onsite. The proposed LPP will apply on the portions of the site which are set aside for development (Service Industry and Mixed Business Precinct and Light Industrial Precinct).

The proposed DDG has basically two main sections i.e. general section (and objectives) and specific precinct area requirements. The two precincts under consideration are “Service Industry and Mixed Business Precinct” and “Light Industrial Precinct”.

The classification of these precincts follows the designation of the precincts as indicated on the approved DGP. (**Attached** at Appendix 3 is the approved DGP). It is considered that the proposed LPP will serve as a development control mechanism specific to these precincts.

The “Service Industry and Mixed Business Precinct”, which is the northern portion of the subject site, is a subject of a Detailed Area Plan (DAP) which will be required to be prepared specifically for this particular location prior to a detailed subdivision and development proposals on this site.

The applicant has confirmed that the proposed LPP has been prepared in the consideration of the required DAP in mind for this location. It is expected that the proposed LPP will be flexible enough to accommodate requirements under the future DAP for this particular site.

The general section of the draft LPP, among other things, states that the guidelines are to be read in conjunction with the approved DGP the relevant Scheme requirements and applicable Policies. It also outlines the need for planning approval for a change of use and development proposals on the subject site.

These requirements are basically in conformity with Scheme provisions. The specific standards and provisions that have been nominated under the draft LPP are basically in line with the Scheme requirements applicable to “Mixed Business” and “Industry” zones, as the nominated precincts under the DGP fall within the scope of these zones.

Although the proposed draft LPP is in line with the general direction of the Scheme requirements, it is suggested that Dot Point 4 of Clause 3.1.6 of the draft LPP which reads as follows be removed, as it is considered that it would limit the scope of car parking provisions contained under the Scheme.

*“Consideration will be given to coordinated and shared car parking facilities and access way to maximise traffic permeability and minimise the number of crossovers to service industrial lot car parking areas.”*

The proposed LPP will be advertised in accordance with Clause 2.3 of Town Planning Scheme No.7 (TPS7) prior to adoption by Council as a LPP. It is therefore proposed that Council consider the draft LPP and release (on a without prejudice basis) the policy for public consultation for 21 days in accordance with the Scheme requirements.

**Attached** at Appendix 1 is the proposed Local Planning Policy – Preston River Technology Park Precinct Development Design Guidelines.

### **Strategic Outcomes**

It is considered that the proposed LPP is considered to be within the general direction of the City’s 2007 – 2012 Strategic Plan in respect of Strategy 5.3 *“Provide a cohesive system of integrated land use planning”*, which outlines the importance of a comprehensive and integrated planning system to meet community expectations.

The Executive Recommendation has had regard to City’s 2007-2012 Strategic Plan.

### **Community Consultation**

The proposed LPP will be advertised for public comment in accordance with Clause 2.3 of TPS7.

### **Councillor/Officer Consultation**

The matter has been discussed within Development Services and with the Manager of Development Services prior to the finalisation of this report.

### **Analysis of Financial and Budget Implications**

The Executive Recommendation will not impact on the existing Annual Budget nor are there any expenses associated with the requests from a Council perspective.

### **Economic, Social, Environmental and Heritage Issues**

No significant economic issues have been identified. It is considered that the proposed LPP will facilitate development on the subject site. There are no significant heritage issues that would arise as a result of the proposed LPP.

However, it should be noted that the heritage matters associated with Lot 63 (Service Industry Mixed Business Precinct) have been addressed under the approved DGP for the subject site.

### **Council Policy Compliance**

This is a proposed new LPP which is required for public advertising in accordance with the City's current Town Planning Scheme.

### **Legislative Compliance**

The proposal is in line with TPS7 requirements applicable to LPP matters.

### **Delegation of Authority**

Adoption of a LPP is by a decision of Council.

### **Relevant Precedents**

There are no known precedents in this case.

### **Options**

#### Option 1

Per the recommendation as listed in this report.

#### Option 2

Council may resolve not to proceed with the draft Local Planning Policy – *“Preston River Technology Park Precinct Development Design Guidelines”*

### **Conclusion**

The proposed Local Planning Policy provides supplementary development control mechanisms applicable to the subject site. It is considered that that it is generally in line with the Scheme requirements, and can be used in conjunction with the approved DGP for the site.

It is recommended Council resolve to advertise the proposed Local Planning Policy – *“Preston River Technology Park Precinct Development Design Guidelines”* for 21 days in accordance with Clause 2.3 of TPS7.



### **Recommendation**

Council, under and by virtue of the powers conferred upon it in that behalf pursuant to the Planning and Development Act 2005 hereby resolves to:

1. Advertise (on a without a prejudice basis) the draft Local Planning Policy – “*Preston River Technology Park Precinct Development Design Guidelines*” for public comment for 21 days in accordance with Clause 2.3 of Town Planning Scheme No.7.
2. Subject to no objections being received to the proposal, Council to adopt the policy subject to the removal of Dot Point 4 of Clause 3.1.6 of the draft LPP – Preston River Technology Park Precinct Development Design Guidelines.
3. Advise applicant of Council decision.

### **Outcome of the Council Committee Meeting – 24 February 2009**

Mr Larry Guise addressed Council speaking in support of the motion. During his address to Council, Cr Kelly requested Mr Guise advise if the areas of vegetation were being retained and if a fauna and flora study had been undertaken.

Mr Guise advised that a flora and fauna study had in fact been completed. He also advised that the resumption of vegetation forms part of the conditions of the guidelines and although some vegetation is required to be removed, major vegetation as identified with City staff is being retained.

The Executive Manager City Development also advised that during negotiations, vegetation areas to be retained have been plotted on a survey diagram. Vegetation adjacent to the Regional Open Space was a priority for conservation.

Cr Rooney then requested why the words “without prejudice” were required in the Recommendation. In response, the Executive Manager City Development informed members that this is to convey to the community that the City has an open mind on the Policy and has not adopted the Policy, therefore eliminating any presumptions that may be formed.

Cr Slater asked the Executive Manager City Development if there would be any impact on the wetland next to the Morrisey Homestead that is located directly opposite the area. The Executive Manager City Development advised that there would be no adverse effect on the Wetland.

The recommendation was moved Cr Spencer, seconded Cr Jones. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

For ease of reference, the Committee Recommendation is printed overleaf.

**Committee Recommendation**

**Council, under and by virtue of the powers conferred upon it in that behalf pursuant to the Planning and Development Act 2005 hereby resolves to:**

- 1. Advertise (on a without a prejudice basis) the draft Local Planning Policy – “Preston River Technology Park Precinct Development Design Guidelines” for public comment for 21 days in accordance with Clause 2.3 of Town Planning Scheme No.7.**
- 2. Subject to no objections being received to the proposal, Council to adopt the policy subject to the removal of Dot Point 4 of Clause 3.1.6 of the draft LPP – Preston River Technology Park Precinct Development Design Guidelines.**
- 3. Advise applicant of Council decision.**

**11.2 NEW BUNBURY REGIONAL VISITOR CENTRE PROJECT CONTROL GROUP**  
*(WAS LISTED AS ITEM 11.1 ON THE MEETING AGENDA)*

<b>File Ref:</b>	A00449
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Felicity Anderson, Bunbury Visitor Centre Manager
<b>Executive:</b>	Domenic Marzano, Executive Manager City Life

**Summary**

This proposal is to seek the establishment of a New Bunbury Regional Visitor Centre Project Control Group to address Item 3 part (a) of Council decision 247/08 on 16 December 2008. Item 3 states:

*“Council’s Executive return to Council by the first meeting in 2009 with a suggested brief and membership composition of:*

- a) Project Control Group to progress the new Visitors Information Centre*
- b) Committee to progress the aim of a Museum and Noongar Cultural Centre.”*

**Background**

The re-location and re-development of the Bunbury Regional Visitor Centre was endorsed by Council as part of the Three-Waters Centre project.

In February 2008 the New Bunbury Regional Visitor Centre Investigation Group (NBRVCIG) which included stakeholder and Council representation was set up with the following terms of reference:

- 4.1 Identify potential sites for a New Bunbury Regional Visitor Centre and the issues for consideration associated with each site.
- 4.2 Identify the built facility and service requirements for a new Bunbury Regional Visitor Centre.
- 4.3 Consider all funding sources available to build a new Bunbury Regional Visitor Centre.
- 4.4 Provide recommendations to Council on a course of action in May 2008 to coincide with the Three Waters reporting deadline. *(Note: The reporting deadline was extended to the end of October 2008 - Resolution 112/08).*

In December 2008 the NBRVCIG with assistance of Council staff completed the terms of reference and together with Three Waters Project Control Group (TWPCG) provided to Council the following reports with Executive recommendation:

- Three Waters Centre Project Status Report (November 2008)
- Three Waters Centre Design Report (October 2008)

At its meeting of 16 December 2008, Council resolved:

RESOLUTION 247/08

1. *That the following project concept be adopted for the Three Waters Centre:*
  - 1.1 *That Council endorse the report by MCG as the first stage of the incremental establishment of a cultural centre on Koombana Drive, with provision for a number of separate facilities that will include a Visitor Centre and may include a Regional Museum and a Noongar Cultural facility.*
  - 1.2a) *That the Centre be established in perhaps 7 stages over a 20+ year time frame, with progression to the next Stage to be subject to demonstrated stakeholder support and funding availability. Nominal staging to be:*

<i>Stage 1</i>	<i>Master plan and Visitors Centre concept plan. (Now completed).</i>
<i>Stage 2</i>	<i>Site works design &amp; construction (funded by Federal Capital Works grants and/or Councils \$1.7 million)</i>
<i>Stage 3</i>	<i>Visitors Centre design &amp; construction</i>
<i>Stage 4</i>	<i>Determine funding source for Regional Museum and Noongar Culture Centre</i>
<i>Stage 5</i>	<i>Regional Museum design</i>
<i>Stage 6</i>	<i>Regional Museum construction</i>
<i>Stage 7</i>	<i>Noongar Cultural Centre</i>
  - 1.2b) *That Council defer any decision on whether to support the Bunbury Regional Art Galleries Management Board's request for long term inclusion in the proposed 3 Waters Centre until its March 2009 meeting by which time Council should be fully briefed by Bunbury Regional Art Galleries Management Board, the Architects, WA State Gallery and 3 Waters Committee on the proposed expansion of the current Bunbury Art Gallery on the old convent site.*
2. *That the search for alternative sites for the Visitors Centre and Regional Museum cease.*
3. *Council's Executive return to Council by the first meeting in 2009 with a suggested brief and membership composition of:*
  - a) *Project Control Group to progress the new Visitors Information Centre.*
  - b) *Committee to progress the aim of a Museum and Noongar Cultural Centre."*
4. *The landscape component of the master plan include a best practice Recreational Shared Path (RSP) built to the detail and intent of Austroads part 14 Guidelines for Cycle Paths. The path shall link from the existing path at the south*

The Visitor Centre development is identified as the first stage of the Three Waters Project.

### **Strategic and/or Regional Outcomes**

Development of a new Bunbury Regional Visitor Centre would be in line with the objective in the City of Bunbury Strategic Plan 2007-2012 of *"facilitating desired tourism growth and increasing visitor numbers."* It would also address Strategy 2.5 of *"improving the level and quality of customer service"* and objective 8.9 to *"establish a task force to investigate a new Visitor Centre"*.

### **City Vision Strategy Outcomes**

CBD31: Subject to detailed site analysis, endorse the location of a museum, Noongar cultural centre and new visitor centre between the mangrove colony and Koombana Drive as part of a tourism node that includes the Dolphin Discovery Centre. Subject to further investigation consideration is given to locating the Bunbury Regional Art Gallery at this location.

### **Community Consultation**

Council resolved to establish a New Bunbury Regional Visitor Centre Project Control Group to further progress the Visitor Centre.

This was following the investigations of the NBRVC and TWPCG.

Each component of the Three Waters Centre initiative has had various forms of community input while each was being considered as a discrete project.

Two rounds of community consultation and separate discussions with special interest groups were undertaken during completion of the Bunbury Regional Museum Feasibility Study undertaken by SGS Economics and Planning in 2003 and accepted by Council on 11 May 2004.

Community and government stakeholders including professional arts and cultural associations were consulted during the collation of the City of Bunbury Three Waters Centre Implementation Plan 2006 report.

Consultation has occurred with the BRVCIG and the TWPCG.

### **Councillor/Officer Consultation**

The BRVCIG and TWPCG consist of Elected Members and Council Officers who have been consulted.

This item is to address a Council resolution.

### **Analysis of Financial and Budget Implications**

At its meeting of 13 May 2008, Council resolved to allocate \$40,000 from the Museum Reserve Fund to fund a geotechnical study for a new Visitor Centre. Council also approved funding of \$50,000 to undertake preliminary design, site location, and quantity survey costing. This work has now been completed.

It is recognised that funding for the proposal would be a challenge that will require more than routine applications for State & Federal grants. One off special funding from Government has been sought but has to date been unsuccessful.

A key element in these proposals is to partially fund the proposal by the sale of approximately 1.5 Ha of reserve land on the south side of Koombana Drive, adjacent to the Koombana Drive Caravan Park. Subject to State Government approval, it is suggested that the land zoned, Reserve 46906 for the purpose of "Caravan Park/Holiday Accommodation" be freeholded and sold, and the proceeds transferred to Council for funding the Visitor Centre and site works.

At a joint meeting of the BRGVIC and the TWPCPG on 26 November it was agreed to recommend to Council that it apply for \$2.9M from the Federal Government's recently announced RLCIP Strategic program to build regional and local community infrastructure in order to undertake site development.

Subject to Council's decision on the future of the project, a further \$25,000 will be required to fund the continued progress of the project, in particular, to engage a Town Planning Consultant to progress the land sale initiative.

The site includes a number of ship wrecks dating back to the whaling era of the 1840s. A quote of \$ 19,200 has been received to survey the site using ground probing radar to pin point the location of the wrecks. This amount could be considered for funding under the \$487,000 allocated to the City of Bunbury under the Federal Government's new infrastructure program.

The land sale issue is yet to be resolved.

The project has been identified in the City of Bunbury Corporate 5 Year Financial Plan

### **Economic, Social, Environmental and Heritage Issues**

The limitations of the current Visitor Centre have long been recognised as restricting the City's ability to capitalise on the tourism potential of the region. The proposal to progress the New Visitor Centre and establish a new Centre will provide the opportunity to capitalise on a high profile City entry site and be a bench marking centre for other Visitor Centres in the South West Region.

It is envisaged that a new Bunbury Regional Visitor Centre would have better access, parking and display opportunities to increase the visitor experience and raise the profile of the City of

Bunbury as a major Regional Centre and could better position visitor services and position itself for the coming technology.

There are no social issues under consideration and it is expected that environmental and heritage issues will be explored as the project progresses.

### **Council Policy Compliance**

This recommendation does not contravene any known Council policy

### **Legislative Compliance**

Legislative requirements relating to the Local Government Act 1995 or any other Act, Local law or Regulations have been complied with in the process leading up to the finalisation of this proposal.

### **Delegation of Authority**

The Chief Executive Officer does not have the delegated authority to allocate the appropriate resources to the project.

### **Relevant Precedents**

Council has previously allocated resources to fund capital projects during the Five Year Financial Plan/Budget process

There are no known precedents in respect to this matter

### **Options**

#### Option 1

Per the recommendation as listed in this report.

#### Option 2

Council resolves not to approve the establishment of the New Bunbury Regional Visitor Centre Project Control Group.

### **Conclusion**

A new Bunbury Regional Visitor Centre will aid in addressing the demand on visitor servicing, ensuring quality customer service, improving accessibility for visitors and providing a functional and flexible working environment with capacity for future needs. The role of the Visitor Centre is extremely important in the support of the tourism industry and business in Bunbury. The proposed development of a purpose built Visitor Centre is a major component of developing tourism in Bunbury.

## **Recommendation**

Council approves the establishment of the New Bunbury Regional Visitor Centre Project Control Group as per Council resolution 247/08 to progress the new Visitor Centre with the following terms of reference and membership.

### 1. Terms of Reference

The New Bunbury Regional Visitor Centre Project Control Group is a committee of the Council that operates with the following Terms of Reference:

- 1.1 Progress the New Bunbury Regional Visitor Centre referencing the Council endorsed report by MCG which includes Master Plan and Visitor Centre Concept Plan
- 1.2 Consider all funding sources and opportunities to progress the New Bunbury Regional Visitor Centre
- 1.3 Provide recommendations to Council

### 2. Membership

#### *Members (voting rights):*

- His Worship the Mayor – Mr David Smith
- Deputy Mayor – Councillor Stephen Craddock
- Councillor (yet to be identified)
- Mr Greg Trevaskis – City of Bunbury CEO
- Mr Dom Marzano – Executive Manager City Life
- Mrs Felicity Anderson – Manager Bunbury Visitor Centre (Executive Officer)
- Mr Stewart Parkinson – Project Manager City of Bunbury
- MLA John Castrilli

#### *Support Staff (non -voting):*

- Ms Kym Nichol - Bunbury Visitor Centre Administration Assistant as Minutes Secretary
- Professional/Technical Advice: As required (internal City of Bunbury)
- Nominated Budget Officer: Executive Manager City Life

## **Outcome of the Council Committee Meeting – 24 February 2009**

Cr Rooney requested that Council consider the inclusion of a representative of the Dolphin Discovery Centre on the Committee due to the location of the Centre.

Cr Craddock moved an amended recommendation to include Cr Rooney's suggestion and also to include the wording "*or his nominee*" after the wording John Castrilli MLA. The amended recommendation was seconded Cr Spencer.



During discussion the following points were raised:

For the recommendation:

- There is a requirement for a New Visitor Centre.
- The size of the Centre is to allow for future growth.
- All the recommendations from the Project Control Group will be submitted to Council for decision.
- The committee will allow the consideration and investigation of possible funding projects to assist the progression of the new Centre.

Against the recommendation:

- The cost of the New Bunbury Regional Visitors Centre is concerning to some members.
- The MCG Master Plan and Concept Plan was not put out for public comment and will be the reference document for this Project Control Group.
- The site is conditional to a Land swap.
- Community has not been engaged in the process.

The Presiding Member put the amended motion to the vote and it was adopted *9 votes "for" to 3 votes "against"* to become the Committee's recommendation on this issue.

It was requested that all votes be recorded with the following results:

For: His Worship the Mayor, Cr's Kelly, Harrop, Major, Rooney, Craddock,  
Whittle, Punch and Spencer  
Against: Cr's Slater, Steck and Jones

For ease of reference, the committee recommendation is printed overleaf.

**Committee Recommendation**

**Council approves the establishment of the New Bunbury Regional Visitor Centre Project Control Group as per Council resolution 247/08 to progress the new Visitor Centre with the following terms of reference and membership.**

**1. Terms of Reference**

**The New Bunbury Regional Visitor Centre Project Control Group is a committee of the Council that operates with the following Terms of Reference:**

- 1.1 Progress the New Bunbury Regional Visitor Centre referencing the Council endorsed report by MCG which includes Master Plan and Visitor Centre Concept Plan**
- 1.2 Consider all funding sources and opportunities to progress the New Bunbury Regional Visitor Centre**
- 1.3 Provide recommendations to Council**

**2. Membership**

***Members (voting rights):***

- **His Worship the Mayor – Mr David Smith**
- **Deputy Mayor – Councillor Stephen Craddock**
- **Councillor \_\_\_\_\_ (to be identified)**
- **Mr Greg Trevaskis – City of Bunbury CEO**
- **Mr Dom Marzano – Executive Manager City Life**
- **Mrs Felicity Anderson – Manager Bunbury Visitor Centre (Executive Officer)**
- **Mr Stewart Parkinson – Project Manager City of Bunbury**
- **MLA John Castrilli or his nominee**
- **A representative of the Bunbury Dolphin Discovery Centre**

***Support Staff (non -voting):***

- **Ms Kym Nichol - Bunbury Visitor Centre Administration Assistant as Minutes Secretary**
- **Professional/Technical Advice: As required (internal City of Bunbury)**
- **Nominated Budget Officer: Executive Manager City Life**

**11.3 REGIONAL MUSEUM AND NOONGAR CULTURAL CENTRE COMMITTEE FORMATION** (WAS LISTED AS ITEM 11.2 ON THE MEETING AGENDA)

<b>File Ref:</b>	A02779 & A00449
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Domenic Marzano, Executive Manager City Life
<b>Executive:</b>	Domenic Marzano, Executive Manager City Life

**Summary**

This proposal is to seek the establishment of a New Museum and Noongar Cultural Centre Project Control Group to address Item 3 part (b) of Council decision 247/08 on 16 December 2008. Item 3 states:

*“Council’s Executive return to Council by the first meeting in 2009 with a suggested brief and membership composition of:*

- a) Project Control Group to progress the new Visitors Information Centre*
- b) Committee to progress the aim of a Museum and Noongar Cultural Centre.”*

**Background**

The re-location and re-development of the Bunbury Regional Visitor Centre was endorsed by Council as part of the Three-Waters Centre project.

In July 2007 the Three Waters Centre Project Control Group (TWPCPG) which included stakeholder and Council representation was formed with the following terms of reference:

Council establishes the "Three Waters Centre Project Control Group" as an advisory committee with the following Terms of Reference:

- 1.1 Review all relevant documents in relation to the Three Waters Centre, Bunbury Regional Art Galleries, Noongar Cultural Centre, Bunbury Visitor Centre and Bunbury Regional Museum.
- 1.2 Recommend an appropriate allocation of the \$1 million funding received from State Government in 2001 toward the Bunbury Regional Museum.
- 1.3 Consider all funding sources to assist with the Three Waters Centre.
- 1.4 Provide recommendations to Council on a course of action no later than December 2007.

In December 2008 the TWPCPG finalised the requirements of the terms of reference and together with New Bunbury Regional Visitor Centre Investigation Group (BRVCIG) provided to Council the following reports with Executive recommendation:

- Three Waters Centre Project Status Report (November 2008)
- Three Waters Centre Design Report (October 2008)

At its meeting of 16 December 2008, Council resolved:

RESOLUTION 247/08

1. *That the following project concept be adopted for the Three Waters Centre:*
  - 1.1 *That Council endorse the report by MCG as the first stage of the incremental establishment of a cultural centre on Koombana Drive, with provision for a number of separate facilities that will include a Visitor Centre and may include a Regional Museum and a Noongar Cultural facility.*
  - 1.2a) *That the Centre be established in perhaps 7 stages over a 20+ year time frame, with progression to the next Stage to be subject to demonstrated stakeholder support and funding availability. Nominal staging to be:*

<i>Stage 1</i>	<i>Master plan and Visitors Centre concept plan. (Now completed).</i>
<i>Stage 2</i>	<i>Site works design &amp; construction (funded by Federal Capital Works grants and/or Councils \$1.7 million)</i>
<i>Stage 3</i>	<i>Visitors Centre design &amp; construction</i>
<i>Stage 4</i>	<i>Determine funding source for Regional Museum and Noongar Culture Centre</i>
<i>Stage 5</i>	<i>Regional Museum design</i>
<i>Stage 6</i>	<i>Regional Museum construction</i>
<i>Stage 7</i>	<i>Noongar Cultural Centre</i>
  - 1.2b) *That Council defer any decision on whether to support the Bunbury Regional Art Galleries Management Board's request for long term inclusion in the proposed 3 Waters Centre until its March 2009 meeting by which time Council should be fully briefed by Bunbury Regional Art Galleries Management Board, the Architects, WA State Gallery and 3 Waters Committee on the proposed expansion of the current Bunbury Art Gallery on the old convent site.*
2. *That the search for alternative sites for the Visitors Centre and Regional Museum cease.*
3. *Council's Executive return to Council by the first meeting in 2009 with a suggested brief and membership composition of:*
  - a) *Project Control Group to progress the new Visitors Information Centre.*
  - b) *Committee to progress the aim of a Museum and Noongar Cultural Centre."*
4. *The landscape component of the master plan include a best practice Recreational Shared Path (RSP) built to the detail and intent of Austroads part 14 Guidelines for Cycle Paths. The path shall link from the existing path at the south*

### **Strategic and/or Regional Outcomes**

Development of a new Bunbury Regional Visitor Centre would be in line with the objective in the City of Bunbury Strategic Plan 2007-2012 of *"facilitating desired tourism growth and increasing visitor numbers."* It would also address Strategy 2.5 of *"improving the level and quality of customer service"* and objective 8.9 to *"establish a task force to investigate a new Visitor Centre"*.

### **City Vision Strategy Outcomes**

CBD31: Subject to detailed site analysis, endorse the location of a museum, Noongar cultural centre and new visitor centre between the mangrove colony and Koombana Drive as part of a tourism node that includes the Dolphin Discovery Centre. Subject to further investigation consideration is given to locating the Bunbury Regional Art Gallery at this location.

### **Community Consultation**

Council resolved to establish a TWPCG and a BRVCIG to further progress various components of the Three Waters Centre.

Each component of the Three Waters Centre initiative has had various forms of community input while each was being considered as a discrete project.

Two rounds of community consultation and separate discussions with special interest groups were undertaken during completion of the Bunbury Regional Museum Feasibility Study undertaken by SGS Economics and Planning in 2003 and accepted by Council on 11 May 2004.

Community and government stakeholders including professional arts and cultural associations were consulted during the collation of the City of Bunbury Three Waters Centre Implementation Plan 2006 report.

Consultation has occurred with the BRVCIG and the TWPCG.

### **Councillor/Officer Consultation**

The BRVCIG and TWPCG consist of Elected Members and Council Officers who have been consulted.

This item is to address a Council resolution.

### **Analysis of Financial and Budget Implications**

At its meeting of 13 May 2008, Council resolved to allocate \$40,000 from the Museum Reserve Fund to fund a geotechnical study for a new Visitor Centre. Council also approved funding of \$50,000 to undertake preliminary design, site location, and quantity survey costing. This work has now been completed.

It is recognised that funding for the proposal would be a challenge that will require more than routine applications for State & Federal grants. One off special funding from Government has been sought but has to date been unsuccessful.

A key element in these proposals is to partially fund the proposal by the sale of approximately 1.5 Ha of reserve land on the south side of Koombana Drive, adjacent to the Koombana Drive Caravan Park. Subject to State Government approval, it is suggested that the land zoned, Reserve 46906 for the purpose of "Caravan Park/Holiday Accommodation" be freeholded and sold, and the proceeds transferred to Council for funding the Visitor Centre and site works.

At a joint meeting of the BRGVIC and the TWPCPG on 26 November it was agreed to recommend to Council that it apply for \$2.9M from the Federal Government's recently announced RLCIP Strategic program to build regional and local community infrastructure in order to undertake site development.

Subject to Council's decision on the future of the project, a further \$25,000 will be required to fund the continued progress of the project, in particular, to engage a Town Planning Consultant to progress the land sale initiative.

The site includes a number of ship wrecks dating back to the whaling era of the 1840s. A quote of \$ 19,200 has been received to survey the site using ground probing radar to pin point the location of the wrecks. This amount could be considered for funding under the \$487,000 allocated to the City of Bunbury under the Federal Government's new infrastructure program.

The land sale issue is yet to be resolved.

The project has been identified in the City of Bunbury Corporate 5 Year Financial Plan

### **Economic, Social, Environmental and Heritage Issues**

The State Government has indicated that it will not fund recurring costs for the proposed regional museum. There is little evidence to suggest that the Noongar community are currently unified in their support of a Noongar Cultural Centre as a priority project.

### **Council Policy Compliance**

This recommendation does not contravene any known Council policy

### **Legislative Compliance**

Legislative requirements relating to the Local Government Act 1995 or any other Act, Local law or Regulations have been complied with in the process leading up to the finalisation of this proposal.

### **Delegation of Authority**

The Chief Executive Officer does not have the delegated authority to allocate the appropriate resources to the project.

### **Relevant Precedents**

Council has previously allocated resources to fund capital projects during the Five Year Financial Plan/Budget process

There are no known precedents in respect to this matter

### **Options**

#### Option 1

Per the recommendation as listed in this report.

#### Option 2

Council resolves not to approve the establishment of the Regional Museum and Noongar Cultural Centre Committee

### **Conclusion**

A number of issues are required to be resolved before a Regional Museum and Noongar Cultural Centre can be realised. The Regional Museum and Noongar Cultural Centre Committee would investigate relevant issues and report back to Council with a suitable course of action.

### **Recommendation**

Council approves the establishment of the Regional Museum and Noongar Cultural Centre Committee as per Council resolution 247/08 to progress the Three Waters Centre with the following terms of reference and membership.

#### 1. Terms of Reference

The Regional Museum and Noongar Culture Centre Committee is a committee of the Council that operates with the following Terms of Reference:

- 1.1 Progress the Three Waters Centre referencing the Council endorsed report by MCG which includes Master Plan and Visitor Centre Concept Plan
- 1.2 Consider all funding sources and opportunities to progress the Regional Museum and Noongar Cultural Centre components of the Three Waters Centre.
- 1.3 Provide recommendations to Council

2. Membership

*Members (voting rights):*

- His Worship the Mayor – Mr David Smith
- Deputy Mayor – Councillor Stephen Craddock
- Councillor Brendan Kelly
- Mr Greg Trevaskis – City of Bunbury CEO
- Mr Dom Marzano – Executive Manager City Life
- Ms Janelle Dunn - Cultural Development Officer (Executive Officer)
- Mr Stewart Parkinson – Project Manager City of Bunbury
- MLA John Castrilli
- Community members yet to be determined.

*Support Staff (non –voting:)*

- Miss Kobi Halbert – City Life Executive Assistant or Miss Ellen Pollard – Administration Trainee as Minutes Secretary
- Professional/Technical Advice: As required (internal City of Bunbury)
- Nominated Budget Officer: Executive Manager City Life

**Outcome of the Council Committee Meeting – 24 February 2009**

Cr Craddock moved an amended recommendation as follows:

New Term of Reference point 1.3 (as below), with the current 1.3 to be renumbered to 1.4.

*“To progress plans for a possible local Museum in Bunbury to the stage where they can be returned for Council consideration.”*

All references to “Regional Museum” to be removed and to read “Museum”.

The inclusion of the words “or his nominee” following the words “MLA John Castrilli”.

The amended recommendation was seconded Cr Spencer.

During discussion, Cr Rooney requested the mover and seconder consider the inclusion of representatives from the Noongar Community on the Museum and Noongar Cultural Centre Committee. Cr Craddock and Cr Spencer agreed to the inclusion.

Speaking in support of his motion, Cr Craddock advised that Council should not only be pursuing a Regional Museum, but a local Museum as well.

After lengthy discussion, The Presiding Member put the motion to the vote and it was adopted *6 votes "for" to 5 votes "against"* to become the Committee's recommendation on this issue.



It was requested that all votes be recorded with the following results:

For: His Worship the Mayor, Cr's Kelly, Harrop, Whittle, Craddock and Spencer.

Against: Cr's Slater, Major, Jones, Steck and Punch.

### **Committee Recommendation**

**Council approves the establishment of the Museum and Noongar Cultural Centre Committee as per Council resolution 247/08 to progress the Three Waters Centre with the following terms of reference and membership.**

#### **1. Terms of Reference**

**The Museum and Noongar Culture Centre Committee is a committee of the Council that operates with the following Terms of Reference:**

- 1.1 Progress the Three Waters Centre referencing the Council endorsed report by MCG which includes Master Plan and Visitor Centre Concept Plan**
- 1.2 Consider all funding sources and opportunities to progress the Museum and Noongar Cultural Centre components of the Three Waters Centre.**
- 1.3 To progress plans for a possible local Museum in Bunbury to the stage where they can be returned for Council consideration.**
- 1.4 Provide recommendations to Council**

#### **2. Membership**

##### ***Members (voting rights):***

- His Worship the Mayor – Mr David Smith**
- Deputy Mayor – Councillor Stephen Craddock**
- Councillor Brendan Kelly**
- Mr Greg Trevaskis – City of Bunbury CEO**
- Mr Dom Marzano – Executive Manager City Life**
- Ms Janelle Dunn - Cultural Development Officer (Executive Officer)**
- Mr Stewart Parkinson – Project Manager City of Bunbury**
- MLA John Castrilli or his nominee**
- Community members yet to be determined.**
- Representatives from the Noongar Community yet to be determined.**

##### ***Support Staff (non –voting:)***

- Miss Kobi Halbert – City Life Executive Assistant or Miss Ellen Pollard – Administration Trainee as Minutes Secretary**
- Professional/Technical Advice: As required (internal City of Bunbury)**
- Nominated Budget Officer: Executive Manager City Life**

**11.4 2010 SOUTH WEST GAMES** (WAS LISTED AS ITEM 11.9 ON THE MEETING AGENDA)

<b>File Ref:</b>	A00448
<b>Applicant/Proponent:</b>	City Promotions Committee
<b>Author:</b>	Jackie Massey, Manager Economic & Social Development
<b>Executive:</b>	Domenic Marzano, Executive Manager City Life

**Summary**

Cr Steck submitted the following Notice of Motion for consideration at the Council Meeting of 10 February 2009.

- "1. The City of Bunbury commits to become the host town of the South West Games.*
- 2. The Bunbury City Council to implement a formal sub-committee of Council being the 'South West Games Committee'.*
- 3. The City of Bunbury to commit \$50,000 to support the successful future of the South West Games by contributing \$30,000 financially and \$20,000 toward rent at the South West Sports Centre.*
- 4. The City of Bunbury to send a formal letter of congratulations to the Executive Committee of the South West Games Inc. recognizing its valued contribution thus far."*

Subsequently, Council resolved as follows:

COUNCIL DECISION 18/09

- "1. The City of Bunbury commits to become the host town of the South West Games in 2010.*
- 2. The South West Games be listed for consideration in the agenda for the next meeting of the Council (Standing) Committee.*
- 3. The South West Games (and Councillor Steck's proposal) be forwarded to the 16 February 2009 meeting of Council's City Promotions Committee for consideration."*

This matter was duly considered at the City Promotions Committee on 16 February with a resulting recommendation as indicated below.

Other items from the meeting on 16 February will be referred to Council in due course.

## **Background**

The Committee discussed the proposal submitted by the South West Games for funding for the 2010 event. Issues considered included attendance levels, the economic benefits to Bunbury, the equitable distribution of funding to community events, the structure of the event and the role of Council in relation to this event.

After due consideration, the following recommendation was agreed:

*“Subject to the South West Games Committee submitting a community budget submission including a business plan, the City Promotions Committee’s recommendation is that Council refer the matter to the 2009/10 budget for the amount of \$25,000 – this amount to include all City of Bunbury in-kind support.”*

## **Analysis of Financial and Budget Implications**

This proposal will need to be considered as part of the Council’s 2009/10 budget.

## **Options**

### Option 1

Per the recommendation as listed in this report.

### Option 2

Not to refer the request for support to the 2009/10 Council budget.

## **Conclusion**

The recommendation from the City Promotions Committee identifies a way for the Council to support the South West Games through consideration as part of the Council’s budget processes.

## **Recommendation**

Subject to the South West Games Committee submitting a community budget submission including a business plan, the request for the City to provide support be referred to the 2009/10 budget for the amount of \$25,000 – this amount to include all City of Bunbury in-kind support.

## **Outcome of the Council Committee Meeting – 24 February 2009**

<i>Cr Rooney vacated the chamber at 8.18pm</i>
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**24 February 2009**  
**Minutes - Council Committee Meeting**

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The recommendation was moved Cr Craddock, seconded Cr Major. The Presiding Member put the motion to the vote and it was adopted 11 votes "for" to Nil votes "against" to become the Committee's recommendation on this issue.

**Committee Recommendation**

**Subject to the South West Games Committee submitting a community budget submission including a business plan, the request for the City to provide support be referred to the 2009/10 budget for the amount of \$25,000 – this amount to include all City of Bunbury in-kind support.**

(Note: Cr Rooney was absent for the vote)

**11.5 BUNBURY BOWLING & SOCIAL CLUB INC. – APPLICATION FOR SELF SUPPORTING LOAN – 72 FORREST AVENUE, BUNBURY**

<b>File Ref:</b>	A00374
<b>Applicant/Proponent:</b>	Bunbury Bowling & Social Club Inc.
<b>Author:</b>	David Ransom, City Accountant
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services

**Summary**

An application has been received from the Bunbury Bowling & Social Club Inc. seeking Council's consideration to grant a self supporting loan of \$80,000 to replace a grass green and install a new synthetic green.

The proposed loan will be over 10 years and is fully repayable by the Club.

**Background**

The Club has progressively replaced its grass greens to synthetic turf over the years and now has 3 synthetic greens. The loan request will assist the Club replace the last grass green.

The total cost to install the synthetic green is \$180,000. The Club will contribute \$100,000, with the balance of \$80,000 funded by a self-supporting loan from the City. The Club has advised that they currently have funds of \$150,000 and financial documents show a consistent operating surplus. It is estimated that synthetic surfaces save \$25,000 per annum per green due to the lower maintenance required.

The Club is not eligible for any current capital grants as they are a profitable organisation catering for a sport.

Council approved a \$150,000 self-supporting loan to the Bunbury Bowling Club Inc at the Council Meeting 26 September 2006 for the replacement of one grass green with a synthetic green with loan repayments are over 10 years. The Club's loan repayments are currently \$20,410 per annum and will increase (subject to Council's approval) to \$30,674 for the next 8 years, reducing to \$10,264 for the following 2 years. The principal balance as at 30 June 2009 will increase from \$120,568 to \$200,568 with the new loan.

Self Supporting Loan Details

Purpose:	Replacement of a grass green with a synthetic green.
Amount:	\$80,000
Term:	Ten (10) years
Funding Date:	April 2009
Estimated Interest Rate:	5%
Annual Repayment	\$10,264

## **Strategic and/or Regional Outcomes**

### Strategic Outcomes

The proposal complies with Council's 2007-2012 Strategic Plan through Strategic Objective 6 – Develop Social Capital, which includes social and leisure opportunities.

### Regional Outcomes

The Club offers excellent facilities for its members, visitors and hosting major events.

## **Community Consultation**

The Local Government Act 1995 Section 6.20(2) requires that borrowings not included in the annual budget are publicly advertised for a period of one month.

## **Councillor/Officer Consultation**

Council officers have held discussions with the applicant and have mutually agreed on the terms and conditions of the Self Supporting Loan.

## **Analysis of Financial and Budget Implications**

The proposed self-supporting loan will not be a cost to Council. Loan repayments will be fully repayable by the Bunbury Bowling & Social Club Inc.

A review of the financial statements for the past 4 years and the budget for 2009/2010 show that the club has the capacity of make the additional loan repayments.

## **Economic, Social, Environmental and Heritage Issues**

### Economic Issues

The Club has always endeavoured to identify cost savings and introduce new methods to reduce the financial burden. In recent years, the Club has undertaken a number of major improvements, including rationalisation of fulltime greenkeeper and conversion of three (3) of the grass greens to synthetic greens.

### Social Issues

The Club offers like-minded bowlers to enjoy the sport and fellowship the Club has to offer.

### Environmental and Heritage Issues

There are no known environmental or heritage issues relative to this proposal.

### **Council Policy Compliance**

The proposal does not contravene any existing Council Policy.

### **Legislative Compliance**

The Local Government Act 1995 Section 6.20(2) requires that borrowings not included in the annual budget are publicly advertised for a period of one month. An absolute majority vote is required.

### **Delegation of Authority**

There is no Council delegation dealing with self-supporting loans.

It is proposed that subject to no objecting submissions being received as a result of the public advertising, the Chief Executive Officer will proceed with the preparation of the necessary documentation and ensure a loan guarantee or similar cover to protect Council's financial position.

### **Relevant Precedents**

Council has previously supported sporting and community groups in the past with self-supporting loans. In 1993 the Bunbury Bowling Club was assisted with a self-supporting loan of \$180,000, in 2002 another loan of \$120,000, and a further \$150,000 self-supporting loan to upgrade to synthetic grass greens. The loan was supported by member loan guarantors.

The Club has fulfilled all obligations and responsibilities required to meet the existing Self Supporting Loan.

### **Options**

#### Option 1

As per the recommendation printed in this report.

#### Option 2

Council may not elect to grant the Bunbury Bowling & Social Club Inc. a self Supporting Loan of \$80,000 to replace a grass green and install a synthetic green.

### **Conclusion**

The Bunbury Bowling & Social Club Inc. is a longstanding sporting institution in Bunbury that provides locals with an opportunity to play bowls socialise and improve their skills in a relaxed and friendly atmosphere.

Council has previously supported the Bunbury Bowling Club by making available self-supporting loan funds and the Club has fulfilled all obligations and responsibilities required in relation to these loans.

The Club's loan repayments are currently \$20,410 per annum and will increase (subject to Council's approval) to \$30,674 for the next 8 years, reducing to \$10,264 for the following 2 years. A review of the financial statements for the past 4 years and the budget for 2009/2010 show that the club has the capacity of make the additional loan repayments.

Future loan repayments will be primarily met from savings in green maintenance costs and increased green fees and bar turnover as the Club is able to expand its community bowling programs due to the synthetic greens allowing play all year round.

The Club will pay for costs associated with the preparation of the Self Supporting Loan

### **Recommendation**

1. Council agrees to provide the Bunbury Bowling & Social Club Inc. with a self-supporting loan of \$80,000 for the replacement of a grass green with the installation of a synthetic green. The loan is to be repaid over 10 years with loan repayments being the responsibility of the Bunbury Bowling & Social Club Inc.
2. The proposed loan to be advertised in accordance with the requirements of Section 6.20(2) of the Local Government Act 1995.
3. The Bunbury Bowling & Social Club Inc. provides loan guarantors to meet the annual repayments of the self-supporting loan.

### **Outcome of the Council Committee Meeting – 24 February 2009**

<i>Cr Rooney returned to chambers at 8.23pm</i>
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The recommendation was moved Cr Kelly, seconded Cr Major.

Cr Punch requested Mr Ken Morrell of the Bunbury Bowling Club, if he was aware of the life expectancy of the synthetic green.

Mr Morrell advised that there is a Manufacturers Warranty on the Green of 10 years, though the Club is expecting the green to last 15 years due to the rotation of play between all greens.

All members congratulated and endorsed the Club of how they have strengthened and demonstrated that they are a progressive Club, over the past years.

The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.



The Committee Recommendation is printed below.

**Committee Recommendation**

- 1. Council agrees to provide the Bunbury Bowling & Social Club Inc. with a self-supporting loan of \$80,000 for the replacement of a grass green with the installation of a synthetic green. The loan is to be repaid over 10 years with loan repayments being the responsibility of the Bunbury Bowling & Social Club Inc.**
- 2. The proposed loan to be advertised in accordance with the requirements of Section 6.20(2) of the Local Government Act 1995.**
- 3. The Bunbury Bowling & Social Club Inc. provides loan guarantors to meet the annual repayments of the self-supporting loan.**

**NOTE: AN ABSOLUTE MAJORITY VOTE WILL BE REQUIRED AT THE COUNCIL MEETING**

**11.6 FINANCIAL STATEMENTS – PERIOD ENDING 31 JANUARY 2009** (WAS LISTED AS ITEM 11.3 ON THE MEETING AGENDA)

<b>File Ref:</b>	A02838
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	David Ransom, City Accountant
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services

Financial Statements for the period ending 31 January 2009 have been circulated to members **under separate cover**. The statements included the following details:

- Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Financial Activity
- Statement of General Purpose Income
- Statement of Rating Information

Note 1	<i>Significant Accounting Policies</i>
Note 2	<i>Description of Programmes</i>
Note 3	<i>Net Current Assets</i>
Note 4	<i>Trade and Other Receivables</i>
Note 5	<i>Other Financial Assets</i>
Note 6	<i>Payables</i>
Note 7	<i>Provisions</i>
Note 8	<i>Trust Funds</i>
Note 9	<i>Explanations to Significant Variations to Income Statement</i>
Note 10	<i>Capital Expenditure</i>
Note 11	<i>Key Operating Expenditure and Income</i> (budget exceeding \$20,000)
Note 12	<i>Loan Funds</i>
Note 13	<i>Reserve Funds</i>
Note 14	<i>Bunbury Timber Jetty</i>
Note 15	<i>Investment Funds</i>

**Recommendation**

Financial Statements for the period ending 31 January 2009 be received.

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Craddock, seconded Cr Spencer. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

**Financial Statements for the period ending 31 January 2009 be received.**

**11.7 LOCAL GOVERNMENT STATUTORY COMPLIANCE RETURN – DECEMBER 2008** (WAS LISTED AS ITEM 11.4 ON THE MEETING AGENDA)

<b>File Ref:</b>	A00106
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Jack Dyson, Senior Administration Officer
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services

**Summary**

Council is required to adopt the Statutory Compliance Return for the year 1 January 2008 to 31 December 2008, a copy of which has been circulated to Council under separate cover.

**Background**

Each year the Department of Local Government and Regional Development requests Council's to conduct an annual assessment of their compliance with key components of the Local Government Act 1995 and regulations and it is to be returned to the Department by 31 March 2009. Compliance has been achieved on all key components of the return for the period under review.

**Strategic and/or Regional Outcomes**

The recommended action aligns with Strategic Objective 2.1 of the City's Strategic Plan 2007-2012 and the following criteria:

*"Ensure compliance with the City's statutory obligations".*

**Community Consultation**

There is no community consultation required.

**Councillor/Officer Consultation**

All Executive and Work Area Managers are provided with copies of relevant sections of the Statutory Compliance Return forms on a regular basis. The final return is compiled at the end of the review period using information contained and examined as a result of regular internal audits which are conducted on various aspects of the Return.

These internal audits assist the various Work Areas to ensure their operations meet the statutory requirements of the Local Government Act 1995 and provides management with information necessary to ensure continual compliance.

**Analysis of Financial and Budget Implications**

There are no budgetary implications associated with this compliance return.

### **Economic, Social, Environmental Issues**

Completion of the Statutory Compliance Return has no direct effect on economic, social, environmental or heritage issues.

### **Council Policy Compliance**

The responses contained within this report do not contravene any existing Council Policy or Work Procedure.

### **Legislative Compliance**

Completion of the Statutory Compliance Return is a requirement under the provisions of Section 7.13(i) of the Local Government Act 1995 and Clause 13 of the Local Government (Audit) Regulations 1996. The City of Bunbury has fulfilled its commitment to completing this return annually since 1997.

The last return (2007) was adopted by Council at its meeting held 26 February 2008.

### **Delegation of Authority**

The various sections of the Statutory Compliance Return are compiled under delegated authority by the Senior Administration Officer.

### **Relevant Precedents**

The City of Bunbury has fulfilled its commitment to completing a Statutory Compliance Return each year since the inception of the process in 1997.

The last return (2007) was adopted by Council at its meeting held 26 February 2008.

### **Options**

No alternative option is offered as completion of the Local Government Statutory Compliance Return is a statutory requirement.

### **Recommendation**

Council adopts the Statutory Compliance Return for the City of Bunbury for the period 1 January 2008 to 31 December 2008 and authorises its endorsement by His Worship the Mayor and Chief Executive Officer.

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Slater, seconded Cr Spencer. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

**Council adopts the Statutory Compliance Return for the City of Bunbury for the period 1 January 2008 to 31 December 2008 and authorises its endorsement by His Worship the Mayor and Chief Executive Officer.**

**11.8 FUNDING – ADDITIONAL LOCAL AND REGIONAL INFRASTRUCTURE PROGRAM – STRATEGIC PROJECTS** *(WAS LISTED AS ITEM 11.6 ON THE MEETING AGENDA)*

<b>File Ref:</b>	A00106
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Jack Dyson, Senior Administration Officer
<b>Executive:</b>	Greg Trevaskis, Chief Executive Officer

**Summary**

The Federal Government has announced an additional \$500 million on top of the previous \$300 million program to build local community infrastructure in all of Australia's Local Council areas, for the Strategic Projects only component.

The funding (in total \$800 million) is to stimulate growth and economic activity across Australia and support national productivity and community well-being.

The \$800 million program, will be delivered as follows:

1. \$250 million has been allocated as one off grants with every Local Authority eligible to receive at least \$100,000.00 subject to submitting proposals that meet the funding guidelines.
2. \$550 million for Strategic Projects.

**Background**

The Federal Government has recently announced additional funding of \$500 million Regional and Local Community Infrastructure Program (RCLIP).

Each Local Government throughout Australia has received a grant of at least \$100,000.00. The City of Bunbury has already been allocated an initial grant of \$487,000.00 which is to be expended on identified projects that meet the funding guidelines and that must be completed by 30 September 2009. These projects have been identified and submitted for approval.

This additional funding may be spent on community infrastructure projects that support the above mentioned principles.

Council, at its Ordinary Meeting held on Tuesday 16 December 2008 resolved to apply for \$2 million to fund the development of the Athletics Track at Hay Park as its major regional strategic project.

The additional \$500 million Strategic Project Funding is open to application for all Local Governments and may include new or revised applications. The deadline for lodging submissions is 4pm on Friday 6 March 2009.

The Federal Minister for Infrastructure, Transport, Regional Development and Local Government, the Honourable Anthony Albanese has requested Local Government to advise the Department which of the following options it wishes to pursue:

1. Advise the Department that they wish to continue with their existing application.
2. Submit a new application for a new project; or
3. Revise their existing application and resubmit within the timeframe.

The previous guidelines will continue to apply for new or revised applications in that they are limited to local government and only one application per Council, projects must be ready to go and able to proceed within six months of signing the contract and must have a value of at least \$2 million.

If no new or revised approach is made during this round of submission, all original applications are assumed to be the preferred priority projects of each submitting local authority.

### **Strategic and/or Regional Outcomes**

Receipt of this funding will assist Council in meeting the expected outcomes of Strategic Objective 3, *“Deliver Major Capital Projects on Time and on Budget”*.

Projects identified to meet the expenditure criteria may include newly identified concepts and plans or existing, (already commenced) matter.

### **Community Consultation**

Media information relating to the availability of these funding packages has been released via the Federal Governments announcement.

### **Councillor/Officer Consultation**

This report serves to formally draw this matter to Council’s attention and to consider identifying potential new or amended projects that will best benefit the community from this funding.

The Executive have given some consideration to potential projects that Council may wish to consider as part of this funding package including.

### **Analysis of Financial and Budget Implications**

It is expected that the projects identified to receive funding from this package will not have any impact on Council’s existing 2008/09 budget other than to increase the revenue received and the project expended.



### **Economic, Social, Environmental and Heritage Issues**

The receipt of this funding is an unexpected bonus for Council. It will be expended on Community infrastructure projects that will potentially benefit the economic, social and environments of the residents of Bunbury and the region.

### **Council Policy Compliance**

No existing Council Policy relating to this proposal.

### **Legislative Compliance**

The funding needs to be expended on projects that fit within the guidelines established to qualify. Once all conditions are met and the projects are completed, all legislative requirements will have been met and compliance achieved.

### **Delegation of Authority**

The Chief Executive Officer does not have delegated authority to identify expenditure of funding of this nature.

### **Relevant Precedents**

Council has previously considered and identified a number of projects suitable for this program. This funding is additional to the original package notified and Council may wish to consider extra applications or amending previous submissions.

### **Options**

#### Option 1

Per the recommendation as listed in this report.

#### Option 2

Council nominate an alternate project for funding under the Regional and Local Community Infrastructure Program.

#### Option 3

Council elect not to participate in this program.

### **Conclusion**

The proposed Bunbury Regional Athletics Track satisfies all the key criteria for funding under the Regional and Local Community Infrastructure Program. This project has Council approval for its location, planning approval and will be built under a design and construction tender process to be well placed under any project ready requirements.

Strong community support has been demonstrated for Council to progress this project and the \$2M Federal funding will add to the State Government's \$1.6M election commitment to enable the full construction of athletic facilities in the short term.

### **Recommendation**

Council re-affirm its previous submission for \$2 million for the development of the Athletics Track at Hay Park as its major project initiative.

### **Outcome of the Council Committee Meeting – 24 February 2009**

*Cr Punch vacated the Chambers at 8.26pm.*

The recommendation was moved Cr Major, seconded Cr Slater. The Presiding Member put the motion to the vote and it was adopted *11 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

### **Committee Recommendation**

**Council re-affirm its previous submission for \$2 million for the development of the Athletics Track at Hay Park as its major project initiative.**

(Note: Cr Punch was absent for the vote)

**11.9 BUNBURY REGION ROADWISE COMMITTEE – CHANGE OF MEMBERSHIP**  
*(WAS LISTED AS ITEM 11.8 ON THE MEETING AGENDA)*

<b>File Ref:</b>	R00692
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Beatrice Plant, City Engineer
<b>Executive:</b>	Michael Scott, Executive Manager City Services

**Summary**

Mr David Simpson (Roadskills Australia - Defensive Driving School) has nominated for appointment to the Bunbury Region Roadwise Committee to fill a position allocated to a Driving Instructor.

The appointment of Mr David Simpson is supported by the Bunbury Region Roadwise Committee and is seeking endorsement of this Committee nomination from Council.

An extract from the City's Committee Book showing the committee's Terms of Reference is **attached** at Appendix 4.

**Background**

The Bunbury Region Roadwise Committee was formed in 1998 and consists of interested members of the public and representatives of organisations concerned with road safety. The committee's terms of reference reflects these concerns and are as follows:-

- Continue the development of road safety within the Bunbury Region.
- Develop and maintain a Road Safety Strategy document.
- Prioritise and recommend actions to be adopted.

Currently, the committee comprises of His Worship the Mayor, Cr Slater and the following community representatives:

- Alan McDonald, Main Roads Western Australia
- Paul Cassidy, Southern Road Services
- Catherine Ferguson, Community Member
- Silvia Clearwater, South West Population Health Services
- Murray Cook, Fire & Emergency Services Australia
- Charles Wilks, St John's Ambulance
- Lisa Gartrell, School Drug Education & Road Aware
- Brad Brooksby, Community Member
- Richard Oborn, Community Member

The committee also consists of a Roadwise Officer (Kelly Hughes), Beatrice Plant (City Engineer - City of Bunbury) and Myles Bovell (Senior Engineering Technical Officer - City of Bunbury) who do not have voting rights.

The nomination form received from Mr David Simpson has been circulated to members under separate cover as a Confidential Report.

### **Strategic and/or Regional Outcomes**

The Committee's terms of reference are in line with the City's strategy to "coordinate and promote community safety initiatives".

### **Community Consultation**

No community consultation has been undertaken concerning this nomination.

### **Councillor/Officer Consultation**

The members of the Bunbury Region Roadwise Committee unanimously support appointment of the nominated committee member.

### **Analysis of Financial and Budget Implications**

There are no budget implications as a result of this proposal.

### **Economic, Social, Environmental and Heritage Issues**

There are no economic, social, environmental or heritage issues to consider in relation to this committee nomination.

### **Council Policy Compliance**

There are no Council policies that impact on this proposal.

### **Legislative Compliance**

Section 5.10(1) of the Local Government Act 1995 stipulates that appointment of members to committees of the Council is to be by way of a formal Council decision (an absolute majority vote is required).

### **Delegation of Authority**

The Chief Executive Officer can not be delegated the authority to appoint members to Council's committees.

### **Relevant Precedents**

Council has previously resolved to approve new members to the Bunbury Region Roadwise Committee.

**Options**

Option 1

Per the Executive Recommendation listed in this report.

Option 2

Council may elect to reject the appointment of the nominated member to the Bunbury Region Roadwise Committee at this time.

**Recommendation**

Mr David Simpson is appointed as a Committee Member to the Bunbury Region Roadwise Committee.

**Outcome of the Council Committee Meeting – 24 February 2009**

*Cr Punch returned to the Chamber at 8.28pm.*

The recommendation was moved Cr Slater, seconded Cr Spencer. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

**Mr David Simpson is appointed as a Committee Member to the Bunbury Region Roadwise Committee.**

**NOTE: AN ABSOLUTE MAJORITY VOTE WILL BE REQUIRED AT THE COUNCIL MEETING.**

**11.10 ADVISORY COMMITTEE AND/OR PROJECT CONTROL GROUP MINUTES TO BE NOTED AT THE COUNCIL COMMITTEE MEETING**

<b>File Ref:</b>	Various
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Various

Committee Members to refer to the report circulated under separate cover.

**Recommendation**

The following Advisory Committee Meeting Minutes listed in the report circulated under separate cover, are noted for information only:

1. Title: Minutes -7 Day Retail Trading Hours Implementation Committee (19/11/2008)  
Author: Trevor Ayers, Economic Development Officer  
File: A03058

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Harrop, seconded Cr Punch. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

The following Advisory Committee Meeting Minutes listed in the report circulated under separate cover, are noted for information only:

1. Title: Minutes -7 Day Retail Trading Hours Implementation Committee (19/11/2008)  
Author: Trevor Ayers, Economic Development Officer  
File: A03058

**12. MOTIONS ON NOTICE**

**12.1 MOTION ON NOTICE – LITTER**

<b>File Ref:</b>	A01408
<b>Applicant/Proponent:</b>	Councillor Stephen Craddock
<b>Author:</b>	Councillor Stephen Craddock
<b>Executive:</b>	<i>If adopted by Council refer to: Michael Scott, Executive Manager City Services</i>

Cr Craddock has given notice that he intends to move the following motions at the Council Committee Meeting on 24 February 2009:

*“That Council's Executive Staff be requested to liaise with the Department of Corrective Services with a view to arranging regular prisoner clean -ups of roadside litter on the approach roads into Bunbury.”*

**Comments - Cr Craddock**

In support of his motion, Cr Craddock states:

*"Council met with the Minister for Corrective Services and senior staff prior to Christmas. One of the matters to arise from this meeting was the offer from the Department of groups of prisoners (supervised by prison staff) for community projects.*

*I understand Mr Michael Scott has arranged for a group of prisoners to undertake maintenance and remedial work on the 5 Mile Brook under this program. Hopefully another group of prisoners could be rostered to do this roadside clean up.*

*We have a major problem with litter on the verges of our city's approach roads. With our new by-line "You should see us now!" I believe we should be making sure we are presenting the best possible first impression to visitors.”*

**Cr Craddock's Motion**

*“That Council's Executive Staff be requested to liaise with the Department of Corrective Services with a view to arranging regular prisoner clean -ups of roadside litter on the approach roads into Bunbury.”*

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Craddock, seconded Cr Steck.

During discussion, Cr Harrop requested the mover and seconder accept an additional point 2 as follows:

- “2. *That Council identify other areas for clean ups that minimum security prisoners and community service persons can be involved in on an occasional basis.*”

Cr Craddock and Cr Steck agreed to the inclusion, and Point 2 was included in the motion. Cr Craddock then moved a further amendment to include the following point 3:

- “3. *That a letter be sent to Mr Peter Bromley, Department of Main Roads requesting a more regular and effective clean up of control access roads in Bunbury within the minimum standards criteria which is provided to the City of Bunbury*”

During discussion of Point 3, it was decided that whilst writing to Mr Bromley the City would enquire as to any additional costs that may be incurred by the City, should they wish the Main Roads Contractors to provided a higher standard of service.

Point 3 was then re-worded to incorporate this as follows:

- “3. *That a letter be sent to Mr Peter Bromley, Department of Main Roads requesting:*
- a) a more regular and effective clean up of control access roads in Bunbury within the minimum standards criteria which is provided to the City of Bunbury; and*
  - b) advice of any additional costs to Council for the Main Roads Contractor to provide a higher level of service than is provided at present.*”

The Presiding Member put the amended motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue. The motion (as amended) in full, is printed o

**Committee Recommendation**

- 1. That Council's Executive Staff be requested to liaise with the Department of Corrective Services with a view to arranging regular prisoner and community service persons clean-ups of roadside litter on the approach roads into Bunbury.**
- 2. That Council identify other areas for clean ups that minimum security prisoners and community service persons can be involved in on an occasional basis.**
- 3. That a letter be sent to Mr Peter Bromley, Department of Main Roads requesting**
  - a) a more regular and effective clean up of control access roads in Bunbury within the minimum standards criteria which is provided to the City of Bunbury; and**
  - b) advice of any additional costs to Council for the Main Roads Contractor to provide a higher level of service than is provided at present.**



**12.2 MOTION ON NOTICE – TIDY TOWNS COMPETITION – 2010**

<b>File Ref:</b>	A00194
<b>Applicant/Proponent:</b>	Councillor Craddock
<b>Author:</b>	Councillor Craddock
<b>Executive:</b>	<i>If adopted by Council refer to: Greg Trevaskis, Chief Executive Officer</i>

Cr Craddock has given notice that he intends to move the following motions at the Council Committee Meeting on 24 February 2009:

*That the City of Bunbury nominate for the WA "Tidy Towns" competition for 2010."*

**Comments - Cr Craddock**

In support of his motion, Cr Craddock states that:

*"On February 13th Bunbury City Council hosted a function to celebrate the 40th anniversary of the Tidy Towns Competition in WA. We won the inaugural award in 1969. Bunbury has not been a nominee in the awards for 6 years so it was somewhat ironic that we were hosting the celebration .*

*Despite the current efforts of our council our city does have a litter problem. Entering the awards and re-appointing a tidy towns committee would give more focus to this problem and finding remedies to it."*

**Executive Comments**

Previously the City of Bunbury Tidy Towns involvement was co-ordinated and overseen by the Tidy Towns Committee. In May 2003 Council decided to re-assign the terms of reference for this committee to a new Working Group which reported to the City Pride Committee. The City Pride Committee and its associated working groups was disbanded late in 2004. At a briefing prior to the Council Meeting of 31 May 2004, there was a call for the Tidy Towns Committee to be re-established. This was done however, it was again disbanded at the Council Meeting of 14 March 2005 as it was considered it was no longer required.

The City is engaged with many programs that include litter removal, beautification projects and environmental initiatives. Tidy Towns appears to have focussed mainly on smaller towns and villages in recent years.

It may be appropriate for Council to advertise, calling for expressions of interest from community groups or individuals that may be interested in reforming such a committee and Council provide support through BESAC.

Alternately, it may be preferred if community involvement was organised by local service clubs in line with the Tidy Town aim to educate and involve the community directly.

The success of Tidy Towns in recent years has belonged to communities where there is a lot of community involvement and co-ordination as opposed to direction and administration by the local authority.

**Cr Craddock's Motion**

*“That the City of Bunbury nominate for the WA "Tidy Towns" competition for 2010.”*

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Craddock, seconded Cr Slater.

During discussion of the motion, Cr Craddock moved the following addition.

*“2. Council advertise for expressions of interest from community groups and individuals interested in forming the Tidy Towns Committee.”*

The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

- 1. That the City of Bunbury nominate for the WA "Tidy Towns" competition for 2009/2010.**
- 2. Council advertise for expressions of interest from community groups and individuals interested in forming the Tidy Towns Committee.”**

**12.3 MOTION ON NOTICE – VEHICLE – DOLPHIN DISCOVERY CENTRE**

<b>File Ref:</b>	A01272
<b>Applicant/Proponent:</b>	Councillor Shane Rooney
<b>Author:</b>	Councillor Shane Rooney
<b>Executive:</b>	<i>If adopted by Council refer to:</i> Ken Weary, Executive Manager Corporate Services

Cr Rooney has given notice that he intends to move the following motions at the Council Committee Meeting on 24 February 2009:

*"Council assist the Bunbury Dolphin Discovery Centre Inc. by raising a loan of \$30,600 over a 5 year term, to purchase a motor vehicle (Holden Captiva SX 2.0L Diesel Wagon) for use by the Centre Management and personnel."*

**Comments - Cr Rooney**

In support of his motion, Cr Rooney states:

*"The Dolphin Discovery Centre is a Volunteer Organisation and attracts around 40,000 visitors to the centre each year. It is Bunbury's leading Tourist attractions.*

*Council have recently utilised a similar arrangement in purchasing a vehicle for use by the South West Academy of Sport.*

*Similar to the South West Academy of Sport arrangements, the ongoing insurance, licensing, running and maintenance costs will be the responsibility of the Bunbury Dolphin Discovery Centre. Recognition of Council's sponsorship will be visible on the vehicle. The City of Bunbury will retain ownership of the vehicle."*

**Executive Comments**

Although the purchase of a vehicle for the Management of the Dolphin Discovery Centre will be similar to which Council recently implemented at the South West Academy of Sport, in that instance, Council was refunded the purchase price by way of grant.

Council will purchase the vehicle and retain ownership of the vehicle. The Dolphin Discovery Centre will be responsible for ongoing insurance, licensing, running and maintenance costs.

Council has been advised the use of the vehicle will primarily be for the use in fostering the development of services that the Bunbury Dolphin Discovery Centre provides to the City's major tourism attraction.

This expenditure is not a 2008/2009 budgeted item.

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It is proposed Council will raise a loan for the \$30,600 and contribute and annual repayment of \$6,852 each year over the next 5 years. This funding will be allocated in Council's budgets accordingly.

Alternatively, Council could refer the request for the purchase of a vehicle for the Bunbury Dolphin Discovery Centre to the 2009/2010 Budget.

**Cr Rooney's Motion**

*"Council assist the Bunbury Dolphin Discovery Centre Inc. by raising a loan of \$30,600 over a 5 year term, to purchase a motor vehicle (Holden Captiva SX 2.0L Diesel Wagon) for use by the Centre Management and personnel."*

**Outcome of the Council Committee Meeting – 24 February 2009**

Cr Rooney disclosed an impartiality interest in this item as he is on the board of the Dolphin Discovery Centre. Cr Rooney remained in the chamber for the duration of discussion and took part in the vote on the item.

The recommendation was moved Cr Rooney, seconded Cr Major (pro forma).

During discussion on the motion, the following points were raised in support of the motion:

- the Bunbury Dolphin Discovery Centre attracts over 40,000 visitors to Bunbury each year.
- The Centre received the Top Tourism Attraction in Western Australia Award in 2007.
- 70% of visitors to the Centre are overseas/international visitors.
- The Centre has arranged a buy-back scheme with Bunbury Holden.

During discussion on the motion, the following concerns were raised of the motion:

- Over the past years, Council has contributed to the Centre by way of funding research (\$50,000 over 5 years) and \$6,000 has already been allocated to the Centre in this years budget.
- The money has not been allocated in the Budget and this may be seen as a precedent being set.
- Council is not aware of where the City's signage would be placed and if this will be in a prominent visible position.

The Presiding Member put the motion to the vote and it was adopted *7 votes "for" to 5 votes "against"* to become the Committee's recommendation on this issue.

It was requested that all votes be recorded with the following result:

For: His Worship the Mayor, Cr's Harrop, Rooney, Major, Whittle, Craddock and Spencer  
Against: Cr's Slater, Kelly, Jones, Punch and Steck

**Committee Recommendation**

**Council assist the Bunbury Dolphin Discovery Centre Inc. by raising a loan of \$30,600 over a 5 year term, to purchase a motor vehicle (Holden Captiva SX 2.0L Diesel Wagon) for use by the Centre Management and personnel.**

**NOTE: AN ABSOLUTE MAJORITY VOTE WILL BE REQUIRED AT THE COUNCIL MEETING**

**12.4 MOTION ON NOTICE – BUNBURY REGIONAL ART GALLERIES**

<b>File Ref:</b>	A03504
<b>Applicant/Proponent:</b>	Councillor Michelle Steck
<b>Author:</b>	Councillor Michelle Steck
<b>Executive:</b>	<i>If adopted by Council refer to:</i> Domenic Marzano, Executive Manager City Life

Cr Steck has given notice that he intends to move the following motions at the Council Committee Meeting on 24 February 2009:

- “1. *The City investigates by way of community consultation (through advertising a public open comment period of no less than 60 days) community comment on the future options for the art gallery.*  
*Option 1: Car park extension*  
*Option 2: Current proposed front view site*  
*Option 3: Building of a new art gallery/exhibition centre for the City of Bunbury – preferred location*
  
2. a) *That the City of Bunbury undertakes a competition for the design of the new art gallery. The City to advertise the competition requesting architects submit their preliminary works by \_\_\_\_\_ 2009, to qualify for the 6 positions available for acceptance that will be commissioned to undertake the works and pay each architect \$5,000 as a token for their work.*
  
- b) *(Council to elect one of the following options)*
  - *From the designs received, Council is to select the wining entry for construction.*

*OR*

  - *From the designs received, the Community is to select the wining entry for construction.”*

**Executive Comments**

Due to the late receipt of this Motion, an Executive Comment will be provided at the Committee Meeting.

**Cr Steck’s Motion**

- “1. *The City investigates by way of community consultation (through advertising a public open comment period of no less than 60 days) community comment on the future options for the art gallery.*  
*Option 1: Car park extension*  
*Option 2: Current proposed front view site*

*Option 3: Building of a new art gallery/exhibition centre for the City of Bunbury – preferred location*

2. a) *That the City of Bunbury undertakes a competition for the design of the new art gallery. The City to advertise the competition requesting architects submit their preliminary works by \_\_\_\_\_ 2009, to qualify for the 6 positions available for acceptance that will be commissioned to undertake the works and pay each architect \$5,000 as a token for their work.*
- b) *(Council to elect one of the following options)*
- *From the designs received, Council is to select the wining entry for construction.*
- OR*
- *From the designs received, the Community is to select the wining entry for construction.”*

#### **Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Steck, seconded Cr Major (pro forma).

During discussion, Cr Steck advised that a document and study had been undertaken in relation to the Bunbury Regional Art Galleries previously and advised that she wished to withdraw the motion from the agenda as she would refer the matter to the Briefing Session of 31 March 2008 (at which time Council would also be briefed from the Bunbury Regional Arts Management Board) to enable the document to be sourced and further consideration be given prior to the Motion be returned to Council.

The Chief Executive Officer also undertook to seek an extension of time for spending of the Department of Culture and Art grant funding on the previously approved redevelopment of the Bunbury Regional Art Galleries, pending further investigation into alternative options for facility improvements at the Gallery (both short-term and future).

**12.5 MOTION ON NOTICE – CITY TRANSIT/ FREE SERVICE**

<b>File Ref:</b>	A00799
<b>Applicant/Proponent:</b>	Councillor Juliet Harrop
<b>Author:</b>	Councillor Juliet Harrop
<b>Executive:</b>	<i>If adopted by Council refer to:</i> Geoff Klem – Executive Manager City Development

Cr Harrop submitted the following Notice of Motion to the Council Meeting of 16 December 2008 were it was resolved to defer the item until the 24 February 2009 Council Committee Meeting:

*“That Council commence investigations and negotiation with Bunbury City Transit and the Public Transport Authority, to provide a free (or nominal fee) bus service throughout the City for the week 18 to 24 December 2009.”*

**Comments - Cr Harrop**

In support of her motion, Cr Harrop states:

*“Parking in the City is at a premium during the period leading up to Christmas each year. It would be advantageous if public transport throughout the City were more readily used, particularly at this time of year in order to ease the frustration experienced by residents and visitors alike.*

*The City should be encouraging use of alternate forms of transport and by approaching the local public transport authority with a view to introducing this type of a scheme is seen as a potential marketing and awareness campaign that may well generate more regular use of the services it provides. ”*

**Executive Comments**

The concept of introducing a free bus service in Bunbury has been considered previously with Bunbury City transit seeking significant financial support from Council to offset their perceived loss of revenues.

Should Council wish to again consider pursuit of this matter, it could be referred to the CBD Parking Strategy Project Control Group to establish the concept and negotiate a desired outcome.

**Cr Harrop’s Motion**

*“That Council commence investigations and negotiation with Bunbury City Transit and the Public Transport Authority, to provide a free (or nominal fee) bus service throughout the City for the week 18 to 24 December 2009.”*



**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Harrop, seconded Cr Slater. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

**Committee Recommendation**

**That Council commence investigations and negotiation with Bunbury City Transit and the Public Transport Authority, to provide a free (or nominal fee) bus service throughout the City for the week 18 to 24 December 2009.**

**13. "URGENT" BUSINESS WITH THE APPROVAL OF THE MAJORITY OF MEMBERS PRESENT AS PERMITTED UNDER STANDING ORDER 5.1.13**

Nil.

**14. ITEMS TO BE NOTED OR ENDORSED**

**14.1 ITEMS TO BE NOTED (NO DISCUSSION) AT THE COUNCIL COMMITTEE MEETING**

<b>File Ref:</b>	Various
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Various

Committee Members to refer to the report circulated under separate cover.

**Recommendation**

The following items listed in the report circulated under separate cover, are noted for information only:

1. Title: Schedule of Accounts Paid for the Period 1 to 31 January 2009  
Author: David Ransom, City Accountant  
File: A00083
2. Title: Planning/Building Approvals – 1 to 31 January 2009  
Author: Gary Fitzgerald, Manager Development Services  
File: A00566

**Outcome of the Council Committee Meeting – 24 February 2009**

The recommendation was moved Cr Major, seconded Cr Whittle. The Presiding Member put the motion to the vote and it was adopted *12 votes "for" to Nil votes "against"* to become the Committee's recommendation on this issue.

For ease of reference, the committee recommendation is printed overleaf.

**Committee Recommendation**

The following items listed in the report circulated under separate cover, are noted for information only:

1.     **Title:     Schedule of Accounts Paid for the Period 1 to 31 January 2009**  
       **Author:  David Ransom, City Accountant**  
       **File:     A00083**
  
2.     **Title:     Planning/Building Approvals – 1 to 31 January 2009**  
       **Author:  Gary Fitzgerald, Manager Development Services**  
       **File:     A00566**

**14.2   ITEMS TO BE ENDORSED (NO DISCUSSION) AT THE COUNCIL COMMITTEE MEETING**

There were no items recommended for endorsement.

**15.    CONFIDENTIAL BUSINESS AS STIPULATED UNDER SECTION 5.23(2) OF THE LOCAL GOVERNMENT ACT 1995**

Nil.

**16.    CLOSE OF MEETING**

The Presiding Member declared the meeting closed at 10.15pm.

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CONFIRMED this day 17 March 2009, to be a true and correct record of proceedings of the Council (Standing) Committee Meeting held 24 February 2009.

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**MAYOR D SMITH**  
**PRESIDING MEMBER**