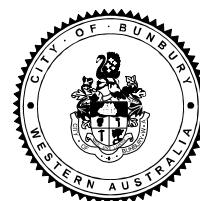




## Bunbury City Council

### Notice of Meeting & Agenda 24 August 2010



**CITY OF BUNBURY**  
4 Stephen Street  
Bunbury WA 6230  
Western Australia  
*Correspondence to:*  
Post Office Box 21  
Bunbury WA 6231

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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
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

## GLOSSARY OF ABBREVIATED TERMS

Term	Explanation
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
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

## Bunbury City Council Notice of Meeting

TO: Council Committee Members

The next Ordinary Meeting of the Council (Standing) Committee will be held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on **Tuesday, 24 August 2010** at 6.00pm.

Greg Trevaskis  
**Chief Executive Officer**  
(Date of Issue: 19/08/2010)

### Agenda 24 August 2010

**NOTE: The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.**

*Council Committee Members:*

His Worship the Mayor, Mr D Smith - **Presiding Member**  
Deputy Mayor - Councillor Brendan Kelly  
Councillor Judy Jones  
Councillor Wayne Major  
Councillor Stephen Craddock  
Councillor Alfred Leigh  
Councillor Karen Steele  
Councillor Helen Punch  
Councillor Noel Whittle  
Councillor Ross Slater  
Councillor Michelle Steck  
Councillor Juliet Harrop  
Councillor Derek Spencer

- 1. Declaration of Opening by the Presiding Member**
  
- 2. Record of Attendance, Apologies and Leave of Absence**

**3. Responses to Public Questions Taken ‘On Notice’ at the Previous Council Meeting**

**4. Public Question Time**

**5. Questions on Notice from Council Members (No Discussion Permitted)**

**6. Confirmation of Previous Minutes**

The minutes of the Council Meeting held 3 August 2010, have been circulated.

The minutes of the Special Council Meeting to adopt the 2010/2011 Budget held 10 August 2010, have been circulated.

**Recommendation**

**The minutes of the Council Meeting held 3 August 2010, be confirmed as a true and accurate record.**

**The minutes of the Special Council Meeting to adopt the 2010/2011 Budget held 10 August 2010, be confirmed as a true and accurate record.**

**7. Disclosures of Interest Under the Local Government Act 1995**

Members should fill in *Disclosure of Interest* forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

**8. Announcements by the Presiding Member (No Discussion Permitted)**

**9. Chief Executive Officer Reports/Discussion Topics**

**10. Reception of Formal Petitions and Memorials**



## 11. Reception of Reports and Recommendations from Officers & Advisory Committees

Standing Order 16.1.1 permits the Council to adopt the Committee Recommendations listed in Section 11 of this agenda “*en bloc*”.

<b>At the meeting, Councillors to identify any items requiring individual attention.</b>
--

### 11.1 Petition – Disapproval of Parking Machines in the CBD

<b>File Ref:</b>	A00474-25
<b>Applicant/Proponent:</b>	Various
<b>Author:</b>	N/A
<b>Executive:</b>	<i>If petitions adopted by Council refer to:</i> Michael Scott, Executive Manager City Services
<b>Attachments:</b>	Appendix 8 (attached to minutes of Committee Meeting)

#### Committee Recommendation

**Pursuant to clause 9.4(c) of the City of Bunbury Standing Orders, the petition from the Residents of Bunbury and the surrounding districts be received and referred to the CBD Parking Strategy Project Control Group for consideration and report.**

A petition has been received from the residents of Bunbury and surrounding districts registering their disapproval of the installation of the parking meters in the Central Business District (CBD). The petition contains 22 signatures.

Pursuant to City of Bunbury Standing Order 9.4, the only questions to be considered at the Council Meeting upon presentation of a petition are:

- (a) That the petition shall be accepted; or
- (b) That the petition not be accepted; or
- (c) That the petition be accepted and referred to a committee for consideration and report; or
- (d) That the petition be accepted and be dealt with by the full council.

#### **Outcome – Council Committee Meeting 17 August 2010**

The Mayor tabled the petition from the residents of Bunbury and the surrounding districts. Cr Craddock moved, Cr Jones seconded that the petition be received and

referred to the CBD Parking Strategy Project Control Group for consideration and report. The Mayor put this to the vote and was adopted to become the Committee's recommendation on this matter.

## 11.2 Bunbury Clay Target Club – Reserve 670 (Adjacent to Bunbury Airport)

<b>File Ref:</b>	F00040
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Ron Boardley, Senior Property Officer and Nigel Archibald, Airport Reporting Officer
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services
<b>Attachments:</b>	Appendix 6

### Committee Recommendation

1. That the Bunbury Clay Target Club be advised that Council is prepared to delay any decision on re-location of the Bunbury Clay Target Club and a decision on the renewal of the lease until such time as the South West Ballistic Project report is completed.
2. That this matter be returned to Council following publication of the report with a recommendation on re-location of the club after consultation with affected parties or by 1 December 2010, whichever is sooner.

### **Summary**

The Bunbury Clay Target Club has occupied a part of Reserve 670, situated adjacent to the Bunbury Airport since 1986. The lease expired on 30 June 2009; however the "Holding Over" clause has been invoked extending the term of the lease to 30 June 2011.

A plan showing the lease area is attached at Appendix 6

### **Background**

A report has been received from the Australian Transport Safety Bureau (ATSB) advising of a complaint received from an airport user expressing *"safety concerns associated with having a gun club adjacent to and in close proximity to Bunbury aerodrome. Shot gun pellets have hit people, hangars and rotating propellers over the years"*.

The ATSB has referred the complaint to the Civil Aviation Safety Authority (CASA) and an Aerodrome Inspector from the Perth Office of CASA has contacted the Airport Reporting Officer to seek advice regarding the future of the Bunbury Clay Target Club on the present site and of actions taken by Council to reduce the hazard in the interim period.

Following negotiations with the Clay Target Club, the Club has ceased using the firing position closest to the airport which appears to have resolved the issue of gun pellets intruding onto the airport.

It is proposed that correspondence be forwarded to all hangar site lessees advising them of the proposed relocation of the Bunbury Clay Target Club no later than 30

June 2011, the closure of the firing position closest to the airport and requesting that they take notice of the large 'coloured flag' that is flown at the entrance to the Club when shooting activity is taking place. CASA has agreed to this action but has advised that if gun pellet intrusion continues, Council will need to impose further restrictions on the Clay Target Club activities otherwise CASA will impose aircraft movement restrictions at Bunbury Airport.

Council officers first held meetings with Bunbury Clay Target Club representatives in February 1999 to discuss relocation options. In 2001, 2004, 2005 and 2007 Council has resolved to renew the Clay Target Club lease and on each occasion the requirement for the Club to relocate has been noted.

The issue of identifying a suitable site/s for ballistics sports is a problem within the South West Region, not just in Bunbury, and the Department of Sport and Recreation has recently appointed a consultant to undertake the "South West Ballistics Project" which is to look at issues relating to facilities etc in the South West for ballistic sports. We understand that the report is due in September.

### **Strategic Relevance**

At the meeting held on 19 August 2008, Council endorsed the Bunbury Airport Structure Plan which also identified the creation of additional aircraft hangar sites on the land currently occupied by the Clay Target Club.

### **Councillor/Officer Consultation**

The Bunbury Airport Advisory Committee has discussed the safety concerns of gun pellets intruding onto the Bunbury Airport at several of its meetings and fully supports the recommendation.

This matter was also discussed at the Council Briefing on 20 July 2010.

### **Officer Comments**

In view of the continued safety concerns associated with having a gun club adjacent to and in close proximity to Bunbury Airport which has been highlighted by the recent report received from the Australian Transport Safety Bureau, the City's Executive believes that the Clay Target Club should now be advised that the lease will not be renewed and that the Club is required to vacate the site no later than 30 June 2011.

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

The proposal will have no impact on the current budget.

#### **Options**

##### Option 1

Per the recommendation listed in this report.

##### Option 2

Per the recommendation listed in this report, with amendments as suggested by council members.

##### Option 3

Council do not support the recommendation.

### **Outcome – Council Committee Meeting 17 August 2010**

The Mayor asked if there was any member of the public that wished to speak to this item.

Mr Clayton Hyder, President of the Bunbury Clay Target Club addressed the Committee and spoke against the recommendation. The following is a summary of his reasons. The Bunbury Clay Target Club has occupied their current site next to the airport since 1969 and until recently there have been no issues. They have not expanded their area but however the airport has been expanding and becoming closer to the Clubs site which has caused a decrease in the buffer zone. They don't believe that there is any possibility of the projectiles hitting the aircraft but they do concede that it may be possible that the pilots can see the muzzle of the guns. They are willing to relocate and are in the process of finding possible sites. They are very understanding of the issues of the airport lessees but believe that there would be great hardship on the club if they were to move by 30 June 2011. The Department of Sport and Recreation are in the process of undertaking a Ballistics Project and is assisting with finding suitable sites for relocation for not just the Clay Target club but for other shooting clubs who are in the same situation. There is a site in Capel which has been touted as a possible relocation site but with reports and environmental issues it will be at least two (2) years before they will be able to move.

Cr Craddock moved, Cr Spencer seconded an alternative motion to the recommendation. It reads as follows:

- “1. That the Bunbury Clay Target Club be advised that Council is prepared to delay any decision on re-location of the Bunbury Clay Target Club and a decision on the renewal of the lease until such time as the South West Ballistic Project report is completed.*
- 2. That this matter be returned to Council following publication of the report with a recommendation on re-location of the club after consultation with affected parties or by 1 December 2010, whichever is sooner.”*

The Mayor put this motion to the vote and was adopted to become the Committee's recommendation on this matter.

### 11.3 Authority to Tender – Bunbury Historic Timber Jetty

<b>File Ref:</b>	F00502
<b>Applicant/Proponent:</b>	Michael Scott, Executive Manager City Services
<b>Author:</b>	Michael Scott, Executive Manager City Services
<b>Executive:</b>	Michael Scott, Executive Manager City Services
<b>Attachments:</b>	Nil

#### **Committee Recommendation**

- 1. That the Insitu Jetty Plan Draft be considered at the next briefing session, 31 August 2010.**
- 2. The tender process be postponed until after the Insitu Jetty Plan has been considered by Council in the next round.**

#### **Summary**

The State Heritage Committee has requested Council table its intention for the jetty for its comment. This item will assist in determining that intention.

Council has \$7.0M allocated to the jetty project. \$3.5M is from Council funds and \$3.5M has been committed by the state government. Despite its best efforts, Council has been unable to secure additional funds to assist with a resolution for the jetty.

Previous quotations for works on the jetty have highlighted the expensive nature of maritime works of this kind. Council is currently constrained by the budget for these works.

Consideration for the built form of a retained portion of the jetty may be addressed by Council when actual costs have been received through the tender process and a decision made on what can be afforded.

The drawings of a final design concept being prepared by a consultant for the Jetty Society are expected to be presented to Council sometime in the near future.

#### **Background**

Council has been briefed on the installation of the boom to capture potentially hazardous material dislodging from the decaying jetty structure at the 10<sup>th</sup> August Briefing Session.

The ongoing maintenance programme for the boom is depleting the jetty reserve funds held by Council and may impact on its capacity to deliver the eventual agreed resolution.

The Department of Transport's closure of the Ski Beach and implementation of an eight knot speed limit in Koombana Bay is impacting on community recreational activities and the amenity of the area.

Council does not have the resources or expertise to deal with issues arising from the rapidly decaying jetty and has worked closely with the Jetty Society, all government agencies and the Port Authority to manage the safety implications for all users of the Koombana Bay area.

### **Officer Comments**

Preparation of an agenda item per the recommendation has been requested by Council after the briefing held on 10<sup>th</sup> August 2010.

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

Council has a budget of \$3.5M for this item.

A further \$3.5M has been committed by the state government.

### **Options**

#### Option 1

Refer the deconstruction of the timber jetty to tender.

The Request for Tender will request two tenders be received for;

- Part 1: Total deconstruction of the timber jetty.
- Part 2: 80% deconstruction of the timber jetty; retain 20%

#### Option 2

Council does not proceed with the tender process.

### **Outcome – Council Committee Meeting 17 August 2010**

The Mayor asked the members of the Committee if they all had received and read the Bunbury Timber Jetty Environment and Conservation Society's Engineers report. In accordance with City of Bunbury Standing Order 15.3 the Mayor adjourned the meeting for five (5) minutes (6.51pm) in order for the Members to read the material.

The Mayor reconvened the meeting (6.58pm) and asked if there was any member of the public that wished to speak to this item.

Mr Phil Smith, Acting Chair of the Bunbury Timber Jetty Environment and Conservation Society, addressed the Committee to speak against the recommendation. He asked that the Council hold off from calling for tenders in order for the Draft Concept Plan be issued which could be as early as next week. The Society would also like the Council to consider getting a tender on how much it would cost to reconstruct the Jetty as they believe that it would be cheaper to do it at the same time as the deconstruction. He stated that their desired outcome would be to get the concept plan and then call for the items to be tendered. The Society has had some interest from the Leeuwin Training Ship for the possible location of the eastside of the Jetty being its base and is also looking for a land base of operations.



The Mayor asked if the Society was aware of the fact that as the jetty is a Council asset and Council liability and that anything that the City does in regards to the jetty needs an application to be made to the Heritage Council. The City can't move in any direction without knowing what the cost of the options are which is why the City is calling for tenders.

Mr Smith said that the Society understood that but would just like to have the cost of reconstruction included in the tender.

Mr Gilbert Fisher, 6 Richmond Street Bunbury, addressed the Committee and stated that the Society needs more money to do what they would like to do. They would like to make a possible application to Royalties for Regions, approach the State Government or even approach the corporate sector for donations as over the years the corporate sector has benefited from the jetty. In order for the Society to be able to ask for more money, they need to know what the costs will be.

Cr Whittle moved, Cr Leigh seconded an alternative motion to the recommendation. It reads as follows:

- “1. That the Insitu Jetty Plan Draft be considered at the next briefing session, 31 August 2010.*
- 2 The tender process be postponed until after the Insitu Jetty Plan has been considered by Council in the next round.”*

After much discussion Cr Slater moved procedural motion 15.4 of the City of Bunbury Standing Orders that the motion “be now put”. The Mayor put the procedural motion to the vote and was CARRIED 9 votes “for” / 3 votes “against”.

The Mayor put the Whittle/Leigh motion to the vote and was adopted to become the Committee's recommendation on the matter.

It was requested that the votes be recorded as follows:

For: Mayor D Smith, Deputy Mayor Cr Kelly, Cr Craddock, Cr Steck,  
Cr Whittle, Cr Leigh, Cr Steele, Cr Slater, Cr Harrop, Cr Spencer,  
Cr Punch  
Against: Cr Jones

#### **11.4 Community Sport and Recreation Facilities Fund ("CSRFF") Small Grant Applications July Round – Bunbury Tennis Club Inc. and Colts Cricket Club Inc.**

<b>File Ref:</b>	A04062
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Elizabeth Watkins, Community Recreation Liaison Officer
<b>Executive:</b>	Domenic Marzano, City Life
<b>Attachments:</b>	Appendix 4 & 5

#### **Committee Recommendation**

##### **Part A**

##### **Bunbury Tennis Club:**

- 1. Council approves the CSRFF application from the Bunbury Tennis Club.**
- 2. Council ranks the Bunbury Tennis Club application as Priority 1.**

##### **Part B**

##### **Colts Cricket Club:**

- 1. Council approves the CSRFF application from the Colts Cricket Club**
- 2. Council ranks the Colts Cricket Club application as Priority 2.**
- 3. Council allocates \$8706.66 from the Hay Park Sporting Bodies Account**

##### **Summary**

Council has received two (2) external Community Sport and Recreation Facilities Fund ("CSRFF") small grant applications from the Bunbury Tennis Club and the Colts Cricket Club requiring support for:

- Bunbury Tennis Club: Resurfacing of six (6) all weather plexipave tennis courts and re-fencing of the facility.
- Colts Cricket Club: Adding storage facilities to the exterior of the Michael Eastman Pavilion at the Recreation Ground.

##### **Background**

The Department of Sport and Recreation ("DSR") administers the CSRFF grant funding program for small, annual and forward-planning grants. Priority is given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability.

The CSRFF Program operates on a reimbursement system. Grantees are required to demonstrate that the project is complete and they have expended the funds equivalent to the full cost of the project before CSRFF grants can be paid in full. CSRFF grants are paid to the grantee only. Applicants will need to ensure they are

able to carry the full cost of the project for the period between project completion and CSRFF grant payment.

The maximum CSRFF grant approved by the State Government will be no greater than one-third of the total estimated cost of the applicant's project and must be matched by the applicant's own cash or in-kind contribution. Furthermore the balances of one-third funds required are to be sourced by the applicant. A development bonus can be requested by applicants who meet certain criteria which enable CSRFF grants to cover up to 50% of the total project costs.

Applicants must be either a local government authority, not for profit sport, recreation or community organisation and incorporated under the WA Associations Incorporation Act 1987. Clubs must demonstrate equitable access to the public on a short-term and casual basis.

The types of projects which will be considered for funding include:

- Upgrade and addition to existing facilities where they will lead to an increase in physical activity or more rational use of facilities.
- Construction of new facilities to meet sport and recreation needs.
- New or replacement of synthetic surfaces. Where an application is made for a new or synthetic surface, evidence of long-term planning for all nearby facilities is required.

It is a requirement that applicants first discuss their proposal with the DSR's Regional Manager to be able to receive the formal application CSRFF form. The DSR will also identify any shortcomings and offer assistance to bring an application up to an acceptable standard.

CSRFF applications for the July 2010 round close at the end of July 2010 with Local Government Authorities required to assess applications, allocate priorities and rank applications prior to making submissions to the DSR South West Regional Manager by August 30 2010. Successful applicants are expected to be advised in October 2010.

The table below identifies the cost (excluding GST) of each project together with Council required contribution:

<b>Funding Source</b>	<b>Bunbury Tennis Club Inc.</b>	<b>Colts Cricket Club Inc.</b>
Council Contribution Requested	\$0	\$8706.66
In 2010/2011 budget?	N/A	NO
Applicant's Cash	\$40335.00	\$8706.66
Voluntary Labour	\$12906.23	\$0
Tennis Australia	\$27431.14	\$0
Donated Materials	\$0	\$0
Other state or federal funding	\$0	\$0
CSRFF Grant Requested	\$40335.00	\$8706.66
Development Bonus Requested	N/A	N/A
<b>Total Cost of Project</b>	<b>\$121,007.37</b>	<b>\$26,120.00</b>

The Department of Sport and Recreation requires projects to be rated and ranked by Council using the following criteria:

Project Rating

- Well planned and needed by the municipality
- Well planned and needed by the applicant
- Needed by the municipality - more planning required
- Needed by the applicant – more planning required
- Idea has merit – more preliminary work needed
- Not recommended

Priority Ranking

Each proposal is to be listed as a 1, 2 or 3 priority.

A summary of the applications received together with the proposed project rating and priority ranking is provided in the next table.

Council has the opportunity to amend the project rating and re-prioritise the proposed ranking.

<b>Applicant</b>	<b>Project Summary</b>	<b>Council Funds Required and Budgeted?</b>	<b>Proposed Project Rating</b>	<b>Proposed Priority Ranking</b>
<b>Bunbury Tennis Club</b>	Resurfacing of 6 all weather plexipave courts and re-fencing of courts and perimeter of the whole facility with the same fencing as is currently there (tennis ball proof)	No funds required from Council	Well planned and needed by the municipality and supported by applicant.	<b>1</b>
<b>Colts Cricket Club</b>	Addition of storage to the 'Runners Club' Michael Eastman Pavilion building at the Recreation Ground	\$8706.00 requested from Council and not budgeted	Well planned and needed by the applicant.	<b>2</b>

## **Officer Comments**

### *Bunbury Tennis Club Inc.*

The Bunbury Tennis Club is located at Hay Park and has over 262 members who use the grass and all weather facility approximately 40 hours per week. This is the only tennis facility in the City of Bunbury.

The application is to resurface 6 all weather plexipave courts and re-fence the interior courts and entire facility.

#### *Courts:*

The facility is also available for non member hire mostly on weekends for approximately 10 hours per week. Casual hire is administered by the South West Sports Centre

The courts need resurfacing approximately every five – seven years depending on use and maintenance. Two of the six courts were resurfaced six years ago and as they have received the heaviest use require resurfacing, while the remaining four have not been resurfaced for over ten years and are extremely worn.

#### *Fencing:*

The fencing is approximately 35 years old and needs to be replaced. The club is proposing to replace the fence with the same style of fence, as this is the type that is suitable for tennis. The fence posts will be painted black and the existing green PVC chain mesh will be replaced with black PVC mesh and the two strands of barbed wire across the top will be replaced with new barbed wire. The type of fencing used for the athletics arena is not suitable as it will not stop tennis balls.

The club has made a significant contribution to this project and has sought a building application from the City of Bunbury. An overall project assessment sheet is **attached** at Appendix 4

It is proposed that:

- Council approve the CSRFF application submitted by the Bunbury Tennis Club and rank it number 1 of 2

### *Colts Cricket Club Inc.*

The Michael Eastman Pavilion (Bunbury Runners Club) is located at the Recreation Ground and has 350 members. In February 2010 Council approved a renewal of the lease and sub-leases with the Bunbury Runners Club, Colts Cricket Club and SW Warriors Rugby League Club. The Colts Cricket Club and SW Warriors Rugby League Club play their home fixtures on the Recreation ground. The ground and clubrooms are also utilised for the annual Horse and Country show and the Bunbury Triathlon.

The need for storage at this pavilion was identified in the 2006 City of Bunbury Recreation Plan and this application is supported by all three clubs who are based there.

Currently, clubs store equipment in the change rooms which impedes use of the change rooms for competitions and fixtures. The Recreation ground will be used in

January for the Australian Country Cricket Championships and it is essential changing facilities are available.

This application proposes adding a structure to the north side of the building which will house three separate storage areas all with separate access. The club has submitted a building license.

The clubs are contributing 1/3 to the cost of the project and are seeking 1/3 from Council and 1/3 from CSRFF. An overall project assessment sheet and plans for the development are **attached** at Appendix 5

It is proposed that:

- Council approve the CSRFF application submitted by the Colts Cricket Club and rank it number 2 of 2
- Allocate \$8706.00 from 'Hay Park Sporting Bodies' Account as Council's contribution to the project

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

Funds for the Colts Cricket Club application are available in the 'Hay Park Sporting Bodies' Account. The 2010/2011 budget for this account is \$48,000.

Hay Park has benefited from several large capital projects and this project will benefit three clubs who use the recreation ground and who pay their sportsground levies to the City of Bunbury.

### **Strategic Relevance**

All submitted applications are consistent with Council's Recreation Plan and Recreation Implementation Plan 2007-12 *Strategic Theme 6: Facility Development*.

Recreation Plan facility review 2006 identified:

- All weather courts at Tennis Club showing signs of wear and tear
- Lack of storage at Michael Eastman Pavilion at the Recreation Ground

Hay Park Feasibility study 2009 identified and recommended:

- Resurfacing of all weather/plexipave tennis courts at the Bunbury Tennis Club

### **Community Consultation**

Proponents are required to describe the consultation processes undertaken in relation to their project.

Bunbury Tennis Club: The club has consulted with their members and Tennis West and established the need for the resurfacing of their all weather courts.

Colts Cricket Club: The club has consulted with their members and has the support of the SW Warriors Rugby League Club and Runners Club who are co-tenants of the pavilion and all require storage at the building.

### **Councillor/Officer Consultation**

Both applicants have met and discussed their applications with Council's Community Recreation Liaison Officer.

Both applicants have discussed their applications with Council's Building Surveyor and submitted an application for a building license. The Bunbury Tennis Club is replacing their fence with an identical fence so there are no issues with issuing a building license.

Council's Building Surveyor advises that with the addition of further technical details regarding the addition to the Michael Eastman Pavilion, the building licence and planning approval could proceed to enable approvals to be issued.

### **Life-cycle Maintenance Costs (Capital Works Projects Only)**

As part of the CSRFF small grants application Clubs are required to provide evidence of management planning and how they will support ongoing maintenance costs. Both applicants have supported their projects with cash, indicating their ability to fund facility development and maintenance.

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

#### Economic

Both applicants hold large events at their facilities which draw competitors from across the State. The flow on for the local economy is significant in terms of tourism, accommodation, fuel, groceries etc.

### **Relevant Precedents**

The maximum CSRFF grant approved by the State Government will be no greater than one-third of the total estimated cost of the applicant's project and must be matched by the applicant's own cash or in-kind contribution. Furthermore the balances of one-third funds required are to be sourced by the applicant. A development bonus can be requested by applicants who meet certain criteria which enable CSRFF grants to cover up to 50% of the total project costs. All CSRFF grants are required to be processed by the relevant Local Government Authority before being submitted to the Department of Sport and Recreation

### **Options**

#### Option 1

Per the recommendations listed in this report.

#### Option 2

Council supports both the CSRFF applications submitted by the Bunbury Tennis Club and Colts Cricket Club with amendments to the ranking of the applications.

Option 3

Council does not support the CSRFF applications submitted by the Bunbury Tennis Club and Colts Cricket Club.

**Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Spencer.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.



## 11.5 Proposed Proclamation of Bunbury Port Access Road Stage 1 (Willinge Drive) as a “Highway”

<b>File Ref:</b>	R00804
<b>Applicant/Proponent:</b>	Main Roads Western Australia
<b>Author:</b>	Beth Kozyrski Engineering Technical Officer
<b>Executive:</b>	Michael Scott Executive Manager City Services
<b>Attachments:</b>	Appendix 1

### **Committee Recommendation**

**Council accepts drawings 1021-0163-00, 1021-0164-00 and 1021-0165-00 as a “Highway” under Section 13 of the Main Roads Act.**

### **Summary**

On the 10 June 2010 the City of Bunbury received three (3) plans from Main Roads Western Australia (MRWA) **attached** at Appendix 1 requesting Council endorse the plans to enable MRWA to recommend to the Hon Minister for Transport to proclaim the roads as a “Highway”.

### **Background**

At its meeting on the 28 July 2009 Council Decision 154/09 endorsed the transfer of portions of Estuary Drive to the responsibility of MRWA.

MRWA’s Corporate Executive approved the Port Access Road being proclaimed as a highway. To formalise the transfer and confirm MRWA’s responsibility the Commissioner of Main Roads intends to recommend to the Hon Minister for Transport to proclaim the roads as shown on drawings 1021-0163-00, 1021-0164-00 and 1021-0165-00 as a “Highway” specifically roads:

- H59 – Estuary Dr between the two roundabouts and Willinge Drive from South Western Highway to Estuary Dr roundabout.
- H808 – Thomson Road south bound carriageway.
- H805 – Thomson Road north bound carriageway.
- H420 – Willinge Drive/Estuary Drive roundabout.
- H419 – Estuary Drive/Leschenault Drive roundabout.

### **Officer Comments**

Previously Council has endorsed plans as requested by MRWA to allow them to proceed with their administrative processes.

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

There will be no detrimental effect on the City’s Annual Budget. Ongoing road maintenance will be at the cost of MRWA.

## **Options**

### Option 1

As per recommendation in this report.

### Option 2

Council do not support the recommendation.

## **Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Leigh.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

## 11.6 Tender for: Road Reseal Program (RFT 2010 2011-01)

<b>File Ref:</b>	A04073
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Mark Robson, Contract Co-ordinator
<b>Executive:</b>	Michael Scott, Executive Manager ,City Services
<b>Attachments:</b>	Confidential Report

### Committee Recommendation

**Council accepts the tendered lump sum fee and schedule of rates submitted by Malatesta Road Paving and Hot Mix for undertaking the City's annual road reseal program.**

### **Summary**

Council advertised for suitably experienced contractors to tender on the annual road reseal program. This is a lump sum tender and the works in order of priority include the resealing of sections to six (6) nominated roads with asphaltic concrete.

In addition a schedule of rates for the supply, delivery and installation of road construction materials for a period of twelve (12) months (this part will not commence until 6 January 2011 due to current contract agreements)

### **Background**

Tender documents were prepared and advertised in *The West Australian* on 30 June 2010 and in the *South Western Times* on 1 July 2010.

Tenders closed at 3:00pm on Thursday, 22 July 2010. The City's Contract Co-ordinator and Engineering Technical Officer opened the tender box. A total of four (4) interested companies had requested and received the tender documents.

By closing, two (2) tenders were received, as follows:

<b>Tenderer</b>	<b>Address</b>
Fulton Hogan (formally Pioneer Road Services)	Harris Road, Picton WA 6229
Malatesta Road Paving & Hot Mix	Lot 2 Southwest Highway, Bunbury WA 6230

An evaluation panel comprising the City's Contract Co-ordinator, Operations Manager and the Building Construction & Maintenance Officer assessed the responses on the 26 and 28 July 2010.

The tenders were evaluated using the following criteria:

- Compliance
- Qualitative
- Price

### Compliance Criteria

The following compliance criteria were used to assess the tender:

- a) Have you complied with the conditions of tendering in this request Yes/No
- b) Have you complied with and completed the price schedules  
Yes/No
- c) Confirm you are in a financial position to complete the works  
Yes/No
- d) Confirm you currently hold Public liability & employee insurance as per  
AS4000-1997  
Yes/No

### Qualitative Criteria

The following qualitative criteria were used to assess the tender:

	<b>Weighting</b>
a) Quality assurance / systems	5
b) Understanding / Methodology	5
c) Demonstrated experience	5

### Price

Evaluation of the tender prices has been assessed but because the results are "commercial in confidence" details are listed in a confidential report that has been circulated to members **under separate cover**.

### **Officer's Comments**

Based on the panel's evaluation of the tender documents submitted by both respondents, the recommended tenderer is Malatesta Road Paving and Hot Mix (ABN 42 319 869 375) as this company has provided the City with competitive prices, demonstrated its ability to provide quality products and services, is within the available budget and its tender is considered to be the most advantageous to the City.

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

Acceptance of the recommendation listed in this report is consistent with the City of Bunbury Strategic Plan 2007-2012, in continuing to maintain and service its buildings, assets, and infrastructure and will enhance the City's road networks.

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

Funding for this project is provided from:

- Council's capital works program and
- Roads to recovery

### **Council Policy Compliance**

The tender process complies with the requirements of the City's work procedure WP4.12 "*Tender Procedure and Associated Legislation*".

Council's CD2 "*Purchasing - Local Preference Policy*" was applied during evaluation of the tenders but did not affect the outcome or tendered prices.

### **Legislative Compliance**

Advertising and processing of tenders was conducted in accordance with the Local Government (Function and General) Regulations 1996, Part 4 "*Tenders for Providing Goods or Services*".

### **Delegation of Authority**

The total cost of this contract exceeds \$100,000, therefore it has been dealt with in accordance with Local Government (Functions and General) Regulations 1996 (Part 4 - Tenders for Providing Goods or Services).

### **Options**

#### *Option 1*

Per the recommendation listed in this report.

### **Outcome – Council Committee Meeting 17 August 2010**

Cr's Slater and Steele disclosed an impartiality interest in this item (refer section 7) as they are both friends with owners and family of Malatesta's. The both stayed, participated in discussion and voted on the matter.

The recommendation (as printed) was moved Cr Steck, seconded Cr Spencer.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on this matter.

## 11.7 Spencer Street Underground Power Program – Localised Enhancement Project – Round 4

<b>File Ref:</b>	R00567
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Jason Gick, City Engineer
<b>Executive:</b>	Michael Scott, Executive Manager City Services
<b>Attachments:</b>	Nil

### Committee Recommendation

**Council authorises to proceeding with the Spencer Street Underground Power Program - Localised Enhancement Project Round 4 (Four) between Stirling Street and Ramsay Road.**

### **Summary**

Council was briefed on the proposal at its 10 August 2010 Councillor Briefing Session. The Spencer Street Localised Enhancement Project (Stirling Street to Ramsay Road) is listed in Western Powers Underground Power Program Round Four. Council is required to commit to the project to realise its delivery or cancel the project.

### **Background**

Council Decision 250/08 required officers, amongst other things to undertake a community survey of affected ratepayers within the full project area (Stirling Street to Beach Road) to ascertain the level of community support for the project.

The community survey was presented to the Council at its 8 September 2009 meeting. The community survey indicated that 62% of respondents agreed with the proposal of undergrounding overhead power lines in Spencer Street, but it also showed that 72% of respondents disagreed with the concept of contributing towards the cost of the proposal.

This information prompted Council Decision 178/09:

- 1. Due to the feedback from property owners affected, the Spencer Street Localised Enhancement Project does NOT proceed in the form previously proposed.*
- 2. That enquiries be made with Western Power as to whether this project can be re-scoped to involve half the area of Spencer Street previously covered, so that the project costs could be apportioned:*
  - \$250,000: Western Power*
  - \$250,000: City of Bunbury*
  - \$225,000: Ratepayers/property owners**On receipt of this information the matter should be returned to Council.*

- 3 *That Council officers be requested to liaise with Western Power for the preparation of a strategy, with proposed time frames, for the undergrounding of power throughout the entire City of Bunbury.*

This report addresses points 1 & 2 of Council Decision 178/09.

### **Officer Comments**

Western Power has indicated that it is willing to proceed with the Spencer Street Localised Enhancement project reduced scope between Stirling Street and Ramsay Road.

Western Power has indicated that in partnership with the Office of Energy its commitment of \$250,000 towards the project will continue for the reduced scope project. This commitment must be matched dollar for dollar by the City up to a maximum of \$500,000. Any expenditure above \$500,000 must be borne by the City.

Western Power has indicated it has no opinion on how the City raises the additional funds required to deliver the project.

In order to progress the project the Council must either commit to the project or cancel the project. If cancelled, the Western Power committed funds will be redirected elsewhere. If committed, the Council will then need to enter into a high level agreement with Western Power and the Office of Energy.

The next steps required to realise the project are:

- Council decision to proceed
- Western Power to finalise the detailed design
- Western Power to obtain an internal tender price
- Report back to Council for final endorsement of tender price
- Formal instrument of agreement to be prepared and signed
- Budget adjustments to accommodate agreement

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

The cost sharing proposal in Council Decision 178/09 is based on a Western Power cost estimate for the reduced scope project prepared in October 2008. The City's contribution (\$475,000) required to realise this amount has been included in the 2010/11 Budget as loan borrowings.

There is provision in the Local Government Act for ratepayer contributions to the project to offset Councils contribution, regardless of survey feedback from affected ratepayers. The Budget makes provision for the collection of \$225,000 from affected ratepayers as per Council Decision 178/09.

Western Power has suggested the cost estimates of 2008 be updated to include a nominal 5% appreciation. Western Power has also suggested a nominal 10% contingency until the final tender price is obtained.

The cost arrangements for this project are depicted in the following table:

<b>Item</b>	<b>Expenditure (\$,000's)</b>	<b>Revenue (\$,000's)</b>
Western Power Estimate – reduced scope	720	
10% Contingency	72	
5% cost appreciation (estimate + contingency)	40	
Western Power/Office of Energy contribution		250
City of Bunbury contribution		475
Balance	832	725

Western Power has indicated it is willing to enter into a flexible pay back arrangement if necessary. This allows the project to proceed in 2010/11 and final payments to be resolved in 2011/12 if necessary.

The additional cost to deliver the project, as depicted in the table above, is manageable and can be addressed by balancing the capital works program.

### **Options**

#### Option 1

That Council agree to proceed with the Spencer Street Underground Power Program - Localised Enhancement Project Round Four between Stirling Street and Ramsay Road.

#### Option 2

That Council agree not to proceed with the Spencer Street Underground Power Program - Localised Enhancement Project Round Four between Stirling Street and Ramsay Road.

### **Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Craddock, seconded Cr Spencer.

It was requested that the mover and seconder agree to remove the words “*authorises to proceeding*” and replace it with “*proceeds*”. This amendment was agreed to.

The Mayor put the motion (as amended) to the vote and was adopted to become the Committee’s recommendation on the matter.

It was requested that the votes be recorded as follows:

For: Mayor D Smith, Deputy Mayor Cr Kelly, Cr Jones, Cr Craddock,  
Cr Steck, Cr Whittle, Cr Harrop, Cr Spencer, Cr Punch  
Against: Cr Slater, Cr Steele, Cr Leigh



## 11.8 Proposed Allocations under Community Funding Policy

<b>File Ref:</b>	A00374-32
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Jackie Massey, Manager Economic & Social Development
<b>Executive:</b>	Dom Marzano, Executive Manager City Life
<b>Attachments:</b>	Appendix 2 & 3

### Committee Recommendation

Council allocate funds under the Community Funding Policy as recommended by the Community Funding Assessment Panel. A copy of the Panel's recommendations including a summary justification for each proposed allocation, is attached at Appendix 2

The recommendation is as follows:

- 1.1 Council agree to allocate funds under the Community Funding Policy as recommended by the Community Funding Assessment Panel.
- 1.2 Council approve the following recommendations from the Community Funding Assessment Panel:
  - 1.2.1 Any community funding applications over \$25,000 to be presented to full Council at a briefing for that specific purpose.
  - 1.2.2 Prior to that briefing session the Community Funding Assessment Panel review the applications and provide recommendations to Council
  - 1.2.3 That the Community Funding Assessment Panel should make its recommendations as to community funding at least one month prior to the first budget workshop.
  - 1.2.4 All community applications need to be referred to the Community Funding Assessment Panel prior to any allocation being made at a Council level.
  - 1.2.5 That Council reconfirm its policy on community funding.
  - 1.2.6 Funding applications that should not be considered as part of this funding pool are as follows:
    - Carols by Candlelight
    - King Cottage
    - Bunbury Wellington Economic Alliance
    - Biennale
    - Geographe Tourism Taskforce
    - Leschenault Business Enterprise
    - City of Bunbury Art Collection Committee
    - Small Business Centre Bunbury Wellington

## Summary

Every year community groups seek support from Council through the annual budget process for a range of purposes including assistance to help provide community services, to support community/cultural projects and events and to provide corporate sponsorship which will enhance the corporate image of the City.

## Background

The Community Funding Policy is designed to make the application process a transparent and equitable one for all community groups (**attached** at Appendix 3)

On the 28 and 29 July 2010, applications were considered in detail by an assessment panel comprising both elected members and staff. The panel is made of up the following:

- 2.1 *Presiding Member of the City Promotions Committee, Councillor Craddock*
- 2.2 *Elected Member Representatives Councillors Spencer, Jones and Harrop.*
- 2.3 *Executive Manager City Life Domenic Marzano*
- 2.4 *City Life Division Staff Representative: Manager Economic & Social Development Jackie Massey*

## Officer Comments

The adoption by Council of the Community Funding Policy has provided a transparent and equitable process for the consideration of community requests for funding. In accordance with the Policy the Community Funding Assessment Panel has considered all applications in detail and has made recommendations to Council for approval.

During the course of assessment, several recommendations were put forward by the panel as to how the process could be improved in the future.

The recommendations are as follows:

1. Any community funding applications over \$25,000 to be presented to full Council at a briefing for that specific purpose.
2. That prior to that briefing session the Community Funding Assessment Panel review the applications and provide recommendations to Council.
3. The Community Funding Assessment Panel should make its recommendations as to community funding at least one month prior to the first budget workshop
4. All community applications need to be referred to the Community Funding Assessment Panel prior to any allocation being made at a Council level.
5. That Council reconfirm its policy on community funding.

6. Funding applications that should not be considered as part of this funding pool are as follows:
- Carols by Candlelight
  - King Cottage
  - Bunbury Wellington Economic Alliance
  - Biennale
  - Geographe Tourism Taskforce
  - Leschenault Business Enterprise
  - City of Bunbury Art Collection Committee
  - Small Business Centre Bunbury Wellington

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

The total amount available for allocation is \$345,000 including an amount for in-kind council services. The Panel has recommended that \$318,473 be allocated. This allocation will allow \$26,527 to be retained for allocation in the September round of Community Funding applications.

### **Councillor/Officer Consultation**

As required by section 7 of the Policy, an internal report was prepared by staff for consideration by the Community Funding Assessment Panel. Staff comment was based on consultation from City Life, City Services and City Development.

As noted earlier the Community Funding Assessment Panel comprised four elected members and two senior staff. (One elected member was an apology for the panel meetings.)

### **Council Policy Compliance**

The Community Funding Policy was adopted by Council at its meeting on 9 June 2009.

### **Options**

#### Option 1

As per the recommendation

#### Option 2

Council may choose to vary the recommendations made by the Community Funding Assessment Panel for the allocation of funds under the Community Funding Policy and with regard to the process to be followed in future.

### **Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Spencer.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

## 11.9 Appointment of Elected Member/s to the City Promotions Committee

<b>File Ref:</b>	A03402
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Dom Marzano, Executive Manager City Life
<b>Executive:</b>	Dom Marzano, Executive Manager City Life
<b>Attachments:</b>	Nil

### Committee Recommendation

**Council appoints Cr Steele and Cr Spencer as voting members to the City Promotions Committee.**

### **Summary**

A position has been made available for an elected member on the City Promotions Committee. As Cr Steck is no longer a member of the Committee, an additional elected member/s is required.

### **Background**

The City Promotions Committee was appointed by the Council on 27 November 2007 to provide guidance and recommendations to assist the Council in discharging its duties. Membership of the committee is currently:

#### Committee Members (voting):

- Chairman - Councillor Stephen Craddock
- Councillor Noel Whittle
- Greg Trevaskis, City of Bunbury CEO
- Dom Marzano, Executive Manager City Life
- Andrew Horan – Bunbury Chamber of Commerce & Industries CEO
- Graham Harvey – Bunbury Regional Entertainment Centre Manager
- Sonya Dye – Bunbury Regional Art Galleries
- Amanda Yip – Community Representative
- John Carter – Community Representative
- Kersten Jackson – Community Representative

#### Ex-officio Members (non voting):

- Kristina Knight - City of Bunbury Marketing Officer
- Felicity Anderson - Bunbury Visitor Centre Manager

#### Support Staff:

- Jackie Massey, Manager Economic & Social Development
- Nardine Walford-Jones, Events Officer
- Del Ambrosius, Communications Officer

### **Officer Comments**

The policy “*Guidelines for Establishment and Operation of Council Advisory Committees*” states the following:

- 5.2 If a committee member is absent from three (3) consecutive meetings without having first been granted formal leave of absence by the other members of the committee; his or her seat on that committee shall become vacant. If required by the Presiding Member of the committee, the Executive Officer will advertise the vacancy (*Note: A written apology will not suffice – the member must seek leave of absence by decision made at a meeting of the committee prior to the absence – City of Bunbury Standing Order 20.9 refers*).

In accordance with this policy, a position on the City Promotions Committee is now vacant. Elected members wishing to nominate are advised that City Promotions Committee meetings occur on the third Monday of each month, and that regular attendance is essential.

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

There are no financial and budget implications, as this is a Committee of Council.

### **Councillor/Officer Consultation**

N/A

### **Council Policy Compliance**

In accordance with Policy CEO7:

- 5.2 If a committee member is absent from three (3) consecutive meetings without having first been granted formal leave of absence by the other members of the committee; his or her seat on that committee shall become vacant. If required by the Presiding Member of the committee, the Executive Officer will advertise the vacancy (*Note: A written apology will not suffice – the member must seek leave of absence by decision made at a meeting of the committee prior to the absence – City of Bunbury Standing Order 20.9 refers*).

### **Options**

#### Option 1

As per the recommendation

#### Option 2

As per the recommendation with amendments

#### Option 3

Council do not support the recommendation

**Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Steck.

Cr Slater nominated Cr Steele for the position on the committee. Cr Spencer nominated himself. It was requested that both nominations be accepted and both nominees be appointed to the City Promotions Committee. This was agreed to.

It was suggested to amend the motion to remove the words “to fill the current Elected” and replace them with “as voting”. Change “Member” to “Members” and remove the words “vacancy on” and replace with “to”. These amendments were agreed to.

Cr Craddock pointed out that there were two (2) community members’ names missing from the report and asked that the names John Carter and Kersten Jackson be added to the report for the Council meeting.

The Mayor put the motion (as amended) to the vote and was adopted to become the Committee’s recommendation on the matter.

### 11.10 South West Junior Football League Inc. - Proposed Deed of Renewal of Lease over Portion of Reserve 30601 “Hay Park”.

<b>File Ref:</b>	F00109
<b>Applicant/Proponent:</b>	South West Junior Football League Inc
<b>Author:</b>	Bill Carlsen, Project Officer
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services
<b>Attachments:</b>	Appendix 7

#### **Committee Recommendation**

Council agrees to renew the Lease with the South West Junior Football League Inc over portion of Reserve 30601 “Hay Park” for a term of five (5) years subject to the terms and conditions as specified in the report, and the following:

1. The Minister for Lands approval being obtained.
2. The South West Junior Football League Inc to pay all costs associated with the lease application including document preparation, registration and rental assessment.

#### **Summary**

The South West Junior Football League Inc formerly known as The Bunbury and Districts Junior Football Association has occupied its current lease since 1994 and seeks council’s consent to renew its Lease over portion of Reserve 30601 “Hay Park” for a further five (5) year term. A location plan is **attached** at Appendix 7.

#### **Background**

The 74m<sup>2</sup> lease area of Hay Park is the kiosk which is permitted to operate in conjunction with football fixtures and the South West Junior Football League Inc has complied with the provisions of the current lease.

Pursuant to Section 18 of the Land Administration Act 1997, the Office of the Minister for Lands has provided “in principle” approval for the proposal that is now subject to formal approval being granted on receipt of the Lease document.

#### **Current Lease Details**

Commencement:	1 July 2004
Term:	Five (5) years
Expiry Date:	30 June 2009
Rental:	\$780.00 + GST
Rent Review:	CPI annually
Outgoings:	Responsibility of the applicant
Insurance:	Lessee to maintain Public Risk and General Insurance cover over the premises with Public Liability to be set at \$5(M)

Proposed Renewal of Lease Details

Commencement:	1 July 2010
Term:	Five (5) years
Expiry Date:	30 June 2015
Rental:	\$1,050.00 per annum exclusive of GST and indexed annually by CPI
Rent Review:	Third anniversary date
Outgoings:	Responsibility of the Lessee
Insurance:	The Lessee to maintain Public Risk and General Insurance Policies over the premises with Public liability to be set at \$10(M)
Document Preparation:	The applicant to pay full cost of document preparation, lease registration and rental assessment.

The City's Executive and the applicant have mutually agreed on the proposed term and conditions of the Lease.

**Officer Comments**

The South West Junior Football League Inc has leased the site since 1994 and has satisfactorily fulfilled its obligations and responsibilities under the Lease during this time. The applicant provides like-minded participation from local community members and visitors.

**Analysis of Financial and Budget Implications**

The South West Junior Football League Inc will be responsible for all costs associated with the preparation and registration of documentation associated with the extension of the lease.

The lease rental has been calculated on the kiosk facility and based on an independent valuer's assessment with the applicant responsible for all outgoings and maintenance to the courts.

**Options**

Option 1

Per the recommendation as listed in this report.

Option 2

Per the recommendation as listed in this report, with amendments as suggested by council members.

Option 3

Council refuses the proposal by the applicant to renew its lease over portion of Reserve 30601 "Hay Park".



**Outcome – Council Committee Meeting 17 August 2010**

Cr Steck disclosed an impartiality interest in this item (refer section 7) as her children play junior football. She stayed, participated in the discussion and voted on this matter.

The recommendation (as printed) was moved Cr Slater, seconded Cr Steele.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

### 11.11 Report on Strategic Activities for Year ended 30 June 2010

<b>File Ref:</b>	A00836
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Jack Dyson, Senior Administration Officer
<b>Executive:</b>	Ken Weary, Executive Manager Corporate Services
<b>Attachments:</b>	Report issued under separate cover

#### **Committee Recommendation**

**The report on Strategic Activities for the year ended 30 June 2010 be received.**

#### **Summary**

Council adopted the Corporate Strategic Plan 2007 – 2012 on 6 March 2007. A report on strategic activities identified in the Strategic Plan for the period 1 July 2009 to 30 June 2010 is circulated **under separate cover**.

The report lists progress on individual goals and strategies linked to the City's Strategic Plan 2007 – 2012, the Principal Plan of Activities and the Annual Budget.

The report reflects the six headings contained in the Strategic Plan, as follows:

1. Improve relationships with state, federal and other local governments
  - 1.1 Place Bunbury and the South West on the Agenda for the Federal Regional Development Council
  - 1.2 Develop a program of meetings with key State and Federal Government representatives.
  - 1.3 Develop a regional taskforce with key players.
  - 1.4 Establish a City Vision Implementation Taskforce.
2. Strengthen the City of Bunbury's governance, leadership and improve Accountability
  - 2.1 Develop a councillor professional development program
  - 2.2 Implement 5 Year Financial Planning
  - 2.3 Operate Council's land and facilities portfolio as a capital efficient investment
  - 2.4 Improve the level and quality of Customer Service.
3. Deliver major capital projects on time and on budget.
  - 3.1 Develop project management framework
  - 3.2 Have well planned, developed and maintained City Infrastructure.

4. Implement City Vision
  - 4.1 Finalise City Vision Strategy
  - 4.2 Implement City Vision Strategy
  
5. Promote ecological sustainable development of the City's built and natural environment.
  - 5.1 Protect Bunbury's Natural, Cultural and Built Heritage
  - 5.2 Promote Sustainability and Improve Council's Environmental Performance
  - 5.3 Provide a cohesive system of integrated land use planning; and
  
6. Develop Social Capital
  - 6.1 Celebrate and reinforce a positive sense of community
  - 6.2 Community participation, partnership and support
  - 6.3 Community planning and infrastructure
  - 6.4 Community safety
  - 6.5 Social inclusion and needs
  - 6.6 Information and Lifelong Learning.

### **Options**

#### Option 1

As per the recommendation suggested above.

#### Option 2

As per the recommendation suggested above with amendment

### **Outcome – Council Committee Recommendation 17 August 2010**

The recommendation (as printed) was moved Cr Steele, seconded Cr Spencer.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

**11.12 Advisory Committee and/or Project Control Group Minutes to be noted at the Council Committee Meeting**

<b>File Ref:</b>	Various
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Various
<b>Attachments:</b>	Under Separate Cover

**Committee Recommendation**

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

1. Title: Minutes – Land Rationalisation & Acquisitions Committee (29/07/2010)  
Author: Paul Davies, Planning Consultant  
File: A03518
2. Title: Minutes – City Promotion Committee (14/06/2010 & 19/07/2010)  
Author: Nardine Walford-Jones, Events Coordinator  
File: A03402

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

**Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Steck.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

### 11.13 Items to be Noted (No Discussion) at the Council Committee Meeting

<b>File Ref:</b>	Various
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Various
<b>Attachments:</b>	Under Separate Cover

#### Committee Recommendation

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

1. **Title: Building Application/Development Approvals 1 to 30 June 2010**  
**Author: Gary Fitzgerald, Manager Development Services**  
**File: A00088-02**
2. **Title: Schedule of Accounts Paid for the period 1 to 31 July 2010**  
**Author: David Ransom, City Accountant**  
**File: A00083**

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

#### **Outcome – Council Committee Meeting 17 August 2010**

The recommendation (as printed) was moved Cr Slater, seconded Cr Spencer.

The Mayor put the motion to the vote and was adopted to become the Committee's recommendation on the matter.

## 12. Motions on Notice

### 12.1 Motion on Notice – Ski Beach Closure Cost Analysis

<b>File Ref:</b>	A04131
<b>Applicant/Proponent:</b>	Councillor Michelle Steck
<b>Author:</b>	Councillor Michelle Steck
<b>Executive:</b>	<i>If adopted by Council refer to: Michael Scott, Executive Manager, City Services</i>
<b>Attachments:</b>	Nil

Cr Steck submitted the following motion for the Council Committee Meeting on 24 August 2010:

*“That council investigate as best as possible the cost thus far of the closing of the Koombana Bay Ski Beach area for the following;*

- 1. The damage to the brand and image of Tourism to the City of Bunbury.*
- 2. The renewed cost of an advertising campaign to compensate the loss of destination branding and image to the City.*
- 3. The cost to local small business operators who rely so heavily on the tourism trade.*
- 4. The estimated cost of lost revenue in sales or services for local based business such as diving, boating, fishing and the water sports industry.*
- 5. That Council investigate the potential weekly cost of lost revenue and branding to the City pertaining to the Ski Beach closure. “*

#### **Comments - Cr Michelle Steck**

*In support of her motion, Cr Steck states that, "For some time I have had concern in relation to the Ski Beach closure. The closure of the Ski Beach has a direct impact to the City, Tourists and for some small business operators within in the City. Bunbury is the City of the South West and presented by the Premier as the second City of WA. The image of the City is vital for the local tourism operators, the City branding and reliability for tourists. The City closed its Ski Beach during the peak tourism period last year and has been closed since. There is growing evidence to suggest that the Ski Beach will be closed during this peak tourist season also.*

*Council has had the knowledge of dilapidated state of the Jetty for some time, Council does have the wellbeing of the community safety to uphold but I believe Council also has an obligation to City image, the local tourism operators, ski beach users and visitors. There is a real cost for the Ski beach closure and Council needs to define that cost to the community to uphold good governance, for open disclosure and fairness to the community. The cost to repair or demolish the jetty is only one component to the true cost to this community relating to the Jetty. Council could be seen to be ignoring a section of the community and the Tourism branding to the City, if it does not acknowledge and investigate the cost in having the Ski beach closed. "*

### **Executive Comments**

The closure of the Koombana Ski Beach area was not instigated by the City of Bunbury. It was implemented by the Department of Planning and Infrastructure.

Council has contributed significant resources to the immediate area including the provision of public toilets and the recent installation of the protective boom around the restricted area of the waterway.

It is anticipated that Council's support of this area will be ongoing and that further information may be made available at Council Meeting to be held on Tuesday 24 August 2010.

### **Cr Steck's Motion**

That council investigate as best as possible the cost thus far of the closing of the Koombana Bay Ski Beach area for the following;

1. The damage to the brand and image of Tourism to the City of Bunbury.
2. The renewed cost of an advertising campaign to compensate the loss of destination branding and image to the City.
3. The cost to local small business operators who rely so heavily on the tourism trade.
4. The estimated cost of lost revenue in sales or services for local based business such as diving, boating, fishing and the water sports industry.
5. That Council investigate the potential weekly cost of lost revenue and branding to the City pertaining to the Ski Beach closure.

### **13. Urgent Business (With Approval of Majority of Members Present as Permitted Under Standing Order 5.1.13)**

### **14. Items to be Noted or Endorsed**

There are no items recommended for noting.

## 15. Confidential Business as Stipulated Under Section 5.23(2) of the Local Government Act 1995

NOTE: Pursuant to Standing Order 15.10, the following Procedural Motion needs to be moved if there are items to be discussed under this heading: <i>"The meeting exclude members of the public to permit Confidential Business (as defined by the Local Government Act 1995) to be discussed."</i>
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### 15.1 Appointment – Acting Chief Executive Officer (CEO)

<b>File Ref:</b>	A04131
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	His Worship the Mayor
<b>Executive:</b>	His Worship the Mayor
<b>Attachments:</b>	Nil

#### Recommendation

That pursuant to the provisions of Section 5.23 (2) (a) of the Local Government Act 1995 and Clause 15.10 of the City of Bunbury Standing Orders Local Law, that the meeting exclude members of the public to permit Confidential Business (as defined by the Local Government Act) to be discussed.

#### Summary

In accordance with the provisions of the Local Government Act (Administration) Regulations 1995, clause 18A (1), applications have been sought by way of advertisement for the position of Acting Chief Executive Officer, to bridge the gap that will exist between the departure of the City's current CEO Mr Greg Trevaskis and the taking up of the position by his replacement.

Council's CEO selection panel has reviewed applications received for the Acting position and a confidential recommendation will be presented for Council's determination at the meeting.

#### Options

##### Option 1

As per the recommendation listed above.

## 16. Close of Meeting