



3 MARCH 2009

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GLOSSARY OF ABBREVIATED TERMS

Term	Explanation
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

Term	Explanation
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

Term	Explanation
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 MEETING MINUTES

Minutes of an Ordinary Meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 3 March 2009.

MINUTES

3 March 2009

NOTE: These minutes are subject to confirmation at the subsequent meeting of the Council.

1. DECLARATION OF OPENING BY THE MAYOR

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

The Mayor advised the meeting that the City's Works Supervision, Mr Colin Thompson, passed away last week. The Mayor spoke of Colin's loyalty, strong work ethic and community service to Bunbury. A minute silence was observed in his memory.

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

PRESENT

Council Committee Members	
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 H Punch
	Councillor N Whittle
	Councillor R Slater
	Councillor M Steck
Councillor J Harrop	
Councillor D Spencer	
Executive Management Team (Non-Voting)	
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
Council Officers (Non-Voting):	
Visitor Centre Coordinator	Ms F Anderson
Sport & Recreation Club Development Officer	Mr C Hatchman
Visitor Centre Officer	Ms D Tucker
Manager Development Services	Mr G Fitzgerald
Visitor Centre Administration Assistant	Ms K Nicol

PRESENT (Continued)

Administration Officer Corporate Services:	Ms F Wood
Others (Non-Voting):	
Members of the Public:	7
Members of the Press:	Nil.

APOLOGIES:

Cr Alfred Leigh - Leave of Absence

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

Not applicable.

4. PUBLIC QUESTION TIME - AS SPECIFIED UNDER SECTION 5.24 OF THE LOCAL GOVERNMENT ACT 1995

Mrs Beth Kozyrski, 118 South Western Highway, Bunbury

Question 1: In relation to Charterhouse Close, in the Local Planning Scheme it is coloured "green". In the Greater Bunbury Region Scheme it is "brown". If the amendment is made so TPS 7 is consistent with the Greater Bunbury Region Scheme does this mean that Charterhouse Close becomes zoned "brown"?

Question 2: In relation to expenditure at Moorlands I asked the question 'How much money has been spent by the Council in preparing flood studies, concept plans, public consultation and forums for the proposed Moorlands Development?' The response detailed that the contract awarded to Hassell was to the value of approximately \$154,646 and then fee variations amounted to approximately \$10,219. The total expenditure was then stated as being approximately \$147,322 and I note there is no cost of expenditure for the use of Council Staff or Flood Studies"

When adding the figures provided, there are inconsistencies, therefore can you please advise of the total figure of all costs incurred (Contract, in-house and for the 2004 and 2006 flood studies) in relation to the Moorlands Development.

Question 3: In relation to my previous question on how much money has been spent by the Council on concept plans, public consultation and forums for the proposed Nenke Way Development, the answer stated that this was done in-house by Council's Strategic and Environmental Planning Team.

Can you please clarify how much money has been expended on these concept plans, public consultation and forums including any work undertaken in-house and by Creating Communities?

His Worship the Mayor advised Mrs Kozyrski that due to the nature of the questions, he was unable to provide an answer on the evening and she would receive a response to the questions in writing. The responses to the questions would also appear in the Council Agenda of 24 March 2009.

5. QUESTIONS ON NOTICE FROM MEMBERS OF COUNCIL (WITHOUT DISCUSSION)

Nil.

6. CONFIRMATION OF PREVIOUS MINUTES

The minutes of the Council Meetings held 10 February 2009 had been circulated to members prior to the meeting.

AT THE COUNCIL MEETING – 3 MARCH 2009

A motion to adopt the minutes was moved Cr Craddock, seconded Cr Major. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 21/09

The minutes of the Council Meeting held 10 February 2009, be confirmed as a true and accurate record with the following amendment:

Item 11.6 Titled "Motion on Notice – Landcorp Surplus Revenue" 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 11.14 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 MAYOR (WITHOUT DISCUSSION)

The Mayor announced that he was in receipt of a Media Release from the Minister for Local Government together with the Local Government Reform Steering Committee Structural Reform Guidelines and if any Councillors wished to obtain a copy of the guidelines, they were requested to contact either the CEO's Office or the Office of the Mayor.

9. CHIEF EXECUTIVE OFFICER REPORTS/DISCUSSION TOPICS

9.1 ROYALTIES FOR REGIONS COUNTRY LOCAL GOVERNMENT FUND - PROJECTS

File Ref:	A00964
Applicant/Proponent:	Internal Report
Author:	Greg Trevaskis – Chief Executive Officer
Executive:	Greg Trevaskis – Chief Executive Officer

Summary

The Country Local Government Fund (CLGF) was launched on 16 December 2008, by the Minister for Regional Development, the Honourable Brendon Grylls, MLA.

Subsequently, a Council Workshop was conducted on Wednesday 25 February 2009 to identify projects to be included in the City of Bunbury funding allocation of \$1.18 million.

The objective of the Royalties for Regions CLGF program is to address infrastructure needs across the country local government sector. Projects may include the provision of new infrastructure and renewal and upgrade of existing infrastructure including Buildings, Roads, Bridges, Drainage, Parks Gardens and Reserves, Footpaths and Cycleways, Airports, Sewerage and other.

This round of funding is provided directly to individual local governments and any future funding will be announced through regional organisations of local governments. All funding is subject to certain conditions including an audit of the expenditure on these projects. These audits must be documented and forwarded to the Department as well as be included in the Annual Financial Reports of the City.

These programs will need to display acknowledgment of the funding and support from the Royalties for Region program.

Compliance with the reporting requirements will also form a component of the annual Statutory Compliance Return.

As a consequence of the aforementioned workshop, the following list of projects was identified for endorsement as the City of Bunbury program for this round of CLGF funding allocation of \$1.18 million.

3 March 2009
Minutes - Council Meeting

1.	Cobblestone Drive Carpark	\$350,000.00
	Cobblestone Drive Pedestrian Path	\$ 30,000.00
2.	Forest Trees	\$ 50,000.00
3.	B.P. Beach Lookout	\$ 30,000.00
4.	Scott Street Back Beach Stairway	\$ 30,000.00
5.	Hay Park – Resurface/Reticulation	\$350,000.00
6.	Albert Road – Toilet Upgrade	\$ 40,000.00
7.	Ski Beach Toilet	\$250,000.00
8.	Library Mural	\$ 10,000.00
9.	Princep Street pathway	\$ 20,000.00
10.	Upper Esplanade Footpath	\$ 20,000.00
11.	Upgrade Koombana Bay Boardwalk (Signage, maintenance etc)	<u>\$ 9,272.00</u>
		\$1,189,272.00

Recommendation

Council endorse the following list of works for inclusion in the City of Bunbury program for this round of the Royalties for Regions CLGF funding.

1.	Cobblestone Drive Carpark	\$350,000.00
	Cobblestone Drive Pedestrian Path	\$ 30,000.00
2.	Forest Trees	\$ 50,000.00
3.	B.P. Beach Lookout	\$ 30,000.00
4.	Scott Street Back Beach Stairway	\$ 30,000.00
5.	Hay Park – Resurface/Reticulation	\$350,000.00
6.	Albert Road – Toilet Upgrade	\$ 40,000.00
7.	Ski Beach Toilet	\$250,000.00
8.	Library Mural	\$ 10,000.00
9.	Princep Street pathway	\$ 20,000.00
10.	Upper Esplanade Footpath	\$ 20,000.00
11.	Upgrade Koombana Bay Boardwalk (Signage, maintenance etc)	<u>\$ 9,272.00</u>
		\$1,189,272.00

AT THE COUNCIL MEETING – 3 MARCH 2009

The recommendation was moved Cr Spencer, seconded Cr Craddock.

Cr Kelly proposed the following amendments which were seconded by Cr Major.

- Reduce item 1, Cobblestone Drive Carpark by \$50,000 to \$300,000.
- Reduce item 5, Hay Park – Resurface/Reticulation by \$50,000 to \$300,000, and
- Add a new item number 12, Ocean to Preston Regional Park (Strategic Fencing/Access Control/Signage) and allocating \$100,000.00 to the project.

During discussion of the amendments, the following points were raised:

- The reduction of the two projects by \$50,000 is a small amount.
- The Cobblestone Drive Car Park is a private car park and Council is contributing a large amount of money.
- The fencing that is currently at Ocean to Preston Regional Park is in need of repair
- There is roughly 16km of Boundary around the park and there is only small amounts of signage
- people are using the park for collecting fire wood which is prohibited
- Motorcycles are driving through the park for hobby purposes and damaging the Park.

Speakers against the amendments, raised the following points:

- The Park has been proclaimed and is the responsibility of the State Government
- The project does not fit the guidelines for the funding of the project.
- The money is not to be spent on Council assets or is not to be used for funding of projects that have already been budgeted by Govern
- The carpark will not only be used by Rowing Club patrons, but by visitors and residents of Bunbury.
- Who would police the use of motocross vehicles and patrons entering the park collecting fire wood?

Cr Steck then moved under Standing Order 15.5, the procedural Motion "*that the question under consideration now be put*" which effectively would stop all discussion and debate on the matter. The Mayor put the procedural motion to the vote and it was tied 6 votes all. The Mayor then exercised his casting vote and the procedural motion was lost *6 votes "for" to 7 votes "against"*.

After further discussion, the Mayor put Cr Kelly's amendments to the vote and the amendments were lost *5 votes "for" to 7 votes "against"*.

At this point of the meeting, Cr Slater moved, Cr Harrop seconded (pro forma) the following amendments to the original recommendation.

- Rename item 3, BP Beach Lookout to B.P Beach Lookout and Boardwalk" and increase the funds from \$30,000 to \$60,000.
- Increase item 4, Scott Street Back Beach Stairway by \$10,000 to become \$40,000.
- Remove item 6, Albert Road – Toilet Upgrade and renumber the items accordingly.

In support of his amendments, Cr Slater stated that he had been and inspected all of the projects listed for funding, and found that the Albert Street Toilet blocks are in good condition and felt that other projects would benefit from the funds allocated. After visiting the BP Beach Lookout and the Stairway at Scott Street, the funds would be better allocated to these two projects as they are both in urgent need of upgrades and repairs. He further stated

that both of these sites are used consistently by visitors and members of the public, and the community would receive a larger benefit from these two projects.

The Mayor then put Cr Slater's amendments to the vote and they were adopted *10 votes "for" to 2 votes "against"* to form part of the Committee Recommendation.

The Mayor then put the substantive (original) motion inclusive of Cr Slater's amendment to the vote and it was adopted to become a Council Decision.

Council Decision 22/09

Council endorse the following list of works for inclusion in the City of Bunbury program for this round of the Royalties for Regions Country Local Government Fund funding.

1.	<i>Cobblestone Drive Carpark</i>	<i>\$350,000.00</i>
	<i>Cobblestone Drive Pedestrian Path</i>	<i>\$ 30,000.00</i>
2.	<i>Forest Trees</i>	<i>\$ 50,000.00</i>
3.	<i>B.P. Beach Lookout and Boardwalk</i>	<i>\$ 60,000.00</i>
4.	<i>Scott Street Back Beach Stairway</i>	<i>\$ 40,000.00</i>
5.	<i>Hay Park – Resurface/Reticulation</i>	<i>\$350,000.00</i>
6.	<i>Ski Beach Toilet</i>	<i>\$250,000.00</i>
7.	<i>Library Mural</i>	<i>\$ 10,000.00</i>
8.	<i>Princep Street pathway</i>	<i>\$ 20,000.00</i>
9.	<i>Upper Esplanade Footpath</i>	<i>\$ 20,000.00</i>
10.	<i>Upgrade Koombana Bay Boardwalk</i>	
	<i>(Signage, maintenance etc)</i>	<i><u>\$ 9,272.00</u></i>
		<i>\$1,189,272.00</i>

CARRIED

11 Votes "For" / 1 Vote "Against"

10. RECEPTION OF FORMAL PETITIONS AND MEMORIALS

The Mayor tabled a petition of over 130 signatures with the introduction stating:

...“we the undersigned being land owners and tenants of Vittoria Heights and surrounding areas are opposed to some part of the Glen Iris Structure Plan as proposed. We request the inclusion of a green belt on the South Side of Jubilee Road and no extension of Alyxia Drive continuing through to Glen Iris.

This would retain the current bush buffer separating Vittoria heights from glen iris. We believe this would ensure the quiet lifestyle of Victoria Heights is maintained, sustain property prices, retain the natural noise reduction barrier from trains, the new Port Access Road traffic and industry effecting the Industrial Area, Protect flora and fauna such as kangaroos, black cockatoos, birds and possums which have been sighted in the bush.

Furthermore we are concerned that by extending Alyxia Drive it will become a race track for hoons and a short cut for Glen Iris and surrounding areas particularly when the lights are installed at Alyxia Drive as part of the Port Access Road structure. This will cause a bottleneck at the intersection to Vittoria heights and reduce safety due to large increase in traffic...

A copy of the petition is **attached** at Appendix 6.

The following was moved Cr Steck, seconded Cr Jones. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 23/09

The petition shall be accepted and referred to Council Committee for consideration when submissions for the Glen Iris Structure Plan are received.

CARRIED

12 Votes "For" / Nil Votes "Against"

11. RECEPTION OF REPORTS AND RECOMMENDATIONS FROM THE COUNCIL (STANDING) COMMITTEE MEETING HELD 24 FEBRUARY 2009

At this point in proceedings, the Council adopted *en bloc* committee recommendations (as permitted under the City's Standing Orders).

- Items 11.2, 11.6, 11.10 and 11.14 of the meeting agenda required absolute majority and were voted on *en bloc* as a whole and were adopted by way of absolute majority vote.
- Items 11.1,115, 11.7, 11.8, 11.9, 11.11, 11.12, 11.13, 11.15 and 11.16 of the meeting agenda were adopted.

Items 11.3 and 11.4 of the meeting agenda were then dealt with (and voted on) individually.

Please note: Items listed in Section 11 of the minutes differ from the order that they appeared in the meeting agenda. The items have been re-numbered in order of discussion so that those items voted *en bloc* by members of the Council, are listed first.

11.1 PROPOSED LOCAL PLANNING POLICY (LPP) – PRESTON RIVER TECHNOLOGY PARK DEVELOPMENT DESIGN GUIDELINES (*WAS LISTED AS ITEM 11.2 ON THE MEETING AGENDA*)

File Ref:	P13181-02
Applicant/Proponent:	TME
Author:	Teshome Tadesse, Planning Officer
Executive:	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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 24/09

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.*

CARRIED

12 Votes "For" / Nil Votes "Against" (ABSOLUTE MAJORITY VOTE OBTAINED)

11.2 BUNBURY BOWLING & SOCIAL CLUB INC. – APPLICATION FOR SELF SUPPORTING LOAN – 72 FORREST AVENUE, BUNBURY (WAS LISTED AS ITEM 11.6 ON THE MEETING AGENDA)

File Ref:	A00374
Applicant/Proponent:	Bunbury Bowling & Social Club Inc.
Author:	David Ransom, City Accountant
Executive:	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

Cr Rooney returned to chambers at 8.23pm

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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 25/09

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.**

CARRIED

12 Votes "For" / Nil Votes "Against" (ABSOLUTE MAJORITY VOTE OBTAINED)

11.3 BUNBURY REGION ROADWISE COMMITTEE – CHANGE OF MEMBERSHIP
(WAS LISTED AS ITEM 11.10 ON THE MEETING AGENDA)

File Ref:	R00692
Applicant/Proponent:	Internal Report
Author:	Beatrice Plant, City Engineer
Executive:	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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 26/09

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

CARRIED

12 Votes "For" / Nil Votes "Against" (ABSOLUTE MAJORITY VOTE OBTAINED)

11.4 MOTION ON NOTICE – VEHICLE – DOLPHIN DISCOVERY CENTRE (*WAS LISTED AS ITEM 11.14 ON THE MEETING AGENDA*)

File Ref:	A01272
Applicant/Proponent:	Councillor Shane Rooney
Author:	Councillor Shane Rooney
Executive:	<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.

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.

AT THE COUNCIL MEETING – 3 MARCH 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 Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 27/09

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.

CARRIED

12 Votes "For" / Nil Votes "Against" (ABSOLUTE MAJORITY VOTE OBTAINED)

11.5 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR STEPHEN CRADDOCK
(WAS LISTED AS ITEM 11.1 ON THE MEETING AGENDA)

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

Committee 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).

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

For ease of reference, the Council Decision is printed overleaf.

Council Decision 28/09

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).

CARRIED

11 Votes "For" / 1 Vote "Against"

11.6 2010 SOUTH WEST GAMES (WAS LISTED AS ITEM 11.5 ON THE MEETING AGENDA)

File Ref:	A00448
Applicant/Proponent:	City Promotions Committee
Author:	Jackie Massey, Manager Economic & Social Development
Executive:	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

Cr Rooney vacated the chamber at 8.18pm

3 March 2009
Minutes - Council Meeting

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. (Note: Cr Rooney was absent for the vote)

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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 29/09

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.

CARRIED

11 Votes "For" / 1Vote "Against"

11.7 FINANCIAL STATEMENTS – PERIOD ENDING 31 JANUARY 2009

File Ref:	A02838
Applicant/Proponent:	Internal Report
Author:	David Ransom, City Accountant
Executive:	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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 30/09

Financial Statements for the period ending 31 January 2009 be received

CARRIED

11 Votes "For" / 1 Vote "Against"

11.8 LOCAL GOVERNMENT STATUTORY COMPLIANCE RETURN – DECEMBER 2008

File Ref:	A00106
Applicant/Proponent:	Internal Report
Author:	Jack Dyson, Senior Administration Officer
Executive:	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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 31/09

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.

CARRIED

11 Votes "For" / 1 Vote "Against"

11.9 FUNDING – ADDITIONAL LOCAL AND REGIONAL INFRASTRUCTURE PROGRAM – STRATEGIC PROJECTS

File Ref:	A00106
Applicant/Proponent:	Internal Report
Author:	Jack Dyson, Senior Administration Officer
Executive:	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. (Note: Cr Punch was absent for the vote)

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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 32/09

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

CARRIED

11 Votes "For" / 1 Vote "Against"

11.10 ADVISORY COMMITTEE AND/OR PROJECT CONTROL GROUP MINUTES NOTED AT THE COUNCIL COMMITTEE MEETING HELD 24 FEBRUARY 2009
(WAS LISTED AS ITEM 11.11 ON THE MEETING AGENDA)

File Ref:	Various
Applicant/Proponent:	Internal Report
Author:	Various
Executive:	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

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 33/09

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*

CARRIED

11 Votes "For" / 1 Vote "Against"

11.11 MOTION ON NOTICE – LITTER (WAS LISTED AS ITEM 11.12 ON THE MEETING AGENDA)

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

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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 34/09

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.*

CARRIED

11 Votes "For" / 1 Vote "Against"

11.12 MOTION ON NOTICE – TIDY TOWNS COMPETITION – 2010 (WAS LISTED AS ITEM 11.13 ON THE MEETING AGENDA)

File Ref:	A00194
Applicant/Proponent:	Councillor Craddock
Author:	Councillor Craddock
Executive:	<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."

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 35/09

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."*

CARRIED

11 Votes "For" / 1 Vote "Against"

11.13 MOTION ON NOTICE – CITY TRANSIT/ FREE SERVICE (WAS LISTED AS ITEM 11.15 ON THE MEETING AGENDA)

File Ref:	A00799
Applicant/Proponent:	Councillor Juliet Harrop
Author:	Councillor Juliet Harrop
Executive:	<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.

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 36/09

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.

CARRIED

11 Votes "For" / 1 Vote "Against"

11.14 ITEMS NOTED (NO DISCUSSION) AT THE COUNCIL COMMITTEE MEETING HELD 24 FEBRUARY 2009 (WAS LISTED AS ITEM 11.16 ON THE MEETING AGENDA)

File Ref:	Various
Applicant/Proponent:	Internal Report
Author:	Various
Executive:	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

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Steck. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 37/09

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*

CARRIED

11 Votes "For" / 1 Vote "Against"

11.15 NEW BUNBURY REGIONAL VISITOR CENTRE PROJECT CONTROL GROUP
(WAS LISTED AS ITEM 11.3 ON THE MEETING AGENDA)

File Ref:	A00449
Applicant/Proponent:	Internal Report
Author:	Felicity Anderson, Bunbury Visitor Centre Manager
Executive:	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 & construction (funded by Federal Capital Works grants and/or Councils \$1.7 million)</i>
<i>Stage 3</i>	<i>Visitors Centre design & 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

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

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Major, seconded Cr Punch.

Cr Slater moved the following amendment to Point 1.2 of the Terms of Reference, which was seconded by Cr Harrop (pro forma).

1.2 Consider all funding sources and opportunities to progress the New Bunbury Regional Visitors Centre, with provision for a number of separate facilities that may include a Regional Museum, Noongar Cultural Facility and Regional Art Gallery.

The Mayor ruled that the amendment was irrelevant to the matter being discussed, as Council was considering the formation of a Museum and Noongar Cultural Centre Committee and in the next item for discussion. .

Cr Harrop moved, Cr Craddock seconded, the following amendment to Point 1.2 of the Terms of Reference.

1.2 Explore all funding sources and opportunities, including the Land Swap option with College Grove as proposed by the Hon John Castrilli, to progress the New Bunbury Regional Visitors Centre.

The Mayor put the amendment to the vote and it was adopted *11 votes "for" to 1 vote "against"* to form part of the original recommendation.

Cr Steck expressed her interest in filling the Councillor Membership vacancy on the Project Control Group. With no other Councillor nominated, Cr Steck was appointed unopposed.

The Mayor then put the substantive (original) motion inclusive of Cr Harrop's amendments and Cr Steck's nomination, to the vote and it was adopted to become Councils Decision on this matter.

Council Decision 38/09

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 Explore all funding sources and opportunities, including the Land Swap option with College Grove as proposed by the Hon John Castrilli, to progress the New Bunbury Regional Visitors 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 Michelle Steck*
- 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*

CARRIED

11 Votes "For" / 1 Vote "Against" (ABSOLUTE MAJORITY VOTE OBTAINED)

11.16 REGIONAL MUSEUM AND NOONGAR CULTURAL CENTRE COMMITTEE FORMATION (WAS LISTED AS ITEM 11.4 ON THE MEETING AGENDA)

File Ref:	A02779 & A00449
Applicant/Proponent:	Internal Report
Author:	Domenic Marzano, Executive Manager City Life
Executive:	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 & construction (funded by Federal Capital Works grants and/or Councils \$1.7 million)</i>
<i>Stage 3</i>	<i>Visitors Centre design & 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 TWCPCG 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

AT THE COUNCIL MEETING – 3 MARCH 2009

The Committee's recommendation was moved Cr Craddock, seconded Cr Spencer.

Cr Slater then moved, Cr Steck seconded, the following amendment:

1. The words "*and Regional Art Gallery*" be added following the words Museum and Noongar Cultural Facility.
2. A representative of the Bunbury Regional Arts Management Board be included under section 2 "Membership".

During discussion of the proposed amendment, it was noted that all options should be investigated to build a centre that would accommodate alike facilities such as the Bunbury Regional Art Galleries. It was also noted that past correspondence received by the City, request that the Bunbury Regional Art Galleries not be overlooked in being incorporated in such a facility and therefore, should be a possible option for the Committee to consider.

During debate and discussion of the motion, Cr Steck felt that Council would be able to make a more clear and concise decision on this matter following the next Council Briefing Session where the topic is being presented and Councillors are being provided with further information in relation to the Bunbury Regional Art Galleries.

Cr Steck then moved under section 15.9 of the Standing Orders "*That the Motion Lie on the Table*" which effectively if carried, would cause debate on the substantive motion and any amendment to cease immediately and the meeting to proceed to the next business. This procedural motion was seconded by Cr Craddock.

The Mayor put the procedural motion to the vote and it was adopted to become a Council Decision.

Council Decision 39/09

That the Motion lie on the table.

CARRIED

8 Votes "For" / 4 Votes "Against"

12. MOTIONS (OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN)

12.1 MOTION ON NOTICE – COMPLIANCE REVIEW – SCHEDULE OF ACCOUNTS PAID – DECEMBER 2008

File Ref:	A00084
Applicant/Proponent:	Councillor Judy Jones
Author:	Councillor Jones
Executive:	<i>If adopted by Council refer to: Ken Weary, Executive Manager Corporate Services</i>

Cr Jones has given notice that she intends to move the following motion at the Council Meeting on 3 March 2009:

“That AMD Chartered Accountants be engaged to conduct a Compliance Review of the City of Bunbury’s Schedule of Accounts Paid for the period 1 – 31 December 2008, at a cost of \$8,000 + GST.

That the Compliance Review based on the 1 -31 December 2008, Schedule of Accounts Paid be required to examine tendering and quoting processes, related party policy, business associated with employees and the implementation of Council’s policies with respect to accounts payable, in conjunction with standard formulas.

That the terms of reference for the Compliance Review to be formulated by AMD subject to the scope of work approved by the Bunbury City Council, and

That the report from AMD’s Compliance Review and Recommendations be made available to the Bunbury City Council by 7 April, 2009.”

Comments - Cr Jones

In support of her motion, Cr Jones states:

“Compliance reviews are conducted as a matter of course in Local Government to augment effective financial management.

A separate compliance review is necessary to capture issues outside the scope of the annual audit.

The compliance review will enable Bunbury City Councillors, Executives and Managers to identify policy deficiencies and to make the necessary adjustments.”

Executive Comments

For Councillor information the following is **attached** at Appendix 5

- Schedule of Accounts Paid for the period 1 – 31 December, 2008
- Purchasing Other Than Tender - Council Policy CD1
- Tenders Procedure – Work Procedure, WP 4.12
- Officer Undertaking Other Employment – Work Procedure, WP 3.26
- Scope of City of Bunbury External Audit Program
- Scope of Financial Management Systems Review

The following is a list of Tenders, Quotations and Expressions of Interest called by the City since 1 July 2008, for Councillor information:

Tenders:

- Broad Acre Lawn Mowing (24/7/08)
- Maintenance Painting & Protective Coatings to Various Council Buildings (18/9/08)
- Road Sealing (20/9/08)
- Purchase of Plant – Various (5/11/08)

Quotations:

- Geotechnical Site Investigation (10/7/08)
- Graphic Artists & Photographers (31/7/08)
- Architectural Consultancy Services – Bunbury Art Gallery (28/8/08)
- Consultancy Service to Develop an Asset Condition, Corrective & Preventative Maintenance Plan for the Public Aquatic Centre (10/9/08)
- Supply of Dual Cab Truck (10/9/08)
- Installation of Reticulation System at P.C. Payne Park (24/9/08)
- Mechanical Engineering Consultancy Service to Design & Develop an Air Conditioning System – Bunbury Art Gallery (24/9/08)
- Installation of Reticulation/Irrigation System – Forrest Park (29/10/08)
- Purchase of Small Plant (19/11/08)
- Plant Hire (10/12/08)
- Consultancy Service – Greater Bunbury Aboriginal Heritage Survey & Natural Resources Management Project (7/1/09)
- Sale of 6 Wheel Truck (7/1/09)
- Preventative Maintenance Service to Air Conditioning Units – Various Council Buildings (28/1/09)
- Pipe Relining – Underground Drainage Pipes (28/2/09)

Expressions of Interest:

- Public Art Consultancy (31/1/09)

Cr Jones' Motion

“That AMD Chartered Accountants be engaged to conduct a Compliance Review of the City of Bunbury’s Schedule of Accounts Paid for the period 1 – 31 December 2008, at a cost of \$8,000 + GST.

That the Compliance Review based on the 1 -31 December 2008, Schedule of Accounts Paid be required to examine tendering and quoting processes, related party policy, business associated with employees and the implementation of Council's policies with respect to accounts payable, in conjunction with standard formulas.

That the terms of reference for the Compliance Review to be formulated by AMD subject to the scope of work approved by the Bunbury City Council, and

That the report from AMD's Compliance Review and Recommendations be made available to the Bunbury City Council by 7 April, 2009."

AT THE COUNCIL MEETING – 3 MARCH 2009

The motion was moved Cr Jones, seconded Cr Slater.

During discussion on the motion, some members felt that the Review may be premature and that any deficiencies or discrepancies should be tabled to Councillors prior to spending funds on a compliance review.

Members in support of the motion felt that it is good business practice and one that is undertaken by companies globally. It is another example of Council being open and transparent and a chance to receive positive feedback.

The Mayor put the motion to the vote and it was adopted to become a Council Decision.

Council Decision 40/09

That AMD Chartered Accountants be engaged to conduct a Compliance Review of the City of Bunbury's Schedule of Accounts Paid for the period 1 – 31 December 2008, at a cost of \$8,000 + GST.

That the Compliance Review based on the 1 -31 December 2008, Schedule of Accounts Paid be required to examine tendering and quoting processes, related party policy, business associated with employees and the implementation of Council's policies with respect to accounts payable, in conjunction with standard formulas.

That the terms of reference for the Compliance Review to be formulated by AMD subject to the scope of work approved by the Bunbury City Council, and

That the report from AMD's Compliance Review and Recommendations be made available to the Bunbury City Council by 7 April, 2009.

CARRIED

7 Votes "For" / 5 Votes "Against"

It was requested that all votes be against be recorded:

For: Cr's Kelly, Jones, Slater, Whittle, Craddock, Punch and Steck

Against: His Worship the Mayor, Cr's Major, Rooney, Harrop and Spencer.

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 (NO DISCUSSION)

There were no new items for noting.

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

Nil.

16. CLOSE OF MEETING

The Mayor declared the meeting closed at 8.53.

CONFIRMED this day 24 March 2009 to be a true and correct record of proceedings of the Bunbury City Council Meeting held 3 March 2009.

MR DAVID SMITH
HIS WORSHIP THE MAYOR