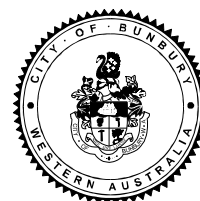


## Council (Standing) Committee

### Notice of Meeting & Agenda 17 August 2010

#### **Committee Terms of Reference** *(last updated 24/11/09)*

1. To review reports and recommendations that are to be submitted to a meeting of the Council and (where appropriate) make alternative recommendations to those recommendations listed in the reports.
2. To request additional information necessary to assist the members of Council in making a decisions.
3. To make reference to appropriate legislation, Council's policies, local laws and the Strategic Plan when making Committee Recommendations to Council.



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

## Table of Contents

| Item No | Subject  | Page |
|---------|--|------|
| 1.      | Declaration of Opening by the Presiding Member.....  | 1    |
| 2.      | Record of Attendance, Apologies and Leave of Absence.....  | 1    |
| 3.      | Responses to 'Public Questions' from the Previous Council<br>Committee Meeting not Answered at that Meeting .....  | 2    |
| 4.      | Public Question Time .....   | 2    |
| 5.      | Questions on Notice from Committee Members (No<br>Discussion Permitted).....   | 2    |
| 6.      | Confirmation of Previous Minutes .....   | 3    |
| 7.      | Disclosures of Interest under the Local Government Act 1995.....   | 3    |
| 8.      | Announcements by the Presiding Member (No Discussion<br>Permitted).....  | 3    |
| 9.      | Chief Executive Officer Reports/Discussion Topics .....  | 3    |
| 10.     | Reception of Formal Petitions and Memorials .....  | 3    |
| 11.     | Reception of Reports and Recommendations from Officers &<br>Advisory Committees.....   | 4    |
| 11.1    | Proposed Proclamation of Bunbury Port Access Road Stage 1<br>(Willinge Drive) as a "Highway".....  | 4    |
| 11.2    | Tender for: Road Reseal Program (RFT 2010 2011-01).....  | 6    |
| 11.3    | Authority to Tender – Bunbury Historic Timber Jetty .....  | 9    |
| 11.4    | Spencer Street Underground Power Program – Localised<br>Enhancement Project – Round 4 .....  | 11   |
| 11.5    | Proposed Allocations under Community Funding Policy.....   | 14   |
| 11.6    | Community Sport and Recreation Facilities Fund ("CSRFF")<br>Small Grant Applications July Round – Bunbury Tennis Club<br>Inc. and Colts Cricket Club Inc. .... | 17   |
| 11.7    | Appointment of Elected Member to the City Promotions<br>Committee .....  | 24   |
| 11.8    | Bunbury Clay Target Club – Reserve 670 (Adjacent to<br>Bunbury Airport) .....  | 26   |
| 11.9    | South West Junior Football League Inc. - Proposed Deed of<br>Renewal of Lease over Portion of Reserve 30601 "Hay Park".....                                    | 29   |
| 11.10   | Report on Strategic Activities for Year ended 30 June 2010.....  | 31   |

---

# Table of Contents

| Item No | Subject  | Page |
|---------|--|------|
| 11.11   | Advisory Committee and/or Project Control Group Minutes to be noted at the Council Committee Meeting .....   | 33   |
| 12.     | Motions on Notice .....  | 34   |
| 12.1    | Motion on Notice – Tree Streets Tree Replacement Program .....   | 34   |
| 13.     | Urgent Business (With Approval of Majority of Members Present as Permitted Under Standing Order 5.1.13)..... | 37   |
| 14.     | Items to be Noted or Endorsed.....   | 37   |
| 14.1    | Items to be Noted (No Discussion) at the Council Committee Meeting .....                                     | 37   |
| 14.2    | Items to be Endorsed (No Discussion) at the Council Committee Meeting.....                                   | 37   |
| 15.     | Confidential Business as Stipulated Under Section 5.23(2) of the Local Government Act 1995 .....             | 38   |
| 16.     | Close of Meeting .....   | 38   |

---

## 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                                    |

## **Council (Standing) Committee 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, 17 August 2010** at 6.00pm.

Greg Trevaskis  
**Chief Executive Officer**  
(Date of Issue: 12/08/2010)

### **Agenda 17 August 2010**

Members of the public to note that recommendations made by this committee are not final and will be subject to adoption (or otherwise) at a future meeting of the Bunbury City Council.

#### *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' from the Previous Council Committee Meeting not Answered at that Meeting**
  
- 4. Public Question Time**
  
- 5. Questions on Notice from Committee Members (No Discussion Permitted)**

**6. Confirmation of Previous Minutes**

The minutes of the Council (Standing) Committee Meeting held 27 July 2010, have been circulated.

**Recommendation**

**The minutes of the Council (Standing) Committee Meeting held 27 July 2010, be confirmed as a true and accurate record.**

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

|  |
|--|
| Members should fill in <i>Disclosure of Interest</i> forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member <u>before</u> 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

### 11.1 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                                    |

#### 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.

## 11.2 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                             |

### 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.

### 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  |

#### **Recommendation**

**Refer the deconstruction of the timber jetty to tender.**

**The 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%**

#### **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.

#### 11.4 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  |

#### 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<br/>(\$,000's)</b> | <b>Revenue<br/>(\$,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.

## 11.5 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                                       |

### 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.

**11.6 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  |

**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              | N/A                             | N/A                            |

|                              |                     |                    |
|------------------------------|---------------------|--------------------|
| Requested                    |                     |                    |
| <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 clubs. | <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 applicants.                          | <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 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.

## 11.7 Appointment of Elected Member 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                                      |

### Recommendation

**Council appoint Cr \_\_\_\_\_ to fill the current Elected Member vacancy on 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 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

#### 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

Council do not support the recommendation

## 11.8 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   |

### Recommendation

1. **The lease with the Bunbury Clay Target Club over a portion of Reserve 670, situated adjacent to the Bunbury Airport not be renewed and the Club be required to vacate the site no later than 30 June 2011, due to: -**
  - a) **Continued safety concerns associated with having a gun club adjacent to and in close proximity to Bunbury Airport, which has been highlighted by a recent report received from the Australian Transport Safety Bureau of gun pellet intrusion into the Airport; and**
  - b) **The land being required for future development of the Bunbury Airport,**
2. **The Department of Sport and Recreation be advised of the above and be requested to advise of possible sites for relocation of the Bunbury Clay Target Club following completion of the “South West Ballistics Project” which is due for completion in September 2010.**

### **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.

**11.9 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                                      |

**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**

|                      |  |
|----------------------|--|
| <b>Commencement:</b> | 1 July 2004  |
| <b>Term:</b>         | Five (5) years   |
| <b>Expiry Date:</b>  | 30 June 2009   |
| <b>Rental:</b>       | \$780.00 + GST   |
| <b>Rent Review:</b>  | CPI annually   |
| <b>Outgoings:</b>    | Responsibility of the applicant  |
| <b>Insurance:</b>    | 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".

### 11.10 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              |

#### **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

**11.11 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 |

**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.

## 12. Motions on Notice

### 12.1 Motion on Notice – Tree Streets Tree Replacement Program

|                             |   |
|-----------------------------|---|
| <b>File Ref:</b>            | A00217  |
| <b>Applicant/Proponent:</b> | Councillor Noel Whittle   |
| <b>Author:</b>              | Councillor Noel Whittle   |
| <b>Executive:</b>           | If adopted by Council refer to: Mike Scott, Executive Manager City Services |
| <b>Attachments:</b>         |   |

Cr Whittle submitted the following motion for the Council Committee Meeting on 17 August 2010:

*"The City will refrain from any planned tree replacement works to remove existing trees or recently planted trees in Stockley Road or the associated streets of the area known as the 'Tree Street Area' until Council has considered the matter further. The City will respect the spirit and intent of this motion."*

#### Comments - Cr Whittle

In support of his/her motion, Cr Whittle states that, *"Following reports of actions by City staff and reports of letters to residents which I have yet to sight, as well as plans for a public meeting organised by residents as a result of the letter, I have significant concerns about the tree replacement program for the Tree Street area. I have sufficient concern to want to organise a halt on any further action by the City."*

#### Officers Comments

Over a period of years the City of Bunbury has been concerned about the decline in health of the Melia azedarach (cape lilac) growing on verges in the tree street area.

Due to this concern in 2007 an independent arborist was engaged to assess the condition of the trees and a subsequent report confirmed the trees are suffering and in a state of rapid decline. The main issues raised in the report are :-

- Lopping is a very destructive form of tree pruning.
- This pruning practice, over a long period of time has lead to the onset of decay.
- Decay leads to an increased risk for the potential for major trunk failure.
- As decay in the main trunk structures continues to occur, this will affect the structural integrity, at which point there will be an increased likelihood for the trees to completely fail.

The City of Bunbury recognises the significance of trees in the area and in 2009 implemented a removal and replacement program over a 10-year period

that offers as little impact on the streetscape as possible. More recently in April 2010, qualified City of Bunbury staff reconsidered the earlier decision to plant trees under power lines that would require ongoing pruning and maintenance, in preference for low growing trees that reach their mature height beneath the power lines.

As part of the consultation with the affected residents the city sought expressions of interest in forming a resident's focus group to assist in resolving the issue of a suitable tree species substitute. The first meeting was held Monday 2nd August 2010 with 13 local residents in attendance. A follow-up meeting is scheduled for Monday 16th August.

The following is a timeline showing the actions that have lead us to this point.

- |          |   |
|----------|---|
| 12/5/98  | Council decision to commence the pollarding of the Cape Lilac street trees on a 2 yearly basis  |
| 16/11/07 | Arbor Logic provided the City with a Tree Surgeon's report on the health condition of the Cape Lilacs                                     |
| 28/3/08  | Memo to Councillors on the proposed 10 year replacement program, and its cost implications  |
| 27/10/08 | Senior Horticultural Officer held information night on suitable tree species selection  |
| 9/12/08  | Senior Horticultural Officer distributes letter to residents offering three options as suitable street tree options                       |
| 11/3/09  | Senior Horticultural Officer distributes letter to residents on the tree preferences for individual streets                               |
| 17/3/09  | Cr Whittle raises item of urgent business for residents to form a tree street precinct focus group  |
| 24/3/09  | Council decision 48/09 "Council officers to contact residents to form a focus group"  |
| --/4/09  | Budget allocation for tree replacement program in draft budget  |
| --/8/09  | Budget adopted  |
| --/9/09  | Replacement plan commences - 31 Jacarandas installed on northern verge of Stockley St   |
| 28/4/10  | City's Landscape Architect distributes letter to residents informing of change of plan to reconsider planting Jacarandas under powerlines |
| 5/7/10   | City's Landscape Architect seeks interest in forming a resident's focus group   |
| 2/8/10   | First focus group meeting held - 13 residents in attendance   |
| 16/8/10  | Second focus group meeting scheduled  |



**Cr Whittle's Motion**

The City will refrain from any planned tree replacement works to remove existing trees or recently planted trees in Stockley Road or the associated streets of the area known as the 'Tree Street Area' until Council has considered the matter further. The City will respect the spirit and intent of this motion.

**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**

**14.1 Items to be Noted (No Discussion) at the Council Committee Meeting**

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

**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**.

**14.2 Items to be Endorsed (No Discussion) at the Council Committee Meeting**

There are no items recommended for endorsement.

**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: *"The meeting exclude members of the public to permit Confidential Business (as defined by the Local Government Act 1995) to be discussed."*

**16. Close of Meeting**