

Council (Standing) Committee

Minutes 15 January 2013

Committee Terms of Reference *(last updated 18/11/11)*

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.

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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

GLOSSARY OF ABBREVIATED TERMS

Term	Explanation
LCC	Leschenault Catchment Council
LEMC	Bunbury Local Emergency Management Committee
LIA	Light Industrial Area
LN (2000)	Liveable Neighbourhoods Policy (2000)
LSNA	Local Significant Natural Area
MHDG	Marlston Hill Design Guidelines
MRWA	Main Roads Western Australia
NDMP	National Disaster Mitigation Program
NEEDAC	Noongar Employment & Enterprise Development Aboriginal Corp.
NRM	Natural Resource Management
NRMO	Natural Resource Management Officer
ODP	Outline Development Plan
PAW	Public Access Way
PHCC	Peel-Harvey Catchment Council
PR	Plot Ratio
R-IC	Residential Inner City (Housing) - special density provisions
RDC	Residential Design Codes
RDG	Residential Design Guidelines
Residential R15	Town Planning Zone – up to 15 residential dwellings per hectare
Residential R20	Town Planning Zone – up to 20 residential dwellings per hectare
Residential R40	Town Planning Zone – up to 40 residential dwellings per hectare
Residential R60	Town Planning Zone – up to 60 residential dwellings per hectare
RFDS	Royal Flying Doctor Service
RMFFL	Recommended Minimum Finished Floor Levels
ROS	Regional Open Space
ROW	Right-of-Way
RSL	Returned Services League
SBCC	South Bunbury Cricket Club Inc.
SCADA	Supervisory Control and Data Acquisition
SGDC	Sportsgrounds Development Committee
SW	South West
SWACC	South Western Area Consultative Committee
SWAMS	South West Aboriginal Medical Service
SWBP	South West Biodiversity Project
SWCC	South West Catchments Council
SWDC	South West Development Commission
SWDRP	South West Dolphin Research Program
SWEL	South West Electronic Library
SWSC	South West Sports Centre
TME	Thompson McRobert Edgeloe
TPS	Town Planning Scheme
USBA	Union Bank of Switzerland Australia
VGO	Valuer General's Office
VOIP	Voice-Over Internet Protocol
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission
WAPRES	Western Australian Plantation Resources
WAWA	Water Authority of Western Australia
WC	Water Corporation
WML	WML Consultants
WRC	Waters and Rivers Commission



Council (Standing) Committee Minutes

Minutes of the Ordinary Meeting of the Council (Standing) Committee held in Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday 15 January 2013.

Minutes 15 January 2013

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.

1. Declaration of Opening / Announcements of Visitors

His Worship the Mayor, Mr David Smith, declared the meeting open at 5.59pm.

The Mayor made special mention of the attendance at the meeting of the Mayoress, the partners of Cr Cook and Cr Kelly and the wife and daughter of the Chief Executive Officer.

John Castrilli, Member for Bunbury, Minister for Local Government; Heritage; Citizenship and Multicultural Interests arrived at the meeting during the deputation and debate on the Lowe Street renumbering item.

2. Disclaimer

NOTE: WHERE A RECORDING OR LIVE STREAMING OF A MEETING IS TO TAKE PLACE, THE PRESIDING MEMBER WILL ADVISE THOSE PRESENT THAT SUCH ACTION WILL BE OCCURRING.

All persons present are advised that the proceedings of this meeting will be recorded for record keeping purposes and to ensure accuracy in the minute taking process. From time to time the proceedings of this meeting may also be streamed live via the internet to the public.

3. Announcements from the Presiding Member

The Mayor took the opportunity of thanking the Deputy Mayor for stepping in for him during his absence.

4. Attendance

Present:

Council Committee Members:	
Presiding Member	His Worship the Mayor, Mr D Smith
Deputy Presiding Member	Deputy Mayor Cr S Craddock
Members	Councillor J Jones
	Councillor M Steck
	Councillor R Slater
	Councillor K Steele
	Councillor B Kelly
	Councillor N McNeill
	Councillor M Cook
	Councillor S Morris
Executive Management Team (Non-Voting):	
Chief Executive Officer	Mr A Brien
Director Community and Customer Services	Ms S Addison-Brown
Director Corporate Services	Mr W Wright
Director Planning and Development Services	Mr T Farnworth (Acting)
Director Works and Services	Mr P Harris
Council Officers (Non-Voting):	
Manager Corporate Performance	Mr G Golinski
Manager Community, Culture and Engagement	Ms F Anderson
Community Development Officer	Ms I Evans
Media and Communications Officer	Ms K Phillips
Administration Officer Corporate	Ms N Hribar
Others (Non-Voting):	
Members of the Public	8 approx
Members of the Press	1

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Councillor David Prosser is on Leave of Absence from 5 December 2012 to 1 February 2013 (inclusive).

Councillor Alfred Leigh is on Leave of Absence from 4 to 20 January 2013 (inclusive).

5. Declaration of Interest

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

Cr Jones declared an impartiality interest in the item titled '*Proposed Street Renumbering – Lowe Street Carey Park*' as she was the former owner of 2 Lowe Street. She has elected to remain in the chambers, participate in the discussion and vote on the matter.

6. Public Question Time

Members of the Public please note that:

- (1) Questions are to be brief, to the point and MUST relate to an item listed in this agenda;
- (2) A completed Question Form is to be filled out and left in the tray provided in the Council chambers. Forms can be found inside the chambers at the back of the public gallery or on the Council's website;
- (3) Form must include name and address of the person asking the question.
- (4) The person asking the question must be present at the meeting;
- (5) Only three (3) questions are to be asked;
- (6) If your question requires research or cannot be answered at the meeting, it will be taken 'on notice' and you will receive a written response; and
- (7) Only a 'summary' of your question (and any responses provided) will be printed in the minutes of the meeting.

6.1 Responses to Public Questions Taken 'On Notice'

Nil

6.2 Public Question Time

Mr Andrew Mullen, U2/26 Ramillies Street Bunbury

Mr Mullen owns a property in Lowe Street which will be affected by the renumbering and he asked questions in relation to the Proposed Renumbering of Lowe Street in Carey Park.

Question: Who is responsible for meeting all the costs associated with this change if it gets accepted i.e. Legal deeds, title changes etc.?

Response: Director Corporate Services – Certificates of Title and mortgages are based on Lot numbers not house numbers so there should be no change or costs associated with them. The question will be taken on notice as I will need to check the wording in our policy as to where the responsibility lies.

Question: Why has the whole of Lowe Street (even number houses) been asked to change for one developer – 17 owners, 1 developer?

Response: Mayor – the request has been made by the developer and it is then up to Council to approve the request or not.

7. Confirmation of Previous Minutes and Tabling of Notes of Briefings and other Meetings under Clause 19.1

7.1 Minutes

7.1.1 Council (Standing) Committee Meeting

The minutes of the Council (Standing) Committee meeting held 4 December 2012 have been circulated.

Recommendation

The minutes of the Council (Standing) Committee meeting held 4 December 2012 be confirmed as a true and accurate record.

Outcome – Council Committee Meeting 15 January 2013

The recommendation (as printed) was moved Deputy Mayor Cr Craddock, seconded Cr Cook.

Cr Kelly stated that on page 35 of the minutes of the Council Committee meeting held 4 December 2012 has him leaving the meeting at 7.40pm and returning at 7.42pm and not being present for the vote. He recalls that he was present for the voting on that item and asks if the minutes can be changed to reflect that he was present for the vote.

The mover and seconder agree to accept that the minutes be accepted with the amendment.

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

Council Committee Recommendation

The minutes of the Council (Standing) Committee meeting held 4 December 2012 be confirmed as a true and accurate record incorporating the requested amendments.

CARRIED
10 votes "for" / nil votes "against"

7.1.2 Minutes – Council Advisory Committees and Working/Project Groups

File Ref:	Various
Applicant/Proponent:	Internal Report
Author:	Various
Executive:	Various
Attachments:	Appendix MTBN-1 , MTBN-2 , MTBN-3 , MTBN-4

Recommendation

The following Advisory Committee Meeting Minutes listed in the report, be accepted and noted:

1. Title: Minutes – Bunbury Region RoadWise Committee Meeting 07/11/2012
Author: Jason Gick, Manager Engineering
Appendix: [MTBN-1](#)
2. Title: Minutes – Youth Advisory Council Committee Meeting 05/12/2012
Author: Isabell Evans, Community Development Officer
Appendix: [MTBN-2](#)
3. Title: Minutes – Community Access Committee Meeting 07/12/2012
Author: Caris Gibson, Team Leader Community Development
Appendix: [MTBN-3](#)
4. Title: Minutes – City of Bunbury Art Collection Management Committee Meeting 10/12/2012
Author: Caroline Lunel, Arts Registrar/Curator
Appendix: [MTBN-4](#)

Outcome – Council Committee Meeting 15 January 2013

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

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

Council Committee Recommendation

The following Advisory Committee Meeting Minutes listed in the report, be accepted and noted:

1. Title: Minutes – Bunbury Region RoadWise Committee Meeting 07/11/2012
Author: Jason Gick, Manager Engineering
Appendix: [MTBN-1](#)
2. Title: Minutes – Youth Advisory Council Committee Meeting 05/12/2012
Author: Isabell Evans, Community Development Officer
Appendix: [MTBN-2](#)
3. Title: Minutes – Community Access Committee Meeting 07/12/2012
Author: Caris Gibson, Team Leader Community Development

Appendix: MTBN-3

4. *Title: Minutes – City of Bunbury Art Collection Management Committee Meeting 10/12/2012*
Author: Caroline Lunel, Arts Registrar/Curator
Appendix: MTBN-4

CARRIED
10 votes “for” / nil votes “against”

8. Presentations

8.1 *Petitions*

Nil

8.2 *Presentations*

Nil

8.3 *Deputations*

Ms Amanda Sommerville from Kroon Legal, 18 Carey Street Bunbury

Ms Sommerville from Kroon Legal addressed the Committee on behalf of the applicant for the street renumbering in Lowe Street Carey Park. Ms Sommerville outlined the reasoning behind the proposal and why the applicant put the request in to the City. She stated that the initial problem of the housing numbers was caused when the Department of Housing was granted permission to subdivide the block known as 49 Frankel Street in 1997. The second unit (49B Frankel) faces Lowe Street and has unofficially taken the number of 2A Lowe Street. They believe that there could be an issue of misidentification of houses if there is a 2A and a 2/1 Lowe Street and could cause confusion with the Emergency Services.

Mr Andrew Mullen, U2/26 Ramillies Street Bunbury

Mr Mullen addressed the Committee stating why he was against the recommendation to renumber the houses in Lowe Street. He believed that this recommendation would create a cost to the owners having to change all legal documents in regards to the land such as mortgages, certificates of title etc.

Ms Carlee Brien, Youth Mayor – Youth Advisory Council

Ms Brien addressed the Committee on behalf of the Youth Advisory Council (YAC) Committee in favour of the recommendation in the item titled '*Youth Advisory Council Committee Meeting Location*'. She stated that the YAC Committee would like to hold their first formal meeting in the Council Chambers as they would like to get a more formal feel of how Council meetings are run and look at how the YAC can incorporate that process into their own meetings. They are committed to making a greater contribution in the decisions affecting the Youth of Bunbury and the surrounding areas. She stated that the YAC members had participated in a planning day which will help guide their activities over the coming year. She also touched on the item regarding the membership to the YAC Committee.

8.4 *Council Delegates' Reports*

Nil

8.5 *Conference Delegates' Reports*

Nil

9. Method of Dealing with Agenda Business

The Mayor stated that he would take the items that were the subject of depositions first and then deal with the remaining items on the agenda.

The items on the agenda were discussed in the following order – 10.3.3, 10.1.1, 10.1.2, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.3.1, 10.3.2, 10.3.4, 10.3.5, 10.3.6, 10.4.1, 10.4.2, 10.5.1, 10.5.2, 10.5.3, 10.5.4, 10.5.5 and 10.5.6.

The minutes of each item has remained in the chronological order that they appeared on the agenda.

10. Reports

10.1 Recommendations from Advisory Committees

10.1.1 Youth Advisory Council Committee Meeting Location

File Ref:	A05254
Applicant/Proponent:	Internal
Author:	Isabell Evans, Community Development Officer
Executive:	Stephanie Addison-Brown, Director Community and Customer Services
Attachments:	Nil

Summary

This report seeks approval for a Committee meeting to be held within Council Chambers, as per the interest expressed by Committee members at a previous meeting.

Advisory Committee Recommendation

That Council grants the Youth Advisory Council Committee access to the Council Chambers for their first 2013 meeting, to be held 4:00pm – 5:00pm on Wednesday, 6 February 2013.

Background

At a Committee meeting on Wednesday 7 November 2012 Youth Mayor Carlee Brien expressed interest in holding a Committee meeting within the Council chambers. This interest was shared by other Committee Members.

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

It is recommended that given the recent Committee election period the first 2013 meeting should be the one which is held in the Council chambers. This meeting will thus act as a motivational start to the New Year for new and existing Committee members.

Youth Mayor Carlee Brien will approach Council regarding this request.

Analysis of Financial and Budget Implications

There are no implications on budget relating to this item.

Community Consultation

Not applicable

Councillor/Officer Consultation

This item brings the matter to Council’s attention. The Council representatives mentioned above are aware of the proposal.

Outcome – Council Committee Meeting 15 January 2013

The recommendation (as printed) from the Advisory Committee was moved Cr Steck, seconded Cr McNeill.

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

Council Committee Recommendation

That Council grants the Youth Advisory Council Committee access to the Council Chambers for their first 2013 meeting, to be held 4:00pm – 5:00pm on Wednesday, 6 February 2013.

CARRIED

10 votes “for” / nil votes “against”

10.1.2 Youth Advisory Council Committee Membership

File Ref:	A05254
Applicant/Proponent:	Internal
Author:	Isabell Evans, Community Development Officer
Executive:	Stephanie Addison-Brown, Director Community and Customer Services
Attachments:	Nil

Summary

Council recently approved a report outlining recommendations for the Committee's current membership and future structure up until October 2013 (Council Decision 310/12).

Following the nomination process undertaken as per the aforementioned decision, this report puts forth a recommendation to Council regarding the make-up of the Committee up until the next Ordinary Election.

Advisory Committee Recommendation

That Council;

1. Approves the election of four (4) community youth representatives to the Youth Advisory Council Committee; Ms Bronte Evans, Mr Cody Melvin, Ms Nikeisha Cain and Mr Sean Smith.
2. Allows the one (1) remaining vacant position to remain open.

Background

Following its recent review of all Advisory Committees, Council resolved to re-elect the five (5) community youth representatives currently sitting on the Committee up until October 2013, and to also call for nominations for the five (5) vacant positions (Council Decision 310/12).

The nomination period was then advertised extensively; through local print and radio media, through visits to high schools within Bunbury, through online networks and the Youth Advisory Council's Facebook page, and also through the current membership of the Council and it's Committee.

As a result, the Community Development Team received four (4) nominations; from Ms Bronte Evans, Mr Cody Melvin, Ms Nikeisha Cain and Mr Sean Smith. All four (4) nominees have previously demonstrated, and continue to demonstrate, leadership qualities and a commitment to the betterment of Bunbury and thus would be appropriate members of the Youth Advisory Council Committee.

Council Policy Compliance

Nil.

Legislative Compliance

Section 5.10 of the Local Government Act (1995) refers to the Appointment of Committee Members.

Officer Comments

Although given the four (4) nominations, one (1) vacant position still exists on the Committee. It is recommended that this position remain open and in the interim the nominees be elected.

This recommendation is presented in order to maximise Committee productivity, engagement and also the ability to respond to its Terms of Reference.

Analysis of Financial and Budget Implications

There are no implications on budget relating to this item.

Community Consultation

As mentioned in the background to this report, the community has been made thoroughly aware of the vacant Committee positions and subsequent nomination period, through local print and radio media, through visits to high schools within Bunbury, through online networks and the Youth Advisory Council's Facebook page, and also through the current membership of the Council and its Committee.

Councillor/Officer Consultation

This item brings the matter to Council's attention. The Council representatives mentioned above are aware of the proposal.

Outcome – Council Committee Meeting 15 January 2013

The recommendation (as printed) from the Advisory Committee was moved Cr Steck, seconded Cr Slater.

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

Council Committee Recommendation

That Council;

- 1. Approves the election of four (4) community youth representatives to the Youth Advisory Council Committee; Ms Bronte Evans, Mr Cody Melvin, Ms Nikeisha Cain and Mr Sean Smith.*
- 2. Allows the one (1) remaining vacant position to remain open.*

CARRIED

10 votes "for" / nil votes "against"

10.2 Chief Executive Officer Reports

10.2.1 Resignation/Replacement – Councillor Alfred Leigh – Bunbury Setagaya Sister Cities Committee

File Ref:	A00443
Applicant/Proponent:	Internal Report
Author:	Jack Dyson, Team Leader Corporate Administration
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary

Councillor Alfred Leigh has given written notice of his resignation from the Bunbury Setagaya Sister Cities Committee effective from 1 January 2013.

Consequently a replacement elected member representative is sought to fill the vacancy.

Executive Recommendation

That Council appoint Cr _____ to the Bunbury Setagaya Sister Cities Committee as a replacement for Cr Leigh.

Background

Cr Leigh has provided advice of his resignation as a member of the Bunbury Setagaya Sister Cities Committee effective 1 January 2013.

Cr Leigh wishes the committee every success for the future.

The replacement is required for a term to expire at the 19 October 2013 Local Government election.

Current membership of this committee is as follows:

- Councillor Karen Steele; and

Eight (8) community representatives:

- Andreas (Harry) Ostendon,
- Valda Smith OAM,
- Pauline Vukelic,
- Suzanne Ellis,
- David Byatt,
- Kazuyuki Shimada,
- Alan Whitfield; and
- Kazoo Sumi.

Council Policy Compliance

Council Policy CEO7 – Establishment and Operation of Council Advisory Committees.

Legislative Compliance

Local Government Act 1995 and associated Regulations.

Officer Comments

This committee meets on a monthly basis at 5.30pm and meetings last approximately 1.5 hours.

For the information of members, the current Terms of Reference for the committee are as follow:

- “1. *To publicise and educate the Bunbury community on its Sister City relationship with the City of Setagaya through active promotional programs and liaison with community, educational and commercial organisations.*
2. *To encourage the development of special links between individuals and interest groups of the two (2) communities.*
3. *To encourage and plan for cross cultural visitations between the cities of Bunbury and Setagaya.*
4. *To identify opportunities to develop areas of mutual interest between the two (2) cities.*
5. *To advise the Bunbury City Council on matters relating to the Sister City relationship; and*
6. *All communications to the Mayor of Setagaya shall be through the Mayor of Bunbury’s office.”*

Analysis of Financial and Budget Implications

There are no financial or budgetary implications with this matter.

Community Consultation

There is no requirement for community consultation on this item.

Councillor/Officer Consultation

This item draws the matter of Cr Leigh’s resignation from the committee to the attention of Council.

Outcome – Council Committee Meeting 15 January 2013

The Mayor asked the Councillors for a nominee to replace Cr Leigh. Cr Slater nominated Councillor McNeill for the position. Cr McNeill accepted the nomination and no other Councillor nominated.

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

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

Council Committee Recommendation

That Council appoint Cr McNeill to the Bunbury Setagaya Sister Cities Committee as a replacement for Cr Leigh.

CARRIED

10 votes “for” / nil votes “against”

10.2.2 Regional Capital Australia Conference: Regionalism 2.0, 20/21 February 2013

File Ref:	A04597
Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary

The Regionalism 2.0 forum will bring together stakeholders working in the regional city space to help Regional Capitals Australia explore the creation of a policy mandate “National Building through Strong Capitals and Connected Communities.”

Executive Recommendation

That Council endorse the attendance of the Chief Executive Officer and Mayor (or Council’s representative) at the Regional Capitals Australia Conference: Regionalism 2.0 to be held from 20 to 21 February 2013 at the City of Greater Geelong.

Background

The ‘Regionalism 2.0’ forum will create a platform to engage with Australia’s federal policy makers. The topics of discussion will focus on how to create regional capitals that can grow the economic and social prosperity of Australia’s regions as well as contributing to the nation building agenda.

The forum will be launched with the Hon. Simon Crean – Minister for Regional Australia, Regional Development and Local Government. Each Regionalism 2.0 session will be led by a federal policy and industry expert and produce a Regional Capitals Australia mandate for action.

The session themes are:

- Regional capital specific urban planning;
- The role of regional capitals in region-wide economic growth;
- Local, State and Federal shared governance structures.

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

This conference is very relevant to the challenges facing the City of Bunbury in the future. Whilst it deals with policy issues surrounding regional cities, the conference also includes a ‘think tank’ event titled ‘Regional resilience through strong city centres’. This will explore the contribution robust regional city centres can make in securing liveability and climate compatible economic development for regional cities and their hinterlands. This is especially relevant to the City of Bunbury, and will give us access to urban, social and

economic practitioners, business and property professionals, and researchers and strategists.

Analysis of Financial and Budget Implications

The cost of the conference is \$1,000 per attendee, plus flights and accommodation.

The cost of this will be funded from the money allocated by Council to the WA Regional Capitals Alliance as part of the base operating budget for 2012/13.

Community Consultation

Not applicable

Councillor/Officer Consultation

Not applicable

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation was moved Deputy Mayor Cr Craddock with the removal of the words “(or Council’s representative)”. There was no seconder so the motion lapsed.

Cr Kelly nominated Cr Slater to attend the conference with both the Mayor and Chief Executive Officer. Cr Slater accepted the nomination.

The Executive recommendation (as amended) was moved Cr Kelly, seconded Cr Steele.

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

Council Committee Recommendation

That Council endorse the attendance of the Chief Executive Officer, the Mayor and Cr Slater at the Regional Capitals Australia Conference: Regionalism 2.0 to be held from 20 to 21 February 2013 at the City of Greater Geelong.

CARRIED

10 votes “for” / nil votes “against”

10.2.3 Submission on the Metropolitan Local Government Review

File Ref:	A04597
Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary

The State Government has recently released the Robson Report into the Review of Metropolitan Local Government. At the recent Zone meeting the issue was also listed for consideration. The report identified a number of recommendations that are specific to the Metropolitan Councils; however there are also some that have the potential to impact across the entire local government sector. Submissions have been called for on the report and this item seeks to obtain a council position on each of the recommendations.

Executive Recommendation

That Council endorse the preparation of a submission by the Chief Executive Officer in relation to the Metropolitan Local Government Review based on the Council agreed position as outlined in the summary table in this report.

Background

A copy of the Robson Report has been distributed to Councillors as a separate item for information and in self-explanatory.

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Analysis of Financial and Budget Implications

Nil

Officer Comments

Below is a table which provides an overview of the Recommendations from the Robson Report, WALGA position and the proposed position to go forward in the preparation of the submission.

	Recommendation	WALGA Position	CEO Draft Position	Council Support Y/N
1	The State Government give consideration to the inequities that exist in Local Government rating, including rate- equivalent payments and State Agreement Acts.	Support (WALGA Recommendation 5) – That LandCorp and other Government Trading Entities' rate equivalency payments be made to the relevant Local Governments instead of the State Government	Support the WALGA position	

2	A collaborative process between State and Local Government be commenced to establish a new Partnership Agreement which will progress strategic issues and key result areas for both State Government and Local Government.	Support (WALGA Recommendation 1) – A protocol guiding communication and consultation between the State Government and the Local Government sector be developed and implemented as a matter of urgency	Agreed. This needs to be sector wide and not just Metro-based. A Partnership Agreement between State and LGA's to progress the provision of strategic infrastructure and facilities to stimulate economic growth. .	
3	The State Government facilitate improved co-ordination between State Government agencies in the metropolitan area, including between State Government agencies and Local Government.	Support (WALGA Submission to Issues Paper – p40-42 – Critical Success Factor: Intergovernmental Relations)	P/Agreement that aligns cross-government agency Business Plans to deliver timely infrastructure and services	
4	A full review of State and Local Government functions be undertaken by the proposed Local Government Commission as a second stage in the reform process.	Sector to determine WALGA position	Any review of financial responsibilities needs to consider the issues of funding, legislative reforms and integration with all levels of LG. This is much wider than the Metro Councils and a final position must be sector wide	
5	In conjunction with the proposed structural and governance reforms, that Local Government planning approval powers be reinstated in metropolitan Perth by the State Government.	Panel Finding 12 is NOTED . (WALGA Submission to Draft Findings, p19 – “As a general principle, the Association always supports the empowerment of Local Government as democratically elected community representatives.”)	Agreed with however need to be sector wide to ensure consistency across the sector. The problem with having different powers for a single LG is that it creates inequities across the State. For example in QLD the City of Brisbane has its own Act which then has to be read in conjunction with the LG Act. This has the potential to impact on boundary issues between Perth and surrounding local authorities. Consistent Planning Framework, LP Strategy and scheme, preserving discrete local differences, such as heritage areas.	
6	The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with Local Government.	Panel Finding 10 is CONDITIONALLY SUPPORTED . Local Government demands more State Government engagement and leadership on the issue of waste management.	Again, this needs to be looked at on a whole of sector approach and not just metro. Regional RRR strategies synergy with cost and operational efficiencies	
7	A shared vision for the future of Perth be developed by the State Government, in conjunction with Local Government, stakeholder and community groups.	Panel Finding 6 is SUPPORTED for Metropolitan Perth.	No comment A shared regional vision is essential to underpin strategic infrastructure and service provision to support economic growth	
8	A Forum of Mayors be	Panel Finding 20: the principle	Whilst the concept is	

	formed to facilitate regional collaboration and effective lobbying for the needs of the metropolitan area and to provide a voice for Perth.	of a Forum or Council of Mayors is supported .	supported in principle, there is a need to ensure that the voice of the rest of the Mayors is not lost at the State level. With the forum of Mayors being established just for the forum, this could create a problem for other areas of the state.	
9	The Forum of Mayors be chaired by the Lord Mayor of the modified City of Perth in the first instance.	Sector to determine WALGA position	No formal position on this Rotational one year terms	
10	The newly created Local Governments should make the development and support of best practice community engagement a priority, including consideration of place management approaches and participatory governance modes, recognition of new and emerging social media channels and the use of open- government platforms.	Panel Finding 7 is NOTED with the following additional comment: obviously Local Government size will impact on 'sense of place' and local identity and great care must be taken to protect those in any amalgamation. Panel Findings 18 and 19 are NOTED .	The work that has been done to date across the State in relation to Integrated Strategic Planning provides a sound platform to move forward on this. Any changes to the current framework should be sector wide and supported by appropriate legislation and financial support from State Government.	
11	The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the Local Government Act 1995 be repealed for the metropolitan area and a transitional plan for dissolving the existing bodies in the metropolitan area be developed.	Sector to determine WALGA position	Whilst not appropriate to comment on the Metro position, current requirements for Regional Councils are relatively restrictive and any changes should be focused on the establishment of a framework to promote and support regional approaches to essential infrastructure service provision, needs to be supported through legislative and financial support for transitional arrangements.	
12	The State Government give consideration to transferring oversight responsibility for developments at Perth's airports, major hospitals and universities to the Metropolitan Redevelopment Authority.	Sector to determine WALGA position	The potential for this to have flow on impacts to regional centres needs to be investigated to ensure that development authorities do not simply get used to implement State projects and override local planning decisions. State Government should be required to work within the holistic Strategic Planning Framework as poor sighting scale and function may undermine local efforts for economic growth and social cohesion.	
13	Periodic Local Government boundary reviews are	Panel Finding 16 is NOTED .	This needs to be looked at from a state-wide	

	undertaken by an independent body every 15 years to ensure the city's Local Government structure continues to be optimal as the metropolitan region develops.		perspective and not just Metro. The high levels of development and investment in some regional areas means that growth in these areas may create additional challenges which may be best addressed through boundary change. Considered in the context of regional and Local Planning Strategies	
14	The Local Government Advisory Board be dissolved and its operating and process provisions in the Local Government Act 1995 be rescinded, with the Local Government Commission taking over its roles, including consideration of representation reviews.	<p>The intent of Panel Finding 11 is SUPPORTED subject to:</p> <ol style="list-style-type: none"> 1. Responsibility for Intergovernmental Agreements sitting with the Department of Premier and Cabinet, in liaison with WALGA. 2. The Local Government Commission, established as an independent body from the Department of Local Government, undertaking the following functions: <p>The majority of the advisory and sector support functions currently undertaken by the Department of Local Government Progressing Local Government's ability to examine and improve its sustainability</p> <ul style="list-style-type: none"> • Improving access to consistent aggregated Local Government financial information • Encouraging standard asset management practices • Encouraging long term strategic financial planning and management, and <p>Assisting with the implementation of community infrastructure planning</p>	WALGA position is supported	
15	A new structure of Local Government in metropolitan Perth be created through specific legislation which: <ol style="list-style-type: none"> a) incorporates all of the Swan and Canning Rivers within applicable Local Government areas transfers Rottnest Island to the proposed Local Government centred around the City of Fremantle reduces the number of Local Governments in metropolitan Perth to 12, with boundaries as 	<p>Sector to determine WALGA Position</p> <p>Sector to determine WALGA Position</p> <ol style="list-style-type: none"> 1. Panel Finding 13 is NOT SUPPORTED. 2. WALGA supports a Governance Model for the Perth metropolitan region consisting of approximately 15-20 Local Governments, and will work towards achieving this objective, based on sustainability principles, with reference to Directions 2031, using existing Local Government boundaries 	Decision on the number of local governments across the State should be based on beneficial physical environmental, social and economic outcomes for the community. Needs to be based on strategic parameters and criterion focused around sustainability and serviceability.	

	detailed in Section 5 of this report.	as a starting point.		
16	Consideration be given to all Local Government elections being conducted by the Western Australian Electoral Commission.	Oppose – the Association’s formal position is that other bodies, including Local Governments, should be empowered to conduct postal elections.	In order for the electoral commission to take on the role, it would need to be demonstrated that it could be done in a more cost effective manner.	
17	Compulsory voting for Local Government elections be enacted.	Panel Finding 23a is OPPOSED	The majority of States and territories have compulsory voting and this helps to ensure that the entire community is engaged in determining strategic economic directions. In the event that all voting was to become compulsory this would need to include a move towards in-person voting rather than postal.	
18	All Mayors and Presidents be directly elected by the community.	Panel Finding 23c is NOTED .	No change to current position	
19	Party and group nominations for Local Government electoral vacancies be permitted.	Sector to determine WALGA position	For this to be supported there is need to consider the legislative changes which may be required. Declaration of partisan support including funding	
20	Elected members be limited to serving three consecutive terms as councillor and two consecutive terms as Mayor/President.	Opposed in the text of WALGA’s Submission to Draft Findings (p31) – “The concept of term limits for Elected Members is raised in the document. Term limits for Elected Members are not supported.”	Agreed	
21	Elected members be provided with appropriate training to encourage strategic leadership and board-like behaviour.	Panel Finding 23b is SUPPORTED . Panel Finding 23e is SUPPORTED .	Agreed	
22	A full review of the current legislation be conducted to address the issue of the property franchise and the most appropriate voting system (noting the Panel considers that first-past-the- post is inappropriate for the larger districts that it has recommended).	Sector to determine WALGA position	The move away from first past the post to either preferential or optional preferential should only be supported if the decision is made to move to compulsory voting. The change would not be likely to have any major impact with the current low level of voter response.	
23	Implementation of the proposed setting of fees and allowances for elected members as set by the Salaries and Allowances Tribunal.	Panel Finding 23d is SUPPORTED .	Agreed	
24	Payments made to elected members be reported to the community on a regular basis by each Local Government.	No position (It is a requirement of the Local Government (Financial Management) Regulations 1996 for payments to Elected Members to be reported in the Annual Report).	Agreed	
25	The Public Sector	Support – WALGA’s Submission to	This should only be	

	Commission provide advice and assistance to Local Governments in the appointment and performance management of Local Government Chief Executive Officers with consideration given to the Public Sector Commission being represented on relevant selection panels and committees.	the Draft Findings (p33) states, "The text supporting this Finding suggests that, while remaining a Council responsibility, there should be oversight of the CEO recruitment and performance management processes by an independent body. This concept should be included in the Finding."	supported if the Council retained the authority to appoint/dismiss the CEO. Any requirement to involve another party may only serve to confuse the issue.	
26	A State Government decision on reform should be made as soon as possible, and if the decision is to proceed with structural reforms, the process of implementation should begin without delay.	Support – WALGA Additional Recommendation I: "That the State Government be requested to: 1. Release the Metropolitan Local Government Review Panel's final report for a two month sector consultation period, and 2. Declare its position in regard to Local Government reform prior to the 2013 State election"	Agreed	
27	Councils take on a leadership role in the reform debate and prepare their residents now for the possibility of changes in the future.	Sector to determine WALGA position	The local debate on reform has been ongoing for some time with each local government adopting their own position. In order for there to be meaningful debate/discussion at the local level it needs to be supported through appropriate information being provided by independent sources e.g. for consultants to be engaged by the state to look at specific City/Shires to be merged.	
28	The State Government assist and support Local Governments by providing tools to cope with change and developing an overarching communication and change management strategy.	Sector to determine WALGA position	Much of the work on coping with change has already been developed and needs to be rolled out on a state-wide basis. Refer to examples from other states.	
29	A Local Government Commission be established as an independent body to administer and implement the structural and governance reforms recommended by the Panel, and facilitate the ongoing relationship between State and Local Government.	The intent of Panel Finding 11 is SUPPORTED subject to: 1. Responsibility for Intergovernmental Agreements sitting with the Department of Premier and Cabinet, in liaison with WALGA. 2. The Local Government Commission, established as an independent body from the Department of Local Government, undertaking the following functions: • The majority of the advisory and sector support functions currently undertaken by the Department of Local	Agreed	

		Government Progressing Local Government's ability to examine and improve its sustainability <ul style="list-style-type: none"> • Improving access to consistent aggregated Local Government financial information • Encouraging standard asset management practices • Encouraging long term strategic financial planning and management, and • Assisting with the implementation of community infrastructure planning 		
30	The recommendations from the Panel should be considered as a complete reform package and be implemented in their entirety.	Sector to determine WALGA position	Whilst some of the matters raised are sector wise, some specifically relate to the Metro area. In order for all 30 recommendations to be adopted, the budget needs to be fully investigated. This should form the basis of an implementation plan.	

Outcome – Council Committee Meeting 15 January 2013

The Mayor and Councillors provided their responses to the Chief Executive Officer in regards to the agreed position as outlined in the table.

The Executive recommendation (as printed) was moved Cr Kelly, seconded Deputy Mayor Cr Craddock with the addition of a point 2 which reads as follows:

“2. That the final submission be referred back to Council for endorsement.”

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

Council Committee Recommendation

1. *That Council endorse the preparation of a submission by the Chief Executive Officer in relation to the Metropolitan Local Government Review based on the Council agreed position as outlined in the summary table in this report.*
2. *That the final submission be referred back to Council for endorsement*

CARRIED
 10 votes “for” / nil votes “against”

10.2.4 Bunbury Wellington Group of Councils Priority Projects

File Ref:	A04597
Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary

The Executive Officer for the Bunbury Wellington Group of Council's has requested that each Council submit their list of top priorities for the next five (5) years to assist with planning for Country Local Government Fund (CLGF) allocations and other regional funding opportunities.

Executive Recommendation

That Council prioritise the top three projects from the following list:

- Regional Animal Care Facility
- Stirling Street Arts Centre Redevelopment.
- Regional Bike Plan
- 5 Mile Brook regional stormwater management

Background

1. PROJECT
Establish a Regional Domestic Animal Welfare Centre and Pound

Commencement Date
July 2013

Description of Project

The construction of new Regional Domestic Animal Welfare Centre and Pound on land owned by the Shire of Dardanup in Blawery Close. This facility will accommodate the needs associated with the holding and disposal of domestic animals from the six (6) member shires. The facility design includes an area for the storage of dogs and cats, a pet re-homing display area and a treatment/assessment room.

Regional Significance

The Domestic Animal Welfare Centre and pound will provide a regional facility to deal with the management of domestic animals within the surrounding shires. The design of the facility will also enable the future expansion of the services offered at the facility to accommodate the increasing demand as the population of the region increases.

By having a centrally located facility it will improve the ability of the member councils to rehome domestic animals and it will provide a 'one stop shop' for the residents of the greater Bunbury area with regards to matters relating to domestic animals.

Funding Details

It is estimated that this project will cost approximately \$1.8m. This is included in the current 5 Year Plan, but funding will be sought from various state and federal government bodies over the next 18 months.

2. PROJECT

Construct multi-purpose Cultural Centre on Stirling Street

Commencement Date

July 2014

Description of Project

Construction of new Cultural Centre facilities where the Stirling Street Arts Centre is currently located. This will include adequate storage, special purpose facilities (i.e. kiln rooms for potters) exhibition areas for the creative and performing arts.

Regional Significance

The Stirling Street Arts Centre currently attracts patrons from each surrounding shire, as well as Bunbury residents. Members who reside in surrounding shires hire the rooms at the existing Centre to cater for their various needs, as there are not adequate facilities in their own shires available for hire on a regular basis. This facility will cater for residents of the Greater Bunbury region, and will be available to all who wish to attend, not solely Bunbury residents.

Funding Details

It is estimated that this project will cost approximately \$6m. This is included in the current 5 Year Plan, but funding will be sought from various state and federal government bodies over the next 18 months.

CLGF funds requested is \$3m

3. PROJECT:

Greater Bunbury Regional Bicycle Path Master Plan

Commencement Date

July 2013 (subject to funding)

Description of Project

Construction of new off-road cycle path along Parade Road (from Crampton Avenue to Centenary Road).

To create a safe, comfortable, attractive, direct and integrated path network connecting activity centres and regional attractions within the Greater Bunbury Region

Regional Significance

The project will create a safe, efficient off road cycle and pedestrian path between Dalyellup and Bunbury. The route will then provide a continuous link between the SWSC, St Joseph's Primary School, the Usher Medical Centre, East Dalyellup Primary School and the Bethany Fields Retirement Village. It will also create a recreational cycle route linking with the Tuarts Path.

Funding Details

The project is estimated to cost \$500,000 and the City has requested a contribution grant of \$250,000 from the Department of Transport's Regional Bicycle Network Contribution Scheme (2013/14)

The Greater Bunbury Regional Bicycle Path Master Plan is a SWDC initiative and ongoing project management rests with them. The Parade Road path project is identified in the Master Plan and the project initiation and ongoing management rests with the City of Bunbury.

4. **PROJECT**

Upgrade regional stormwater system – Five Mile Brook.

Commencement Date

July 2013

Description of Project

Construction of stop-banks, open channels and culvert crossings to reduce the risk of accidental drowning, prevent flood damage to private and commercial properties including public buildings as a result of channel breakout. Hydraulic modelling results on Five Mile Brook confirm that in both a 50 year and 100 year return period storm event there will be inundation of some properties

Regional Significance

The drainage system includes receiving waters from a large rural catchment in the Shire of Capel, and also newly developed urban land at Dalyellup. Proposed development in Tuart Brook will be affected by storm flows entering this property from outside of The City of Bunbury.

Bunbury is located at the lower reach of many drainage catchments including; Five Mile Brook, Eedles Gully and the Preston river catchment which extend through the Shires of Donnybrook and Dardanup.

A major rainfall event in the Greater Bunbury Region combined with a storm surge has the capacity to inundate large portions of Bunbury. Combined breakout of the Preston River and Five Mile Brook systems associated with a storm surge could isolate extended areas of the City of Bunbury and the Shire of Capel.

Funding Details

It is estimated that this stage of the project would cost in the vicinity of \$1.7M. This is included in our 5 year plan, but with funding sought from various state and federal government bodies over the next 18 months.

Upgrading 1,000m of stopbanks to 1 in 100 year levels is estimated at \$200,000. Lining and upgrading 2,000m of open channel in select locations \$1,500,000.

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

The Executive Leadership Team has met to compile the above list of projects with regional significance. It is up to Council to prioritise the top three (3) projects for submission to the Bunbury Wellington Group of Councils.

Analysis of Financial and Budget Implications

This list of priorities will be used to lobby for any funding available to regional groups for projects of regional significance. By compiling this list in partnership with the Councils of the Bunbury Wellington Group, we can minimise competition over funds, and make a collaborative approach to funding bodies to secure the future of these projects.

Community Consultation

Not applicable

Councillor/Officer Consultation

Not applicable

Outcome – Council Meeting 15 January 2013

Cr Steck moved, Cr Steele seconded that the meeting suspend standing orders in order for informal discussion to take place. The Mayor put this motion to the vote and was CARRIED 9 votes “for” / 1 vote “against”.

During the informal discussion the Councillors requested a number of projects to be on the list for Council to choose the top three (3) priorities from.

Cr Steck moved, Cr Steele seconded that the meeting resume standing orders. The Mayor put this motion to the vote and was CARRIED 9 votes “for” / 1 vote “against”.

Deputy Mayor Cr Craddock moved, Cr Steele seconded the following procedural motion:

“In accordance with Standing Order 11.6 that the debate be adjourned until the Council meeting to be held 22 January 2013 pending further information on other suggested projects – the Leschenault Inlet Masterplan, the refurbishment of the interior of the existing BREC theatre, the Artificial Reef, the Waste Transfer station, the new BRAG and the upgrades to the wiring of the Bricknell Shell and Bicentennial Square.”

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

Council Committee Recommendation

In accordance with Standing Order 11.6 that the debate be adjourned until the Council meeting to be held 22 January 2013 pending further information on other suggested projects – the Leschenault Inlet Masterplan, the refurbishment of the interior of the existing BREC theatre, the Artificial Reef, the Waste Transfer station, the new BRAG and the upgrades to the wiring of the Bricknell Shell and Bicentennial Square.

CARRIED
9 votes “for” / 1 vote “against”

10.3 Director Corporate Services Reports

10.3.1 Schedule of Accounts Paid for the Period 1 to 31 December 2012

File Ref:	A00083
Applicant/Proponent:	Internal Report
Author:	Michelle Larkworthy, Acting Manager Finance
Executive:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-1

The City of Bunbury "*Schedule of Accounts Paid*" covering the period 1 to 31 December is **attached** at Appendix [DCS-1](#). The schedule contains details of the following transactions:

1. Municipal Account - payments totalling \$7,128,065.94
2. Advance Account - payments totalling \$5,598,187.94
3. Trust Account - payments totalling \$19,495.63
4. Visitor Information Centre Trust Account - payments totalling \$15,226.45
5. Bunbury-Harvey Regional Council Municipal Account - payments totalling \$409,993.88
6. Bunbury-Harvey Regional Council Advance Account - payments totalling \$344,330.24

For Committee/Council Information Only.

Executive Recommendation

The Schedule of Accounts Paid for the period 1 to 31 December 2012 be received

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Deputy Mayor Cr Craddock, seconded Cr Steele.

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

Council Committee Recommendation

The Schedule of Accounts Paid for the period 1 to 31 December 2012 be received

CARRIED
10 votes "for" / nil votes "against"

10.3.2 Financial Management Report for the Period Ending 30 November 2012

File Ref:	A02838
Applicant/Proponent:	Internal Report
Author:	Michelle Larkworthy, Acting Manager Finance
Director:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-2 , DCS-3 , DCS-4 , DCS-5 , DCS-6

Summary

The following comments are provided on the key elements of Council's financial performance.

1. Statement of Comprehensive Income (**attached** at Appendix [DCS-2](#))
 Actual Financial Performance to 30 November 2012
 - Actual income of \$38.9M is \$200K greater than the year-to-date budgeted income of \$38.7M. (refer explanation on next page).
 - Actual expenditure of \$15.5M is \$148K less than the year-to-date budgeted expenditure of \$15.6M, (refer explanation on next page).
 - Actual operating surplus of \$23.4M is \$347K more than the year-to-date budgeted operating surplus of \$23.1M.

2. Balance Sheet (**attached** at Appendix [DCS-4](#))
 Council's Year-to-date and Forecast balances are as follows:

	<u>Year-to-date</u>	<u>Forecast</u>
- Current Assets of \$53.3M includes:		
* Cash and Investments	\$41.6M	\$14.4M
* Rates	\$10.3M	\$0.6M
* Other receivables	\$1.4M	\$1.2M
- Current Liabilities of \$7.3M includes:		
* Trade and Other Payables	\$3.7M	\$4.7M
* Annual Leave and LSL Provisions	\$2.5M	\$2.9M
- Working Capital (Current Assets less Current Liabilities)	\$45.90M	\$7.0M
- Equity (Total Assets less Total Liabilities)	\$250.2M	\$229.3M

3. Capital Works (**attached** at Appendix [DCS-6](#))
 - Actual capital works of \$7M is \$3.1M less than the year-to-date budgeted capital works of \$10.1M, (refer explanation on next page).

Executive Recommendation

The Financial Management Report for the period ending 30 November 2012 be received.

Background

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996, a

Local Government is to prepare each month a Statement of Financial Activity (attached at Appendix [DCS-3](#)) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

Councillors have also been provided with the following summaries in addition to the Statement of Financial Activity required under the Regulations:

- Statement of Comprehensive Income (attached at Appendix [DCS-2](#))
- Balance Sheet (attached at Appendix [DCS-4](#))
- Statement of Net Current Assets (attached at Appendix [DCS-5](#))
- Capital Works Expenditure Summary (attached at Appendix [DCS-6](#))

Summaries include end-of-year forecasts based on a monthly review of year-to-date income and expenditure for all accounts.

The following is an explanation of significant Operating and Capital variances:

	Actual to Budget Variance
Operating Income	
Grants and Subsidies – Budget year-to-date variation due to timing of receipt of grant revenue for the following projects: \$48,675 Natural Disaster Resilience Program \$15,000 Plan and Deliver Bunbury Kidsfest \$26,667 Upgrade Street Lighting - Blair Street	(\$89,880)
Interest Earnings – Budget year-to-date favourable variation due to timing of receipt of rate late payment interest \$40K and interest on investments \$69.7K.	\$109,471
Operating Expenditure	
Materials and Contracts – Favourable variance mainly due to timing of receipt of invoices.	\$589,106
Interest Expense – Variance due to timing of loan interest repayments, adjustments to be made as part of February budget review.	(\$135,765)
Other Expense - Variance due to timing of invoice processed for support of the Bunbury Regional Entertainment Centre \$172,550.	(\$183,783)
Capital Income	
Proceeds on Disposal of Assets – Favourable variance due to timing of vehicle disposals.	\$103,700
Capital Expenditure	
Acquisition of Assets – Variance due to timing variances of commencement and the progress of capital works projects than was originally forecast. To be adjusted as part of the February budget review.	\$3,096,934

Outcome – Council Committee Meeting 15 January 2013

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

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

Council Committee Recommendation

The Financial Management Report for the period ending 30 November 2012 be received.

CARRIED

10 votes "for" / nil votes "against"

10.3.3 Proposed Street Renumbering – Lowe Street, Carey Park

File Ref:	A04942
Applicant/Proponent:	Internal Report
Author:	Leonie Barwick, Team Leader Corporate Revenue
Executive:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-7 , DCS-8

Summary

Council to consider a request for street renumbering of all even numbered properties along Lowe Street, Carey Park due to property infill development.

Executive Recommendation

Council proceeds with the renumbering of all even numbered properties along Lowe Street Carey Park.

Background

A request was received from Mr Shane Carle, developer/owner, 2 Lowe Street, Cary Park requesting street numbering for his three (3) unit development. In accordance with *Australian/New Zealand Standard 4819:2011 – Rural and Urban Addressing*, Mr Shane Carle was advised that the numbering for his development would be 1/2 Lowe Street, 2/2 Lowe Street and 3/3 Lowe Street, Carey Park.

Mr Carle did not wish to have the base number 2 assigned, as 2 Lowe Street, Carey Park was already being utilised by the property next door. It should be noted that there are numerous developments within the City of Bunbury that utilise the same street numbering for developments i.e. 2A, 2B and 1/2, 2/2 and no problems have arisen as a result of this street numbering.

Mr Carle has advised that he did not wish to be assigned 1/2, 2/2 and 3/2 Lowe Street. As a result, a Street Addressing Policy was prepared and adopted by Council on 25 September 2012.

In accordance with the Policy, and following a meeting with the developer and his legal advisor, Ms Amanda Sommerville, of Kroon Legal, a letter was sent to all affected property owners on 13 November 2012, advising that the City of Bunbury had received a request to renumber all properties with an even number. A total of 23 letters were sent out to property owners. Council should note that out of the 23 letters sent, there are only four (4) owner/occupiers on this side of Lowe Street, Carey Park. Two (2) owner/occupiers responded and have advised that they strongly object to the renumbering proposal.

At the close of submissions on the 30 November 2012, eight (8) responses had been received (35%). Out of the eight (8) responses received, four (4) respondents were for the proposal, three (3) respondents were against the proposal and one (1) respondent did not specify (refer to **attached** Appendix [DCS-7](#)).

Should Council accept the Executive Recommendation, Mr Carle's property will be numbered 8A, 8B and 8C Lowe Street, Carey Park.

A location map indicating the affected properties is **attached** at Appendix [DCS-8](#).

Council Policy Compliance

Council Policy DCS12 – Street Addressing.

Legislative Compliance

The renumbering of Lowe Street, Carey Park will be carried out in accordance with the *Australian/New Zealand Standard 4819:2011 – Rural and Urban Addressing*, and Council's Street Addressing Policy.

Analysis of Financial and Budget Implications

There are no financial or budget implications. All affected property owners were advised during the public consultation period that costs associated with the renumbering will remain the responsibility of the property owner.

Community Consultation

A meeting has been held with Mr Shane Carle and Ms Amanda Sommerville, Kroon Legal to progress this matter.

Community consultation with the affected property owners has taken place as part of this process. The City of Bunbury will notify the following relevant Government authorities on behalf of property owners:

Alinta Gas	Landgate – Titles Office
Aqwest (Bunbury Water Board)	Synergy/Western Power
Australia Post	Telstra
Electoral Commission	Water Corporation
Emergency Services	

Affected land owners and residents will be advised of Council's decision.

Outcome – Council Committee Meeting 15 January 2013

Cr Jones declared an impartiality interest in this matter (see section 5). She remained in the chambers, took part in the discussion and voted on the item.

Cr Slater moved the following recommendation:

“That Council proceeds with the renumbering of all even numbered properties along Lowe Street Carey Park but commencing with number 2 rather than number 4 as shown on appendix DCS-8”

The motion lapsed due to no seconder.

The Executive recommendation (as printed) was moved Cr McNeill. The motion lapsed due to no seconder.

Cr Steck moved Cr Jones seconded the following motion:

“That Council does not proceed with the renumbering of all the even numbered properties along Lowe Street and change the relevant properties to be numbered 2A and 2B/1, 2B/2 and 2B/3.”

It was requested that the mover and seconder to agree to change the numbering to be 2A, 2B, 2C and 2D. 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.

Council Committee Recommendation

That Council does not proceed with the renumbering of all the even numbered properties along Lowe Street and change the relevant properties to be numbered as 2A, 2B, 2C and 2D.

CARRIED

8 votes "for" / 2 votes "against"

It was requested that the votes be recorded as follows:

For: Mayor D Smith, Deputy Mayor Cr Craddock, Cr Jones, Cr Steck, Cr Steele, Cr Kelly, Cr Cook, Cr Morris
Against: Cr Slater, Cr McNeill

10.3.4 Proposed Closure Portion of Road Reserve – Relocation of Truncation – 47 King Road, Bunbury

File Ref:	P05435
Applicant/Proponent:	Bryce and Melissa Ingram
Author:	Jane Porter, Senior Property Officer
Executive:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-9

Summary

An application has been received from the owners of 47 King Road, Bunbury requesting the closure of the truncation on the corner of their property facing King Street an area of approximately 4m². A location plan is **attached** at Appendix [DCS-9](#)

Executive Recommendation

Council agrees to the relocation of the truncation to the corner of King Street and Keril Place at Lot 3, 47 King Road, Bunbury, subject to the terms and conditions as specified in the report, and the following:

1. The applicant to pay all costs associated with the advertising in accordance with the provisions of Section 58 of the Local Government Act 1995.
2. The applicant to provide the City with a Deposited Plan from a licensed surveyor approved by State Land Services.

Background

The “applicant” wishes to purchase the land truncation that sits inside a brick fence line at 47 King Road, Bunbury. After the land has been purchased they propose to build a brick garage and new driveway. The new driveway will be on the King Road side to the property, with the existing driveway on Kerril Street being removed.

The security and safety of cars and other property has led to the application to purchase the portion of land.

The Applicants have completed and returned the application to ‘Close a Portion(s) of Public Road Reserve’ form.

Council Policy Compliance

Not Applicable.

Legislative Compliance

In accordance with section 58 of the Land Administration Act 1997 and Section 87 of the Land Administration Act 1997.

Officer Comments

Truncations are normally located on a corner block; the relocation of the truncation will place the truncation on the correct side of the block, the corner of King Road and Keril Place.

All Service Providers have been contacted and the responses are as follows:

Aqwest	Please be advised Aqwest have no comments in relation to the above subdivision.
Water Corporation	The Water Corporation has no assets within the land portion and has no objection to the closure of the identified portion of the road reserve.
Department of Planning	The Department of Planning has no objection to the above proposal in accordance with the plan supplied.
Western Power	Has no objections to the above proposal, however in the event WP has to install an asset on this property to supply the Lot Western Power staff will require 24 hour unencumbered access, the position and type of locks used on any fencing are to be accessible to Western Power employees and a standard key be provided along with a separate padlock to allow 24 hour access to for routine and emergency maintenance.
Alintagas	Does not have gas distribution assets currently installed at the location however before any works are to commence applicant is to prove, pothole and protect any installed gas services.

Analysis of Financial and Budget Implications

The Applicant is responsible for all costs including document preparation, advertising and surveying.

Community Consultation

Advertising in accordance with Section 58 of the Land Administration Act 1997 for a period of 35 days in the South Western Times, the City's public notice boards and the City's website.

Councillor/Officer Consultation

Engineering have advised a relocation of the truncation is recommended.

Outcome – Council Committee Meeting 15 January 2013

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

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

Council Committee Recommendation

Council agrees to the relocation of the truncation to the corner of King Street and Keril Place at Lot 3, 47 King Road, Bunbury, subject to the terms and conditions as specified in the report, and the following:

1. *The applicant to pay all costs associated with the advertising in accordance with the provisions of Section 58 of the Local Government Act 1995.*
2. *The applicant to provide the City with a Deposited Plan from a licensed surveyor approved by State Land Services.*

CARRIED

10 votes “for” / nil votes “against”

10.3.5 Proposed Deed of Lease – Bunbury Chiropractic Clinic – Office Space South West Sports Centre on Hay Park, Reserve 30601

File Ref:	A05598
Applicant/Proponent:	Bunbury Chiropractic Clinic
Author:	Jane Porter, Senior Property Officer
Executive:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-10

Summary

An application has been received from Bunbury Chiropractic Clinic (“applicant”) seeking council’s consent to accepting a Deed of Lease over office space at the South West Sports Centre on Hay Park, Reserve 30601. A location plan is **attached** at Appendix [DCS-10](#).

Executive Recommendation

Council agrees to a Deed of Lease over office space at the South West Sports Centre on Hay Park, Reserve 30601 for use as office space for a period of three (3) years, subject to the terms and conditions as specified in the report, and the following:

1. The applicant to pay all costs associated with the lease application including document preparation.
2. Advertising in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

Background

The Bunbury Chiropractic Clinic was established in 1978 with multiple chiropractors having worked there. The business was sold in 1997 to Mr Damon Willmore who has practiced at the Clinic since 1994.

The Clinic currently has over 200 patients per week and a few thousand patients from Bunbury and the surrounding regions each year. They combine gentle joint manipulation with massage and acupuncture (dry needling) to achieve excellent results in over 90% of patients and regularly work with other health service providers to achieve the best results possible.

Bunbury Chiropractic Clinic is the preferred provider of the Southwest Jets netball team for the last two (2) years along with many other sporting teams and elite athletes.

The Applicant sees their presence in the Southwest Sports Centre as an opportunity to further expand their ability to provide an integrated approach to caring for their patients in a healthy environment.

Council Policy Compliance

Not applicable.

Legislative Compliance

Not applicable.

Officer Comments

A request for written 'Expressions of Interest' was advertised in the South Western Times for a period of four (4) weeks inviting suitably qualified and interested parties to submit an application to Lease office space at the South West Sports Centre. After no interest was registered with the City an advertisement was placed in the City Focus column of the Bunbury Mail for a period of three (3) weeks.

Subsequently the Bunbury Chiropractic Clinic contacted Mr David Russell, Team Leader Dry Operations at the South West Sports Centre requesting to lease both of the available rooms at the advertised rate.

Special Conditions

The Lease will be subject to the following conditions:

- The Applicant is not permitted to provide any service of a commercial or voluntary nature that competes with programs or services that the South West Sports Centre provides.
- The South West Sports Centre is currently going through Master Planning to determine the future expansion and provision of services into the medium and long term. It has not yet been determined what affect that this may have on the demised premises rented by the Applicant. In the event of any master planning stages carried out the City will as far as is practicable minimise any disruption to the Applicant and wherever possible enable it to continue operation in the current premise location.

Analysis of Financial and Budget Implications

The applicant to pay all costs associated with the lease application including document preparation.

Annual Rental income of \$15,600.00 plus GST.

In addition to rent there will be a cost of \$150.00 per month inclusive of GST to cover power, water, incidental rubbish removal and use of bathroom facilities for employees and clients. The Lessee is not responsible for cleaning of the building apart from its two (2) leased areas.

Community Consultation

To be advertised in accordance with the provisions of Section 3.58 of the Local Government Act 1995 for a period of 14 days in the South Western Times.

Councillor/Officer Consultation

Discussions with Garry Stokes, Manager Sport, Leisure and Active Lifestyles and David Russell, Team Leader Dry Operations at the South West Sports Centre.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Cr Morris, seconded Cr McNeill.

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

Council Committee Recommendation

Council agrees to a Deed of Lease over office space at the South West Sports Centre on Hay Park, Reserve 30601 for use as office space for a period of three (3) years, subject to the terms and conditions as specified in the report, and the following:

1. *The applicant to pay all costs associated with the lease application including document preparation.*
2. *Advertising in accordance with the provisions of Section 3.58 of the Local Government Act 1995.*

CARRIED

10 votes "for" / nil votes "against"

10.3.6 Strategic Community Plan: Bunbury 2030

File Ref:	
Applicant/Proponent:	Internal Report
Author:	Greg Golinski, Manager Corporate Performance
Executive:	Wayne Wright, Director Corporate Services
Attachments:	Appendix DCS-11

Summary

The purpose of this report is for Council to consider endorsing the City's draft Strategic Community Plan (SCP), and initiating a public consultation process.

Executive Recommendation

That Council:

1. Endorse the draft Strategic Community Plan as presented at Appendix [DCS-11](#)
2. Request the Chief Executive Officer advertise the draft Strategic Community Plan and invite public submissions for a period of not less than 1 month.
3. Request the Chief Executive Officer present a summary of any submissions received to Council at the earliest opportunity following the close of submissions.

Background

The newly legislated Integrated Planning and Reporting framework (IPRF) requires local governments to have an adopted SCP by 30 June 2013 (regulation 19C(1) of the Local Government (Administration) Regulations 1996). The current draft of the City of Bunbury SCP is contained at Appendix DCS-11.

The attached draft SCP has been through a number of iterations, having been reviewed by the Executive Leadership Team on a number of occasions, as well as having been workshopped with Council at a number of briefing sessions over the past four months.

Legislative Compliance

Section 5.56 of the Local Government Act 1995 and regulation 19C of the Local Government (Administration) Regulations 1996 apply.

Officer Comments

The SCP is an overarching document that sets out the vision, aspirations and objectives of the community.

The City has undertaken extensive community consultation in developing the draft SCP, a summary of which is contained within the document itself pursuant to regulation 19C(10) of the Local Government (Administration) Regulations 1996.

A number of performance measures have also been proposed against each objective within the SCP, which will allow Council to report its progress against each objective every year in

the Annual Report. Over time, these performance measures will assist to highlight trends in performance.

Officers consider the draft SCP to now be mature enough for Council to release for public comment. It is suggested that a consultation period of not less than 1 month be undertaken, following which any submissions can be presented back to Council for consideration. A final draft will then be presented to Council for adoption.

Analysis of Financial and Budget Implications

All advertising costs can be accommodated within the 2012/13 budget.

Community Consultation

Regulation 19C(9) of the Local Government (Administration) Regulations 1996 requires that a local government is to ensure that the electors and ratepayers of its district are consulted during the development of its SCP.

Furthermore, regulation 19C(10) of the Local Government (Administration) Regulations 1996 stipulates that an SCP for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan.

The City of Bunbury SCP meets both these criteria, and the recommendation of this report is that the draft document be advertised for public comment and submissions invited.

Councillor/Officer Consultation

The draft SCP has been reviewed by the Executive Leadership Team, and has also been workshopped with Council at a number of briefing sessions over the past four months.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Cr Cook, seconded Cr Steck with the following amendments:

Remove point 1 and add the following words to the end of point 3 *“to allow Council endorsement”* (the points were renumbered after the amendments were made).

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

Council Committee Recommendation

That Council:

- 1. Request the Chief Executive Officer advertise the draft Strategic Community Plan and invite public submissions for a period of not less than one (1) month.*
- 2. Request the Chief Executive Officer present a summary of any submissions received to Council at the earliest opportunity following the close of submissions to allow Council endorsement.*

CARRIED

10 votes “for” / nil votes “against”

10.4 Director Planning and Development Services Reports

10.4.1 Local Planning Policy Review – Draft Local Planning Policy: Changes to Ground Level and Retaining Walls

File Ref:	A04151
Applicant/Proponent:	City of Bunbury
Author:	Ann-Kristin Jank, Senior Strategic Planner
Executive:	Bob Karaszekwych, Director Planning and Development Services
Attachments:	Appendix DPDS-1

Summary

In conjunction with the current local planning policy review programme, the draft “Local Planning Policy: Changes to Ground Level and Retaining Walls” has been reviewed and incorporates significant modifications as detailed under Officers Comments below. The policy is now ready for public advertising in accordance with the City of Bunbury Town Planning Scheme No.7 (TPS7).

The draft Local Planning Policy: Changes to Ground Level and Retaining Walls represents a comprehensive review of the existing “Local Planning Policy – Retaining Walls, Construction and Materials and When Required”.

A copy of the draft Local Planning Policy: Changes to Ground Level and Retaining Walls is **attached** at Appendix [DPDS-1](#).

Executive Recommendation

That Council:

1. In accordance with clause 2.3 of the City of Bunbury Town Planning Scheme No.7, advertise the reviewed Local Planning Policy: Changes to Ground Level and Retaining Walls for public comment for a period of not less than 21 days.
2. Subject to no objections being received during the advertising period, Council adopts the reviewed Local Planning Policy: Changes to Ground Level and Retaining Walls without modification.

Background

As the Western Australian Planning Commission’s (WAPC) “Local Planning Manual: A guide to the preparation of local planning strategies and local planning schemes in Western Australia” (March 2010) states – local planning policies do not form part of a local planning scheme, but are given recognition through schemes as one of the matters to be given 'due regard' in local government consideration of applications for planning approval. As such, local planning policies do not impose any mandatory requirement upon development, but may guide the formulation of applications (by developers) and their subsequent assessment (by officers) and determination (by or on behalf of Council).

Local planning policies cannot contradict or over-ride a scheme provision, and generally therefore have application in relation to the exercise of discretion by local government.

Where a requirement of a scheme is mandatory, a local planning policy cannot be applied so as to waive such a requirement and conversely, where a local planning scheme is permissive of a particular use or development of land, local planning policy cannot be applied so as to prohibit such development.

Nevertheless, where a local planning scheme provides for the exercise of discretion in relation to a proposed development or use of land, a local planning policy can guide the exercise of that discretion. This may be used to circumscribe the nature or form of development, limit the scale of development, impose requirements upon development or refuse applications because of their characteristics or because of their location or siting.

Details of the current local planning policy review programme have been presented to Council on several occasions to date, with fifteen (15) local planning policies having been reviewed, six (6) new policies adopted and twelve (12) policies revoked during 2011 and 2012 (Council Decisions 118/11, 181/11, 251/11, 252/11 and 149/12).

Council Policy Compliance

Clause 2.3 of TPS7 sets out the procedure for making or amending a local planning policy. Further information on local planning policies can also be found in the WAPC's Local Planning Manual (2010).

Legislative Compliance

In accordance with clause 2.3 of the Scheme, amendments to local planning policies are required to be advertised for public comment.

Officer Comments

The local planning policy review programme is being undertaken in accordance with a quality assured approach that is documented in a Local Planning Policy Review Manual. The manual is an operationally focused document that provides a legacy for benchmarking and constant improvement. Specifically, the manual clarifies technical matters to be dealt with through the review process and provides the background analysis, justification and rationale for a comprehensive review of all current local planning policies.

The bulk of revised local planning policies are being presented to Council in blocks. The first round of reviewed local planning policies was adopted in June 2011. The second round of revised local planning policies is being advertised from 19 December 2012 until 16 January 2013. The draft Local Planning Policy: *Changes to Ground Level and Retaining Walls* is being presented to Council separately due to it being comprehensively revised with significant modification.

The revised draft Local Planning Policy: *Changes to Ground Level and Retaining Walls* not only provides updated objectives and references to current legislation, statements of planning policy and standards in dealing with structural matters - but also provides:

- guidance on managing the impacts of land excavation, filling and retaining within:
 - * flood affected areas,
 - * setback areas to a street; and
- illustrations to support performance based development requirements that augment the Residential Design Codes (the R-Codes).

Analysis of Financial and Budget Implications

There are no known financial or budget implications.

Community Consultation

As with all other reviewed local planning policies, the draft Local Planning Policy: Changes to Ground Level and Retaining Walls is required to be advertised for public comment in accordance with clause 2.3 of the Scheme.

Councillor/Officer Consultation

Relevant staff of Planning and Development Services, and other directorates as required, informed the preparation of the draft Local Planning Policy: Changes to Ground Level and Retaining Walls.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Cr Jones, seconded Cr Cook.

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

Council Committee Recommendation

That Council:

- 1. In accordance with clause 2.3 of the City of Bunbury Town Planning Scheme No.7, advertise the reviewed Local Planning Policy: Changes to Ground Level and Retaining Walls for public comment for a period of not less than 21 days.*
- 2. Subject to no objections being received during the advertising period, Council adopts the reviewed Local Planning Policy: Changes to Ground Level and Retaining Walls without modification.*

CARRIED

10 votes "for" / nil votes "against"

10.4.2 Proposed Greater Bunbury Region Scheme Amendment to Lot 312 Jeffrey Road, Glen Iris

File Ref:	A00647-03
Applicant/Proponent:	MPM Development Consultants
Author:	Kelvin D Storey, Team Leader Integrated Land Use Policy Thor Farnworth, Manager Sustainability and Integrated Land Use Planning
Executive:	Bob Karaszekwych, Director Planning and Development Services
Attachments:	Appendix DPDS-2 , DPDS-3

Summary

The City of Bunbury has been approached by the proponent to assist in the progression of an amendment to the Greater Bunbury Region Scheme (GBRS) that involves rezoning Lot 312 Jeffrey Road, Glen Iris, from “Public Purposes Reserve” to “Urban Zone”.

The subject land is also shown as regional “Public Purposes Reserve” under the City of Bunbury Town Planning Scheme No.7 (TPS7), the purpose of which is to provide for the Glen Iris Relief Floodway (GIRF).

This report seeks a resolution of Council that will inform the Western Australian Planning Commission (WAPC) of Council’s in principle ‘no objection’ to their consideration of initiating this amendment to the region planning scheme.

A submission document supporting the request has been provided by the proponent (refer to **attached** Appendix [DPDS-2](#)).

Executive Recommendation

Council resolves to inform the Western Australian Planning Commission that it has no objection to considering the initiation of an amendment to the Greater Bunbury Region Scheme involving a change from “Public Purposes Reserve (Special Uses)” to “Urban Zone” at Lot 312 Jeffrey Road, Glen Iris; subject to confirmation by the Commission that the amendment will incorporate an alternative alignment of the Glen Iris Relief Floodway and/or the adequacy of alternative flood mitigation measures.

Background

The GBRS came into effect on 29 November 2007 and endeavours to ensure the orderly and proper planning of land uses and infrastructure across the Greater Bunbury Region.

Whilst the responsibility of initiating region planning scheme amendments lies with WAPC, the Department of Planning (DoP) has advised that prior to progressing to the stage of considering an initiation of a GBRS amendment – an indication of support from the relevant local government authority is first required.

Accordingly, the purpose of this report is to seek a resolution of Council that will inform the WAPC of Council’s in principle ‘no objection’ to the Commission considering an initiation of a GBRS amendment with regard to a change from “Public Purposes Reserve” to “Urban Zone” over land at Lot 312 Jeffrey Road in Glen Iris.

Once a decision is taken to initiate an amendment involving the removal of a regional reserve within the GBRS, it is anticipated that a separate complementary amendment to the local planning scheme will be sought by the proponent in order to zone the land “Development Zone – Residential” under TPS7.

Council Policy Compliance

The proposal is generally consistent with the Glen Iris - Moorlands Local Area Plan: Study document adopted by Council on 16 December 2012. The Glen Iris - Moorlands Local Area Plan: Study acknowledges the likelihood of the GIRF being rationalised, identifying the majority of the subject land potentially for future residential development (as shown on the Principle Land Use Map as **attached** at Appendix [DPDS-3](#)). It is anticipated then that any future structure plan prepared for this area would therefore be guided by this map and its accompanying advice notes.

Legislative Compliance

The GBRS amendment procedure is regulated by the Planning and Development Act 2005.

Officer Comments

Site maps within the proponent’s report confirm that the subject land at Lot 312 Jeffrey Road, Glen Iris:

- is located to the north and east of the Preston River, and west of Vittoria Road, Glen Iris (the location of which it should be noted as also being referred to as Moorlands);
- currently forms the southernmost portion of land designated as “Public Purposes Reserve (Special Uses)” within the GBRS and TPS7; and
- abuts “Regional Open Space Reserve” to the south and “Urban Zone” under the GBRS to the east and west.

The Special Uses (SU) annotation associated with this regional “Public Purposes Reserve” relates to the existence of the GIRF that runs southwards from the Australind Bypass to the banks of the Preston River. The appropriateness of the relief floodway has been the subject of review, with consideration being given to its removal subsequent to additional flood mitigation works being undertaken within the Preston River floodplain and the channel itself.

To date however, an official alternative has not been endorsed by the Department of Water (DoW) and/or the Department of Environment and Conservation (DEC) to justify its removal from the GBRS. Accordingly, were the WAPC to initiate this amendment, the City of Bunbury would anticipate that alternative flood mitigation/management arrangements were adequately reflected within any subsequently gazetted amendment to the region planning scheme (e.g. the realignment of the GIRF) and associated revised Greater Bunbury Region Scheme Floodplain Management Policy (2005).

Should the matter progress to consideration of an amendment to TPS7, the most appropriate zone in this instance would be “Development Zone – Residential”, consistent with that of the adjoining land. This zoning would then facilitate development in accordance with a structure plan adopted by Council and endorsed the Commission.

It is noted within the submission that the proponent is seeking the Commission’s agreement to progress the proposal as a “minor amendment” to the GBRS. The determination as to whether or not an amendment constitutes a substantial or minor alteration to a region

planning scheme is at the discretion of the WAPC in accordance with the Planning and Development Act 2005. Given the strategic significance of the reserve (as a relief floodway) the City holds the view that this justifies its consideration as an amendment (e.g. potentially including the realignment of the “Public Purposes Reserve” to ensure continuity of the GIRF through connection with Lot 29 Jeffery Road).

Strategic Relevance

The “Public Purposes Reserve” and GIRF are regional designations, and as such, are the primary concern of the GBRS. Therefore, it is assumed that accommodating this proposal would require a review of the Greater Bunbury Region Scheme Floodplain Management Policy (2005).

Uncertainty regarding the future status of the reserve/relief floodway has effectively constrained any significant progress that would lead to the comprehensive development of this part of Moorlands. Subject to flooding risks being mitigated, the benefits of the proposed amendment to the region planning scheme are that it may assist in advancing a resolution of this issue and would enhance structure planning / neighbourhood design outcomes for the remaining developable portions of Moorlands.

Economic, Social, Environmental and Heritage Issues

Any subsequent local planning scheme amendment, once formally initiated, will require assessment of existing land use issues (particularly environmental matters) and a review of any supporting documentation submitted by the proponent.

At this stage it is noted that:

- a small portion of the subject lot falls within the Preston River Floodway; and
- an area of wetland (UFI 1110) is present which has yet to be assessed or categorised by the DEC.

The document submitted by the proponent infers that a buffer is likely to be required around the wetland, the details regarding of which would be established at a future subdivision stage. Alternatively, the matter could be resolved by considering designating the wetland and its buffer as part of a broader area of contiguous “Regional Open Space Reserve”, and reflecting this within an amendment to the GBRS.

Analysis of Financial and Budget Implications

There is no application fee associated with this proposal. A fee will be applicable should the matter progress through WAPC and become a proposal to be assessed in detail as part of any local planning scheme amendment procedure to TPS7.

Community Consultation

Community consultation would occur following initiation of an amendment to the GBRS (administered by DoP), with a separate process of community consultation taking place following initiation of an amendment to TPS7 by the local government, in accordance with the Planning and Development Act 2005 and associated Town Planning Regulations 1967.

Councillor/Officer Consultation

Relevant staff of the Planning and Development Services directorate have informed the preparation of this report as required.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Cr Jones, seconded Cr Cook.

It was requested that the mover and seconder agree to an amendment which reads as follows:

Add point 2: *“This recommendation to be reviewed by Council for a final resolution upon confirmation from the WAPC as per part one”.*

This amendment was agreed to.

During the discussion of this item the Mayor left the chambers at 9.21pm. Deputy Mayor Cr Craddock presided over the meeting during the Mayor’s absence. The Mayor returned to the meeting at 9.23pm and presided over the remaining meeting.

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

Council Committee Recommendation

1. *Council resolves to inform the Western Australian Planning Commission that it has no objection to considering the initiation of an amendment to the Greater Bunbury Region Scheme involving a change from “Public Purposes Reserve (Special Uses)” to “Urban Zone” at Lot 312 Jeffery Road, Glen Iris; subject to confirmation by the Commission that the amendment will incorporate an alternative alignment of the Glen Iris Relief Floodway and/or the adequacy of alternative flood mitigation measures.*
2. *This recommendation to be reviewed by Council for a final resolution upon confirmation from the WAPC as per part one.*

CARRIED

10 votes “for” / nil votes “against”

10.5 Director Works and Services Reports

10.5.1 Naming of Lot 431 Ocean Drive

File Ref:	A04140
Applicant/Proponent:	Goomburrup Aboriginal Corporation
Author:	Phil Harris, Director Works and Services
Executive:	Phil Harris, Director Works and Services
Attachments:	Nil

Summary

The Back Beach Cultural Aboriginal Heritage Project is nearing completion with the official opening scheduled for March 2013. The Goomburrup Aboriginal Corporation and Department of Indigenous Affairs have requested that the official name of the site be Nidja Ngaalang Nedigar Ngoorndiny. Proposed signage on site is:-

*“Wardandi Cemetery
Nidja Ngaalang Nedigar Ngoorndiny
This is our ancestors resting”*

Executive Recommendation

1. Council note the name of the site as ‘Nidja Ngaalang Nedigar Ngoorndiny’
2. Advise the Geographic Names Committee (Landgate) of the name of the reserve located at Lot 431 Upper Esplanade, be formally named Nidja Ngaalang Nedigar Ngoorndiny

Background

Construction work commenced on this project in September 2012 with completion scheduled for February 2013. Significant to this project was the reburial of 23 sets of remains on 18 December 2012. The cultural heritage park will provide fundamental recognition of the history and existence of Aboriginal people in the Bunbury area, providing an opportunity for simple demonstrations of their connection to the land and to serve as a burial ground and memorial space. Therefore it is appropriate that the site have a noongar name chosen by the noongar community.

Council Policy Compliance

The proposal does not contravene any Council policies or work procedures. All applications are to be resolved by Council for addition to Council's Reserve and Street Name Register.

Legislative Compliance

This request confirms to the requirements of the Policy Guidelines for the Recording and Use of Aboriginal and Torres Strait Islander Place Names as per the Geographic Names Committee- Principles, Guidelines and Procedures.

Officer Comments

This project is of significant cultural value to the local aboriginal people and a traditional name is important so that the local noongar people have a connection to the site.

Analysis of Financial and Budget Implications

There is no Financial or Budget Implications as the project budget includes signage costs.

Community Consultation

Goomburrup Aboriginal Corporation and the Department of Indigenous Affairs have consulted with the Noongar Elders and the Noongar Language unit.

Councillor/Officer Consultation

Nil

Outcome – Council Committee Meeting 15 January 2013

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

It was requested that the English translation (this is our ancestors resting) be included at the end of Point 1. 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.

Council Committee Recommendation

1. *Council note the name of the site as 'Nidja Ngaalang Nedigar Ngoorndiny' (This is our ancestors resting)*
2. *Advise the Geographic Names Committee (Landgate) of the name of the reserve located at Lot 431 Upper Esplanade, be formally named Nidja Ngaalang Nedigar Ngoorndiny*

CARRIED

10 votes "for" / nil votes "against"

10.5.2 Future Road Naming ‘Babich’ Family

File Ref:	R00561-12
Applicant/Proponent:	Babich Family
Author:	Alison Baker, Executive Assistant Works and Services
Executive:	Phil Harris, Director Works and Services
Attachments:	Appendix DWS-1

Summary

The Babich Family have requested that a street be named after the Babich family in future developments in the Glen Iris area.

A copy of the letter of request is **attached** at Appendix [DWS-1](#).

Executive Recommendation

1. Council endorse the addition of the name ‘Babich’ to the City of Bunbury Reserve and Street Name Register.
2. Priority to be given to the name ‘Babich’ for a future road in the Glen Iris area.

Background

The Babich Family lived at Lot 37 Ince Rd Glen Iris from 1950 until approximately 1980. The five (5) acre block was used to raise a cow, few sheep and chickens, it also had a vegetable garden and a few grape vines which were used to make wine for home consumption. Mr Babich worked at the local super works until retirement and together with his wife raised five (5) children that all attended Picton Primary School. This request was lodged as many street names in Glen Iris honour former residents of the area and the Babich Family would like their name included in the area as the family refer to Glen Iris as their ‘home place’.

Council Policy Compliance

The proposal does not contravene any Council policies or work procedures. All applications are to be resolved by Council for addition to Council's Reserve and Street Name Register.

Legislative Compliance

Nil

Officer Comments

If approved the name ‘Babich’ would then be forwarded to the Geographic Names Committee (Landgate) for their approval.

The Geographic Names Committee provides the Minister for Land Information advice on geographical nomenclature matters and guidelines to facilitate the approval and processing of nomenclature applications.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

Nil

Relevant Precedents

Council Decision 208/11 was carried to adopt the addition of the name “Kongras” to the City of Bunbury Reserve and Street Name Register.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Cr Jones, seconded Cr Cook.

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

Council Committee Recommendation

1. *Council endorse the addition of the name ‘Babich’ to the City of Bunbury Reserve and Street Name Register.*
2. *Priority to be given to the name ‘Babich’ for a future road in the Glen Iris area.*

CARRIED

10 votes “for” / nil votes “against”

10.5.3 Future Road Naming ‘Parker’ Family

File Ref:	R00561-12
Applicant/Proponent:	Lloyd Parker
Author:	Alison Baker, Executive Assistant Works and Services
Executive:	Phil Harris, Director Works and Services
Attachments:	Appendix DWS-2

Summary

Lloyd Parker has requested that council consider the future naming of a street to recognise the Parker family’s long term connection to the Bunbury area.

A copy of the letter of request is **attached** at Appendix [DWS-2](#).

Executive Recommendation

Council endorse the addition of the name ‘Parker’ to the City of Bunbury Reserve and Street Name Register.

Background

The Parker Family have been in Bunbury for over 110 years. Kenneth Parker was a state champion cyclist and owned the Parker Bike Shop in Bunbury for more than 40 years. Other members of the family have been volunteer fireman, sportsmen (cycling and football) including captain/coach and life member of the South Bunbury Football Club.

Council Policy Compliance

The proposal does not contravene any Council policies or work procedures. All applications are to be resolved by Council for addition to Council’s Reserve and Street Name Register.

Legislative Compliance

Nil

Officer Comments

If approved the name ‘Parker’ would then be forwarded to the Geographic Names Committee (Landgate) for their approval.

The Geographic Names Committee provides the Minister for Land Information advice on geographical nomenclature matters and guidelines to facilitate the approval and processing of nomenclature applications.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

Nil

Relevant Precedents

Council Decision 208/11 was carried to adopt the addition of the name “Kongras” to the City of Bunbury Reserve and Street Name Register.

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Deputy Mayor Cr Craddock, seconded Cr Jones.

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

Council Committee Recommendation

Council endorse the addition of the name ‘Parker’ to the City of Bunbury Reserve and Street Name Register.

CARRIED
10 votes “for” / nil votes “against”

10.5.4 Naming of Internal Entrances at Hands Oval

File Ref:	A05601
Applicant/Proponent:	South Bunbury Football Club
Author:	Alison Baker, Executive Assistant Works and Services
Executive:	Phil Harris, Director Works and Services
Attachments:	Appendix DWS-3

Summary

The South Bunbury Football Club has requested that the entry gates to Hands Oval be named after local identities in recognition of the service they have provided to the Club. The names are Manea and Handcock

Executive Recommendation

That Council endorse the naming of the entry gates at Hands oval as follows:-

- Northern entrance – Manea
- Southern entrance – Handcock

Background

With the current upgrades to Hands Oval, South Bunbury Football Club has contacted council requesting that the entry gates be named after local identities (Manea and Handcock). Dr Manea has been the club's patron and team doctor for over 50 years. The Handcock brothers ran the Highway Hotel for many years and were instrumental in building the clubs premises on the back of volunteer labour. Both Dr Manea and the Handcock's are significant figures in the history of the development of the club at Hands Oval

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

This request is to name the entrances to the oval and will not be required to be registered with the Geographic Names Committee as official names. The naming of the entrances will recognise two of the club stalwarts and would form a part of the ongoing improvements to the facility.

Analysis of Financial and Budget Implications

There will not be any expenses to council. South Bunbury Football Club is not seeking funding and the club would arrange construction. The club has provided a rough idea of the sort of signage that they envisage (refer to **attached** Appendix [DWS-3](#)), which would combine the name along with a plaque to outline the significance to the club's history.

Community Consultation

No community consultation has been undertaken

Councillor/Officer Consultation

Nil

Outcome – Council Committee Meeting 15 January 2013

The Executive recommendation (as printed) was moved Deputy Mayor Cr Craddock, seconded Cr Cook.

Cr Kelly moved Cr Slater seconded the following amendment:

Add Point 2: *“That this not exclude other commercial naming rights for the gates”*.

The Mayor put the amendment to the vote and was LOST 4 votes “for” / 6 votes “against”

The Mayor put the motion to the vote and was LOST 4 votes “for” / 6 votes “against”.

Council Committee Recommendation

At the Council Committee meeting, the Committee moved the Executive recommendation but it was LOST in the voting. There was no alternate Committee recommendation put forward.

Cr Slater left the meeting at 10.09pm and did not return. He was not present for the discussion or voting on the remaining items on the agenda.

10.5.5 South West Stories – Stirling Line

File Ref:	A05695
Author:	Rachel Griffiths, Engineering Technical Officer
Executive:	Phil Harris, Director Works and Services
Attachments:	Appendix DWS-4 , DWS-5

Summary

Artist Helena Sahm has been selected as part of the Bunbury Regional Art Gallery South West Stories Project. The artist's proposal is to create a stencilled dotted line in water based, non-permanent, not toxic paint along Stirling Street and possibly Clarke St (time permitting), to the coast to attract attention and awareness of where Bunbury began and the land Governor Stirling granted himself on arrival in 1836.

Executive Recommendation

That Council support the implementation of a permanent dotted line along Stirling Street along with two descriptive plaques to be placed at either end of the line.

Background

Bunbury Regional Art Galleries (BRAG) as part of the South West Stories Project invited artists to participate in exploring historical stories from the region. The project considers the identity and sense of place through historical change and will be delivered in two stages. Each artist is asked to provide two works, with Stage One being an ephemeral site specific installation as well as Stage Two, a studio work for exhibition at BRAG.

As the timeframe for the project is limited, Helena proposes to focus on Stirling Street with the placement of a dotted line along the footpath in a natural ochre colour. Breaks in the line will occur due to obstructions such as buildings, private property and parks. The process may involve a small team of volunteers such as art students from Edith Cowan University and SW TAFE and will be documented photographically.

The partnered gallery piece of an illustrated pole approximately 9ft. tall will enhance and compliment the story. The gallery piece refers to a *“stout pole ten or twelve feet in height placed at South East corner of Bunbury town site”*.

Bernhard Bischoff stated in his research of March 2011 that *“Although Stirling’s selection was only officially granted on the 14 September 1841, as Leschenault Location 26 (refer to **attached** map at Appendix [DWS-4](#)) and 3940 acres in size, there can be no doubt that the marking of the boundary, including the placing of the pole would have been organised by Stirling himself with the assistance of his Surveyor General during this visit to the area between 6 and 16 March 1830.*

The site of the pole was resurveyed by R.G. Parks and located as expected at the eastern end of the straight section of Stirling Street, now near the Stirling Street Boat Ramp, where the Meredith Creek is no longer a creek with a bridge but a piped drain.”

The placement of the line will generate and provide an opportunity for revisiting the story of Bunbury's foundation, in particular where the line crosses the coastal walk of Ocean Drive

A location map is **attached** at Appendix [DWS-5](#).

All artists will be provided with a small materials allowance of \$300 for stage one of the Project

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

The original proposal of an ephemeral (temporary) art work is supported as part of the Bunbury Regional Art Gallery South West Stories Project.

However, consideration should be given to making the Stirling Street line a permanent historical feature, due to the considerable time and effort given to this aspect of the South West Stories Project.

Analysis of Financial and Budget Implications

Support for permanent marking paint and two etched plaques to be placed at either end of the Stirling Line, with an approximate cost of \$1,000. It is anticipated that these most of the cost will be negated by having the plaques manufactured and placed by the Department of Corrections work crews.

Community Consultation

Helena Sahm has been consulting with Bernhard Bischoff, a local Bunbury historian and has also been in contact with Leigh Barrett, Planning Officer – Heritage, as well as conducting comprehensive research into the founding of Bunbury as a town site.

Councillor/Officer Consultation

A meeting was held on the 8 January 2013 between myself and Helena to discuss the:

- Line marking colour - to ensure the line marking does not conflict with road markings;
- Size, shape and placement of the line;
- Consideration of making the artwork an enduring feature (permanent paint) along - with some markers/plaques to explain what the line is for and about.

Outcome – Council Committee Meeting 15 January 2013

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

During the discussion of this item Cr Jones left the meeting (10.10pm) and was not present for the vote on this matter.

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

Council Committee Recommendation

That Council support the implementation of a permanent dotted line along Stirling Street along with two descriptive plaques to be placed at either end of the line.

CARRIED

8 votes “for” / nil votes “against”

10.5.6 Victoria Street Streetscape Project

File Ref:	A03824
Applicant/Proponent:	Internal Report
Author:	Nigel Archibald, Team Leader Airport and Design
Executive:	Phil Harris, Director Works and Services
Attachments:	Appendix DWS-6

Summary

At the Council Meeting held on the 22 May 2012, Council Decision 157/12 resolved in part:

- “2. A meeting of business owners on the section of Victoria Street between Symmons and Wellington Street to be held to review the survey results.
3. Procurement of the works based on the design drawings be deferred pending the results of the meeting of business owners and the matter be returned to council as soon as possible for further consideration.”

Executive Recommendation

Council authorises construction of the Victoria Street Streetscape (Wellington St to Symmons St) in accordance with the presented design drawings.

Background

The Victoria Street pavement replacement program commenced in 2009 with the purpose of replacing the existing paving with larger format paving to reduce the occurrence of trip hazards and improve the overall aesthetic amenity of the streetscape.

Council staff originally proposed replacing the paving in the ‘Cappuccino Strip’ with Urbanstone pavers consistent with streetscaping works completed in other parts of Victoria Street in recent years.

During consultation with the affected businesses, it became apparent that the business owners did not support the continuation of a common theme and wishes the ‘Cappuccino Strip’ to have individuality.

At the Council Meeting held on the 22 May 2012 it was resolved to carry the project funding into the 2012/2013 financial year to allow Council staff to undertake additional consultation with the affected businesses.

A public meeting with the traders was arranged on the 17 September 2012 and was attended by the Deputy Mayor, Works and Services and Planning staff. A number of different concept designs were presented with the advantages/disadvantages of each being discussed. Workroom (Landscape Architects) and Cardno (Engineering Consultant) prepared design drawings and chose landscaping products based on the opinions expressed at this meeting.

These design drawings were presented at a second public meeting with the traders on the 10 December 2012 that was attended by the Deputy Mayor, with the Director Works and Services arriving later. Whilst there were differing opinions on a number of landscaping components, the traders were generally supportive of the design drawings.

Significant considerations in this project are to improve accessibility to people with mobility impairments, provide improved stormwater drainage, introduce a mid-block crossing point and improve the existing pedestrian crossing points at the roundabouts at each end, whilst the traders expressed a strong desire to retain the existing street trees and street lights.

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

The design of the works has taken into consideration the requirements to comply with the provisions of Australian Standard AS 1428.1-2001, Austroads 2009 and the Building Code of Australia (BCA) regarding accessibility, however the varying steps heights for each premises means that full access compliant with the relevant Standards and Codes is not achievable in all instances. The design is based on the most suitable compromise between the longitudinal and traverse cross fall standards taking into account the existing infrastructure constraints.

There were different opinions expressed by the traders on several landscaping components. Whilst the majority of traders supported retaining Victoria Street as two-way traffic, there were individuals who favoured one-way traffic flow. Similarly some individuals favoured the establishment of a raised mid-block crossing point. Council Officers have chosen to recommend a flush mid-block crossing point based on the fact that achieving a compliant raised crossing point adds additional complexity and cost to the project.

It is anticipated that construction will commence in early April following Easter. Construction is expected to take 10 weeks. The work will be undertaken progressively along the full length so that disruption to each premise is confined to a minimum.

The modified design (refer to **attached** Appendix [DWS-6](#)) will reduce the number of parking bays from 20 to 10. Two (2) bays were lost to accommodate the mid-block crossing point while six (6) bays were lost for alfresco dining with one (1) bay each converted from car parking bays to motorcycle and bicycle parking. The new configuration will provide parking for three (3) motorcycles and fourteen (14) bicycles.

Overall the City increased the number of parking bays in the CBD by 237 during 2012. A reduction of ten (10) bays will have minimal impact.

Although not detailed on the drawings provided to Council the works will include the provision for the installation of conduct for future electrical and communications cabling for the "Lighting Up Bunbury" project. Provision will also be made to accommodate the future installation of street banners.

Analysis of Financial and Budget Implications

There will be no variations to the current budget allocation for this project if it proceeds as per the drawings.

Community Consultation

Public meetings were conducted on the 17 September 2012 and the 10 December 2012. Whilst there were differing opinions on a number of landscaping components, the traders were generally supportive of the design drawings.

Councillor/Officer Consultation

The Deputy Mayor attended both public meetings. The Director Works and Services attended the first public meeting and arrived at the conclusion of the second public meeting. The City of Bunbury Access Committee has reviewed the initial design, providing valuable input.

Outcome – Council Committee Meeting 15 January 2013

Cr Jones returned to the meeting at 10.13pm and was present for the discussion and vote on the remaining items on the agenda.

The Executive recommendation (as printed) was moved Deputy Mayor Cr Craddock, seconded Cr Kelly.

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

Council Committee Recommendation

Council authorises construction of the Victoria Street Streetscape (Wellington St to Symmons St) in accordance with the presented design drawings.

CARRIED

9 votes "for" / nil votes "against"

11. Applications for Leave of Absence

Nil

12. Motions on Notice

Nil

13. Questions on Notice

13.1 Response to Previous Questions from Members taken on Notice

13.2 Questions from Members

13.2.1 Cr Jones – Annual Electors Meeting Minutes for Discussion

At its meeting held on 11 December 2012, Council resolved to confirm the Minutes of the 2012 Annual Electors Meeting and Cr Jones requested that the minutes be referred to the next Council (Standing) Committee meeting for discussion.

The minutes are **attached** at Appendix MTBN-5 and are presented for discussion pursuant to the Council resolution above.

13.2.2 Deputy Mayor Cr Craddock – Greater Bunbury Bicycle Masterplan Update

Deputy Mayor Cr Craddock submitted the following questions (in writing) prior to the close of the meeting agenda. A response has been provided by the Director Works and Services:

Question 1: There was a meeting of the four (4) Councils in the Greater Bunbury area held on 30 April 2012 at the Sanctuary Resort to assess regional priorities. This meeting identified six (6) key regional priorities, including the Greater Bunbury Bike Plan. What progress has been made in implementing this plan since the workshop?

Response 1: The Working Group met on 15 November 2012 to discuss the implementation of the Greater Bunbury Bicycle Master Plan. The key areas of discussion were how to prioritise projects identified in the plan, how to access funding for the projects in the plan and what terms of reference the Group would work under. The City provided the group with some information on project prioritisation and assessment criteria from the conference that Amanda Mitchell (City's Engineering Technical Officer) attended. Each agency commented on various aspects of the funding opportunities and the terms of reference are to be focussed on delivery of projects within the context of the plans recommendations.

Question 2: Has there been any joint approach to the State Government in an attempt to gain funding for this plan?

Response 2: The City and Councillors Cook and Kelly met with the Chair of the Working Group and a representative of the Bunbury Bicycle Users Group in late September to prioritise projects for the 2012 round of Department of Transport Regional Path Network program. At that meeting the Parade Road link between Usher and Dalyellup was identified as the groups preferred project as it would be relatively easy to deliver. Amanda Mitchell made an application for this project by the due date in late October 2012. An estimate to achieve the outcomes of the Greater Bunbury Bike Plan within the City boundaries is in the vicinity of \$8,500,000.

Question 3: Where the Bunbury Bike Plan differs from the Regional Bike Plan (and it does in several aspects) how is it intended to integrate the two or change one of the plans?

Response 3: The City has provision in its budget to review its City Bike Plan. The review will focus on updating projects that have been delivered, identifying any significant variations between the plans and updating the estimated delivery timeframes of the City plan to reflect budget constraints. The City has identified and listed in Sycle 25 cycleway related projects over the next 10 years.

Question 4: Does the Executive staff believe an ongoing committee of stakeholders is worthwhile, in an attempt to promote the implementation of the plans?

Response 4: The SWDC has established the Working Group to implement the recommendations of the Greater Bunbury Plan. The City sits on the Group and is already actively involved. The only concern, and this has been raised with group, is that the Group has no statutory framework or authority. Nonetheless, the group enjoys the attendance of the four (4) local authorities, the SWDC, Department of Transport, Department of Sports and Recreation, Main Roads WA and Federal Department of Regional Development.

13.2.3 Deputy Mayor Cr Craddock – Grant Funding Update

Deputy Mayor Cr Craddock submitted the following questions (in writing) prior to the close of the meeting agenda. A response has been provided by the Director Works and Services (Acting CEO):

Question 1: This financial year, for the first time, we have appointed a Grants Officer to assist Council in obtaining funding from external sources. When was our Grants Officer appointed?

Response 1: Monday August 13, 2012.

Question 2: What grants have been applied for since the appointment was made, what were they, on what dates and for what amounts?

Response 2: see table below:

Date Applied	Project	Funding Body	Amount Applied	Status
20/08/2012	Bunbury Hotspot Solutions – Illumination Program Phase 2	WA Police – Strategic Crime Prevention Division	\$25,000	Awaiting response
31/08/2012	Australia Day Youth Zone	Healthway	\$15,000	Successful
24/09/2012	PR-1250 Construct Glen Iris Skate Park (Design PR-1068)	Department of Sport and Recreation	\$161,680	Awaiting response – expected Dec/Jan
02/10/2012	Setagaya Photographic Workshops	Country Arts Network WA	\$5,500	Declined
09/10/2012	PR-1250 Construct Glen Iris Skate Park (Design PR-1068)	Lotterywest	\$56,668	Awaiting response, advised decision will take in excess of 4 months
12/10/2012	PR-2368 Design animal care facility to replace existing facility	Royalties for Regions – Country Local Government Fund 12/13	\$25,000	Successful
19/10/2012	National Youth Week Celebrations	Department for Communities	\$1,000	Successful
22/10/2012	2013 Australia Day	South West Development Commission	\$4,000	Successful
22/10/2012	2013 Kidsfest	South West Development Commission	\$6,000	Awarded \$2,000
22/10/2012	2013 Viva Bunbury!	South West Development Commission	\$4,000	Awarded \$2,000
25/10/2012	Cat Act Implementation	Department of Local Government	Misc Costs: \$3,335 Sterilization: \$21,840.45	Successful Awaiting response
25/10/2012	Bicycle Path Infrastructure	Department of Transport	\$292,500	Awaiting response
02/11/2012	Picton Agricultural Hall Stage 2	Lotterywest	\$57,500	Awaiting response
02/11/2012	Paisley Centre (fmr Government Boys School) Stage 2 works	Lotterywest	\$120,753	Awaiting response
02/11/2012	Bunbury Railway Station (fmr) – Conservation Plan	Lotterywest	\$14,170	Awaiting response
03/12/2012	Ablution Park Hay Park; Koombana Beach Toilets and change room; Payne Park Public Toilets	Royalties for Regions – Country Local Government Fund 12/13	\$659,040	Awaiting response
06/12/2012	Greater Bunbury Area Waste Water Recycling Project	Regional Development Australia	\$3,689,403	EOI submitted. Awaiting response

Question 3: Have we been notified of any successful applications? If so what were they?

Response 3: See status column in above table. Please note that most funding bodies take a minimum of 4 – 6 months to assess applications and advise of outcomes.

Question 4: What grant applications are being worked on at present?

- Response 4: Key applications being prepared include:
- Recreational Boating Facilities Scheme (RBFS) Round 18. Project Manager Lorraine Campbell, Engineering Technical Officer
 - Community Energy Efficiency Program Round 2. Working with Phil Harris to match current/upcoming City projects that fit funding criteria
 - Local Government Energy Efficiency Program (LGEEP). Working with Phil Harris to match current/upcoming City projects that fit funding criteria.

Question 5: What grants are expected to be applied for by the Grants Officer prior to the end of the 2012/13 financial year?

Response 5: An ever-evolving internal grants database has been developed that at this point in time has 34 potential grant opportunities closing prior to the end of the 2012/13 financial year. It is expected that this database will continue to grow as more funding is announced. This database is distributed regularly to Executive, Managers and Team Leaders, in addition to the Grants Officer discussing and qualifying opportunities that match identified Council projects with the relevant Project Manager. The Project Manager is responsible for drafting the application with the assistance of the Grants Officer who is responsible for managing all grants across the City to ensure central coordination to reduce internal competition, assisting with the writing of grant applications and proofing to ensure compliance with criteria, and ensuring milestones and reporting requirements are being met in a timely manner.

Question 6: Has the Grants Officer assisted any external organisations in their efforts to receive grants? If so, which ones?

- Response: Meetings have been attended with the following external organisations:
- Bunbury Community Radio: discuss their project, potential funding sources, and suggestions of ground work required in order to increase chances of success.
 - Stirling Street Arts Centre: advice on the process for applying for DGR status to allow them to receive gifts from individuals, trusts and foundations.
 - Meeting several youth organisations to provide advice on their applications for Department of Communities 2013 National Youth Week funding.

Telephone and/or email communications have been conducted with various unsolicited groups and individuals, resulting in the provision of suggestions of potential grant funding bodies, corporate sponsors, and free grants databases.

Currently in the process of organising community funding workshops scheduled for March 2013 in preparation for the 2013/14 financial year. These workshops will include:

- City of Bunbury session: a step by step interactive guide to preparing a Community Funding application for our 2013/14 funding round. Including the provision of a grants writing manual, to be developed by the Grants Officer.
- Lotterywest session (confirmed attendance): overview of their funding programs offered, tips and tricks to a winning application.
- Corporate representative session, with the aim of giving a fresh perspective on funding sources. Overview of sponsorships offered,

how corporate sponsorship differs to grants, and how to go about securing and managing corporate sponsorship. Meeting scheduled on 9 January with BHP Worsley Alumina Community Relations Advisor who has expressed an interest in presenting this session.

- The provision of a range of funding guides including from the Australia Council for the Arts, Department of Communities, Lotterywest and other departments to be confirmed.

14. New Business of an Urgent Nature Introduced by Decision of the Meeting

Nil

15. Meeting Closed to Public

Pursuant to Standing Order 6.2 of the City of Bunbury Standing Orders 2012, Cr Steck moved Cr Cook seconded that *“the meeting exclude members of the public and press to permit Confidential Business (as defined by the Local Government Act 1995) to be discussed.*

The Mayor put the procedural motion to the vote and was CARRIED 9 votes “for” / nil votes “against”. The meeting was closed to the public at 10.45pm.

15.1 Matters for which the Meeting may be Closed

Prior to the discussion of the confidential items Deputy Mayor Cr Craddock moved, Cr Kelly seconded the following motion:

- “1. That the consultant, Mr Peter Alexander, be invited to present his completed appendix to the 2010 Bunbury Regional Art Gallery Study, at the next briefing session of Council to enable further discussion by Council.
2. That further consideration of items 15.1.1 and 15.1.3 be deferred until the Council meeting following this briefing.”

The Mayor put the motion to the vote and was CARRIED 8 votes “for” / 1 vote “against”.

15.1.1 Appointments to Bunbury Regional Arts Management Board (BRAMB)

File Ref:	A04597
Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Confidential Report CRUSC-1

A confidential report and recommendation has been circulated to members **under separate cover** (Confidential Report [CRUSC-1](#))

Council Committee Recommendation

1. That the consultant, Mr Peter Alexander, be invited to present his completed appendix to the 2010 Bunbury Regional Art Gallery Study, at the next briefing session of Council to enable further discussion by Council.
2. That further consideration of items 15.1.1 and 15.1.3 be deferred until the Council meeting following this briefing.

15.1.2 Tender: Landscaping Maintenance Services to Marlston Hill and the Bunbury Wildlife Park RFT 2012 2013-17

File Ref:	
Applicant/Proponent:	Internal Report
Author:	Mark Robson, Manager Contracts and Property
Executive:	Phil Harris, Director Works and Services
Attachments:	Confidential Report CRUSC-3

Summary

The City of Bunbury has advertised for a suitably qualified and experienced Landscaping Contractor to maintain and provide a variety of services to the Marlston Hill Precinct and the Bunbury Wildlife Park, ensuring that they are maintained to an expected high standard.

Executive Recommendation

Council accepts the tendered Schedule of Rates submitted by LD Total in order to attend to the landscape maintenance services at the Marlston Hill Precinct and the Bunbury Wildlife Park.

Background

This tender was advertised in the West Australian as well as the Bunbury South Western Times newspapers on 24 and 25 October 2012 respectively. Electronic Tender Responses closed at 3.00pm on Thursday, 15 November 2012. Manager Contracts and Property and Senior Contracts and Procurement Officer opened the electronic tender box.

The documentation was made available via www.tenderlink.com/bunbury/. At the close of tender, one (1) response was received from LD Total of 7 Mason Street Bunbury WA 6230.

An evaluation panel comprising of the Manager Civil and Open Space, the Manager of the Wildlife Park, the Manager Contracts and Property and the Group Leader Open Space assessed the tender responses.

The tenders were evaluated using the following criteria:

- Compliance Criteria
- Qualitative Criteria
- Price

Compliance Criteria

The following compliance criteria were used to assess the tenders:

- | | | |
|----|--|--------|
| a) | Compliance with the Specification contained in the Request | yes/no |
| b) | Compliance with the Conditions of Tendering of the Request | yes/no |
| c) | Compliance with and completion of the Price Schedule | yes/no |
| d) | Do you have previous experience with similar projects? | Yes/no |

Qualitative Criteria

The following Qualitative Criteria were used to assess the tenders:

- | | | |
|----|---------------------|------------------|
| a) | Relevant Experience | Weighting
35% |
|----|---------------------|------------------|

b)	Skills and Experience of Key Personnel	35%
c)	Methodology	10%
d)	Tenderers Resources	15%
e)	Value Adding Proposal	5%

Price

Evaluation of the tender price 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 ([CRUSC-3](#)).

Council Policy Compliance

The tender process complies with the requirements of the City’s Work Procedure WP4.2 “Tender Procedure and Associated Legislation”.

Council’s policy DCS8 “Purchasing – Local Preference Policy” was not applied during the evaluation of the tenders, as only one (1) tender response was received and the Respondent is locally based in any event.

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”.

Analysis of Financial and Budget Implications

Funding for the services has been provided for in the Civil Works and Open Space Operational Budget for 2012/2013 as well as in the Maintenance Budget for the Wildlife Lawn and Gardens (GL 500298.820.3300 – Work Order W10863).

Strategic and/or Regional Outcomes

Acceptance of the Executive Recommendation listed in this report is consistent with the City of Bunbury Strategic Plan 2007-2012 in continuing to maintain and service its assets and infrastructure.

Outcome – Council Committee Meeting 15 January 2013

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

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

Council Committee Recommendation

Council accepts the tendered Schedule of Rates submitted by LD Total in order to attend to the landscape maintenance services at the Marlston Hill Precinct and the Bunbury Wildlife Park.

CARRIED
9 votes “for” / nil votes “against”

15.1.3 Confidential - Proposed Discussions with Bunbury Regional Arts Management Board

File Ref:	A04597
Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Stephanie Addison Brown, Director Community and Customer Services
Attachments:	Confidential Report CRUSC-4

A confidential report and recommendation has been circulated to members **under separate cover** (Confidential Report [CRUSC-4](#))

Council Committee Recommendation

1. *That the consultant, Mr Peter Alexander, be invited to present his completed appendix to the 2010 Bunbury Regional Art Gallery Study, at the next briefing session of Council to enable further discussion by Council.*
2. *That further consideration of items 15.1.1 and 15.1.3 be deferred until the Council meeting following this briefing.*

Cr Steck moved Cr Cook seconded that the meeting be reopened to the public. The Mayor put the procedural motion to the vote and was CARRIED 9 votes “for” / nil votes “against”. The meeting was reopened at 11.05pm

16. Closure

The meeting was declared closed at 11.06pm.