



Bunbury City Council

Minutes 14 April 2015



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

Table of Contents

Item No	Subject	Page
1.	Declaration of Opening / Announcements of Visitors.....	5
2.	Disclaimer	5
3.	Announcements from the Presiding Member.....	5
4.	Attendance	6
4.1	Apologies.....	6
4.2	Approved Leave of Absence.....	6
4.2.1	Request for Leave of Absence – Cr Neville McNeill	7
5.	Declaration of Interest.....	8
6.	Public Question Time.....	9
6.1	Public Question Time	9
6.2	Responses to Public Questions Taken ‘On Notice’	9
7.	Confirmation of Previous Minutes and other Meetings under Clause 19.1.....	10
7.1	Minutes10	
7.1.1	Minutes – Ordinary Council Meeting.....	10
7.1.2	Minutes – Council Advisory Committees and Working/Project Groups	11
8.	Petitions, Presentations, Deputations and Delegations.....	12
8.1	Petitions	12
8.2	Presentations	12
8.3	Deputations.....	12
8.4	Council Delegates’ Reports	13
8.5	Conference Delegates’ Reports.....	13
9.	Method of Dealing with Agenda Business.....	13
9.	Method of Dealing with Agenda Business.....	13
10.	Reports.....	14
10.1	Advertising of the Draft 2015/16 Fees and Charges (was listed as item 10.2.1 of the Council Agenda)	14
10.2	Attendance at the Australasian Hotel Industry Conference and Exhibition (29 April to 30 April 2015) (was listed as item 10.2.3 of the Council Agenda)	16
10.3	Councillor Discretionary Funds Quarterly Report (was listed as item 10.2.4 of the Council Agenda)	18
10.4	Precinct Committees (was listed as item 10.2.5 of the Council Agenda)	22
10.5	Bunbury-Setagaya Sister Cities Committee – Appointment of New Committee Members (was listed as item 10.1.1 of the Council Agenda)	26
10.6	Corporate Business Plan 2015/16 to 2018/19 (was listed as item 10.2.2 of the Council Agenda)	28
10.7	Hay Park Master Plan (was listed as item 10.3.1 of the Council Agenda).....	30
10.8	Proposed Riverlea Local Development Plan (was listed as item 10.4.1 of the Council Agenda)	33

Table of Contents

Item No	Subject	Page
11.	Applications for Leave of Absence.....	38
12.	Motions on Notice	38
13.	Questions on Notice	38
13.1	Response to Previous Questions from Members taken on Notice	38
13.2	Questions from Members	38
14.	New Business of an Urgent Nature Introduced by Decision of the Meeting	39
14.1	Regional Centres Program	40
15.	Meeting Closed to Public.....	43
15.1	Matters for which the Meeting may be Closed	43
15.1.1	Lot 361 Geographe Way Withers.....	43
15.2	Public Reading of Resolutions that may be made Public	44
16.	Closure	44

Nature of Council's Role in Decision Making

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Review:** When Council reviews decisions made by Officers.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Bunbury City Council Minutes

Minutes of the Ordinary meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street Bunbury held 14 April 2015 at 5.30pm.

Minutes 14 April 2015

Note: These minutes are subject to confirmation at the next Ordinary meeting of the Council.

1. Declaration of Opening / Announcements of Visitors

The meeting was declared open by the Mayor Mr Gary Brennan at 5.30pm.

2. Disclaimer

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, and will also be streamed live via the internet to the public.

3. Announcements from the Presiding Member

The Mayor noted that the Shift Youth Arts Festival was launched on Monday 13 April 2015. The Launch had been terrific with a fabulous buzz and the Mayor and some Councillors were in attendance. He offered his congratulations to both the Youth Mayor, the Youth Advisory Council, supporting staff, and in particular Liz Larkin. He noted that there would be lots of fantastic activities over the course of the week, culminating in the revealing of the 3D artwork on Sunday.

The Mayor noted that he and the CEO would be addressing the Bunbury Chamber of Commerce and Industry at a breakfast event the following morning. They will be outlining opportunities within Bunbury and launching the new Investment Prospectus.

4. Attendance

Present:

Council Members:	
Presiding Member	Mayor G Brennan
Deputy Presiding Member	Deputy Mayor Cr B Kelly
Members	Councillor J Hayward
	Councillor B McCleary
	Councillor K Steck
	Councillor S Morris
	Councillor J Jones
	Councillor J Miguel
	Councillor M Cook
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr A Brien
Director Community Development	Ms S Addison-Brown
Director Works and Services	Mr P Harris
Council Officers (Non-Voting)	
Acting Media and Communications Officer	Mr J Tatham
Manager Governance	Mr G Golinski
Manager Finance	Mr D Ransom
Senior Budget Officer	Ms E Lofthouse
Manager Corporate Projects	Mrs F Anderson
Major Projects Officer	Mrs J Hacket
Manager Sustainability, Planning and Development	Mr T Farnworth
Manager Sport, Leisure and Active Lifestyles	Mr G Stokes
Council Meeting Support Officer	Mrs L Allan
Others (Non-Voting)	
Members of the Public	8
Members of the Press	2

4.1 Apologies

Cr Prosser was an apology at the meeting.

Cr Steele was an apology at the meeting.

4.2 Approved Leave of Absence

Cr Giles is on approved leave of absence from all Council-related business from 13 April 2015 to 29 April 2015 inclusive.

Cr McNeil is on approved leave of absence from all Council-related business from 12 April 2015 to 19 April 2015 inclusive (see Item 4.2.1).

4.2.1 Request for Leave of Absence – Cr Neville McNeill

Applicant/Proponent:	Internal
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary/Background

Cr McNeill requests leave of absence from all Council-related business from 12 April 2015 to 19 April 2015 inclusive.

Section 2.25 of the *Local Government Act 1995*, allows a council to grant leave of absence to one of its members provided that the period of leave does not exceed six (6) consecutive ordinary meetings of the Council.

Executive Recommendation

Pursuant to Section 2.25 of the Local Government Act 1995, Cr McNeill is granted leave of absence from all Council-related business from 12 April 2015 to 19 April 2015 inclusive.

Outcome – Council Meeting 14 April 2015

The recommendation (as printed) from the Executive was moved Cr Cook seconded Cr Jones and adopted to come the Council's decision on the matter.

Council Decision 116/15

Pursuant to Section 2.25 of the Local Government Act 1995, Cr McNeill is granted leave of absence from all Council-related business from 12 April 2015 to 19 April 2015 inclusive.

CARRIED

9 votes "for" / Nil votes "against"

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.

Section 5.60A: *“a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”*

Section 5.60B: *“a person has a **proximity interest** in a matter if the matter concerns –*

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality): *“**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”*

The Mayor, Gary Brennan declared a financial interest in the item title *“10.4.1 Proposed Riverlea Local Development Plan”* as he has a financial relationship with one or more of the Riverlea Development Syndicate. The Mayor will vacate the chamber for the discussion and vote on the matter.

6. Public Question Time

In accordance with Reg. 7(4)(a) of the Local Government (Administration) Regulations 1996, members of the public in attendance at the meeting may stand, state aloud their name and address, and ask a question in relation to any matter over which the municipality of Bunbury has jurisdiction or involvement.

In accordance with Standing Order 6.7(3)(a) a person wishing to ask a question, must complete a question form which is provided in the trays at the back of the public gallery and on the City's website. The completed form must include your name and address and contain no more than three (3) questions. 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 a summary of your question (and any responses provided) will be printed in the minutes of the meeting.

6.1 Public Question Time

Mr David Smith, 8 Picton Crescent, Bunbury

Question 1: With reference to the Corporate Business Plan being considered this evening, I ask whether Council will consider changing the City of Bunbury and Greater Bunbury population estimates in the plan to reflect those issued by the ABS on the 31st March, 2015 which show the population of the City of Bunbury as at 30th June 2014 as being 34,225 and of Bunbury, Harvey, Dardanup and Capel Shires at total of 92,148 with Collie, having a further 9,778 and Donnybrook-Balingup 5,901 for a sub-regional total of 107,827?

Reply: No, not at this time.

Question 2: When the Plan says Staff costs will increase by 1.5% per annum over the life of the Plan "in real terms" does this mean 1.5% plus an estimate of 2.5% for the CPI for a total of 4% per annum or an actual 1.5% per annum?

Reply: Staff costs budget is to increase by 1.5% overall for 2015/16.

Question 3: I am especially pleased to note the Major Projects include a total of \$12,288,323 for a new Lotteries House with completion in 2017/18, \$7,334,443 for the Leschenault Inlet Precinct 2 including the water park, to be completed in 2015/16 and \$6,000,000 for the Stirling Street Arts Centre to be built in 2017/18 and \$10,980,196 in 2018/19 for Precinct 3 (CBD) \$1,355,068 for the Friendship Park in 2016/17 and I ask how much of each of these expenditures are to come from state and federal government grants and from private donors or agencies like Lotterywest, and how much from council revenues and land sales?

Reply: The estimated costs and revenue sources are shown in Appendix 1 to the Corporate Business Plan.

6.2 Responses to Public Questions Taken 'On Notice'

Nil.

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

7.1 Minutes

7.1.1 Minutes – Ordinary Council Meeting

The minutes of the Ordinary meeting of the Bunbury City Council held 31 March 2015 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the Bunbury City Council held 31 March 2015 be confirmed as a true and accurate record.

Outcome – Council Meeting 14 April 2015

The recommendation (as printed) from the Executive was moved Cr Hayward seconded Cr Cook and adopted to come the Council's decision on the matter.

Council Decision 117/15

The minutes of the Ordinary meeting of the Bunbury City Council held 31 March 2015 have been circulated.

CARRIED

9 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 – Youth Advisory Council Committee Minutes 11/03/2015 Appendix MTBN-2 – Bunbury-Setagaya Sister Cities Committee Minutes 25/03/2015

Summary

The following Advisory Committee Meetings were held and the minutes are presented for noting:

1. Title: Youth Advisory Council Committee Minutes 11/03/2015
Author: Elizabeth Larkin, Community Development Officer
Appendix: MTBN-1
2. Title: Bunbury-Setagaya Sister Cities Committee 25/03/2015
Author: Helena Sahn, Senior Officer Sister Cities
Appendix: MTBN-2

Council Committee Recommendation

The following Advisory Committee meeting minutes listed in the report be accepted and noted:

1. Youth Advisory Council Committee Minutes 11/03/2015
2. Bunbury Setagaya Sister Cities Committee 25/03/2015

Outcome – Council Meeting 14 April 2015

The recommendation (as printed) from the Executive was moved Cr Kelly seconded Cr Hayward and adopted to come the Council's decision on the matter.

Council Decision 118/15

The following Advisory Committee meeting minutes listed in the report be accepted and noted:

1. **Youth Advisory Council Committee Minutes 11/03/2015**
2. **Bunbury Setagaya Sister Cities Committee 25/03/2015**

CARRIED

9 votes "for" / Nil votes "against"

8. Petitions, Presentations, Deputations and Delegations

8.1 Petitions

Pursuant to clause 6.10(2) of the City of Bunbury Standing Orders 2012, upon receiving a petition, the Council is to

- a) Receive the petition and refer to the relevant officer for a report to be submitted within the next two (2) rounds of Council meetings; or
- b) Reject the petition

8.2 Presentations

8.3 Deputations

David Smith, 8 Picton Crescent, Bunbury

Mr Smith requested to address items 10.2.1 titled “Advertising of the Draft 2015/16 Fees and Charges” and 10.2.2 titled “Corporate Business Plan 2015/16 to 2018/19”.

Pursuant to clause 6.9 (2)(b) of Councils Standing Orders, Council approves Mr Smith’s deputation request to address Items 10.2.1 titled “Advertising of the Draft 2015/16 Fees and Charges” and 10.2.2 titled “Corporate Business Plan 2015/16 to 2018/19 and allows a period of up to five (5) minutes to present to Council on each item.

MOTION WAS LOST

Mr Gary Barbour, Calibre Consulting, Unit 5, 53 Victoria Street, Bunbury

Mr Barbour requested to address item 10.4.1 title “Proposed Riverlea Local Development Plan”.

Council Decision 119/15

Pursuant to clause 6.9 (2)(b) of Councils Standing Orders, Council approves Mr Barbour’s deputation request to address Item 10.4.1 titled “Proposed Riverlea Local Development Plan” and allows a period of up to five (5) minutes to present to Council.

CARRIED

8.4 Council Delegates' Reports

8.5 Conference Delegates' Reports

9. Method of Dealing with Agenda Business

9. Method of Dealing with Agenda Business

Standing Order 5.5 permits the Council to adopt the recommendations “by exception” (en-bloc). The Mayor put the matters listed in Section 10 to be “adopted by exception” to the vote.

Pursuant to Standing Order 5.5, the Council “*adopted by exception*” (i.e. without discussion) those recommendations listed for items 10.2.1, 10.2.3, 10.2.4 and 10.2.5.

Items 10.1.1, 10.2.2,, 10.3.1 and 10.4.1 of the meeting agenda were then discussed and voted on separately and in the order that they appeared on the agenda. The items have been renumbered with the items voted “by exception” listed first.

The items “*adopted by exception*” were moved Cr Cook, seconded Cr Hayward.

10. Reports

10.1 **Advertising of the Draft 2015/16 Fees and Charges** (was listed as item 10.2.1 of the Council Agenda)

Applicant/Proponent:	Internal Report
Author:	David Ransom, Manager Finance
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Appendix CEO-1: 2015/16 Fees and Charges Report Appendix CEO-2: Advertisement for public comment

Summary

The fees and charges imposed by Council form part of the annual budget which is required by the *Local Government Act 1995* to be adopted between 1 June and 31 August each year for the coming financial year ending 30 June.

In developing the draft 2015/16 Annual Budget the amount of income that will be generated from fees and charges needs to be determined. A draft 2015/16 Fees and Charges report has been prepared (refer **attached** Appendix CEO-1) which lists all fees and charges and the estimated income that will be received. Council is requested to consider this report and give in-principle support to the 2015/16 fees and charges.

Council will still be able to amend any of the fees and charges under its control prior to the adoption of the budget in July 2015, but an indication of Council's acceptance now will assist in the preparation of next year's annual budget.

It is proposed that the draft 2015/16 Fees and Charges report be made available for public comment. A copy of the advertisement that will appear in the local newspaper is **attached** at Appendix CEO-2.

Executive Recommendation

1. Council gives in-principle support to the 2015/16 fees and charges to assist in the preparation of the 2015/16 draft budget.
2. The proposed 2015/16 fees and charges are advertised for public comment.

Background

A draft 2015/16 Fees and Charges report has been prepared for Council consideration. Council have discussed this document at a number of Councillor Workshops in March 2015 and feedback from Councillors has been included.

Council Policy Compliance

Not applicable.

Legislative Compliance

Nil as the recommendation is seeking 'in-principle' support for the proposed fees and charges in the 2015/16 draft budget.

Officer Comments

The draft 2015/16 Fees and Charges report lists all fees and charges, the estimated income that will be received and the increase from the previous year. All fees and charges have been reviewed and increased where possible to reflect the cost of providing each service/product or as determined by competing markets e.g. gym memberships. In some cases the fee or charge is determined by regulation and not by Council and therefore is unable to be amended.

Analysis of Financial and Budget Implications

There are no financial or budget implications as only in-principle support is requested from Council.

Community Consultation

The Executive Recommendation is to seek Council approval to engage in community consultation.

Councillor/Officer Consultation

The proposed 2015/16 fees and charges has been prepared by Executives and Managers. The draft 2015/16 Fees and Charges report was discussed by Councillors at a number of Councillor Workshops in March 2015.

Outcome – Council Meeting 14 April 2015

Pursuant to Standing Order 5.5 the recommendation (as printed) from the Executive was moved Cr Cook seconded Cr Hayward and adopted ('en bloc') to come the Council's decision on the matter.

Council Decision 120/15

- 1. Council gives in-principle support to the 2015/16 fees and charges to assist in the preparation of the 2015/16 draft budget.**
- 2. The proposed 2015/16 fees and charges are advertised for public comment.**

CARRIED

9 votes "for" / Nil votes "against"

10.2 Attendance at the Australasian Hotel Industry Conference and Exhibition (29 April to 30 April 2015) (was listed as item 10.2.3 of the Council Agenda)

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

Summary

The Australasian Hotel Industry Conference and Exhibition (AHICE) are holding a Hotels Conference which will cover a range of issues and topics regarding the hotel industry in Australia, New Zealand and the South Pacific.

It is felt that with the current focus on development opportunities (i.e. Koombana North, the City's new Investment Prospectus, the MOU with Shanghai Hippo Animation Company/Vue Group and the State Government) the attendance of the CEO at the Conference is deemed appropriate.

The 2015 conference will be held from 29-30 April 2015 inclusive.

Executive Recommendation

That Council approve the attendance of the Chief Executive Officer at the Australasian Hotel Industry Conference and Exhibition to be held in Melbourne from 29 April to 30 April 2015 inclusive.

Background

AHICE, organised by the Intermedia Group, has a target audience of some 200 industry professionals representing hotel brands, owners and operators.

It provides an opportunity to target investor and hotel groups including Lyons Capital, Asian Pacific Hotels Group, Ascott International, Lancemore, Quest, Choice, Far East Consortium and Abercrombie & Kent.

Attendance at the conference would enable discussion on key strategies that may influence investment in tourism infrastructure, facilitate strategic projects, and further to develop a stronger position when dealing with the Shanghai Hippo Group Proposal.

It will also provide further opportunity to market Bunbury as a competitive tourism destination as well as supporting significant tourism infrastructure and development projects.

Council Policy Compliance

Attendance at this conference will be facilitated through the provisions and conditions of Council Policy CEO1 *"Conferences, Seminars, Training and Induction Courses – Attendance by Elected Members."*

Legislative Compliance

The endorsement of this proposal will ensure that compliance has been met with all legislative matters including policy.

Officer Comments

It is felt that it is appropriate for the CEO to represent the City of Bunbury at the 5th Australasian Hotel Industry Conference & Exhibition (AHICE) to meet with hotel owners and operators.

Attendance at the conference will enable dialogue and meetings with a group of key stakeholders included in the hotel pipeline delivery for Western Australia with a view to acknowledging their confidence in the market and encouraging them to invest in the City.

Attending AHICE provides an opportunity for consistency of presence with hotel decision makers in Australia and Asia Pacific and the opportunity to showcase Perth through AHICE affiliated media channels – HM Online and HM Magazine.

Advice has been received that the attendees from Western Australia include three (3) representatives from Tourism WA, Representatives from LandCorp as well as representatives from the City of Swan and City of Busselton.

Analysis of Financial and Budget Implications

Councils 2014/2015 Budget contains sufficient funding allocations to accommodate attendance at this conference.

Community Consultation

There is no requirement for community consultation on this proposal.

Councillor/Officer Consultation

The Mayor and Chief Executive Officer are aware of this proposal. This report serves to bring the matter to the attention of all elected members.

Outcome – Council Meeting 14 April 2015

Pursuant to Standing Order 5.5 the recommendation (as printed) from the Executive was moved Cr Cook seconded Cr Hayward and adopted ('en bloc') to come the Council's decision on the matter.

Council Decision 121/15

That Council approve the attendance of the Chief Executive Officer at the Australasian Hotel Industry Conference and Exhibition to be held in Melbourne from 29 April to 30 April 2015 inclusive.

CARRIED

9 votes "for" / Nil votes "against"

10.3 Councillor Discretionary Funds Quarterly Report (was listed as item 10.2.4 of the Council Agenda)

Applicant/Proponent:	Internal Report
Author:	Katie Merwood, Executive Assistant to the Mayor
Executive:	Andrew Brien, CEO
Attachments:	NIL

Summary

In accordance with Council Policy ‘Councillor Discretionary Funds’, Council is to be provided with a quarterly report outlining details of all Councillor Discretionary Fund (CDF) payments . This agenda item satisfies the requirements of this policy

Executive Recommendation

That Council receives the report for the period 1 October 2014 to 31 March 2015 relating to Councillor and Mayoral Discretionary Fund expenditure.

Background

At the Council meeting held 18 March 2014, Council adopted a Policy relating to Councillor Discretionary Funds. The policy requires officers to provide quarterly reports to Council outlining the relevant details of CDF expenditure as follows:

- i) The name of the community group;
- ii) The purpose for which the funds were delivered; and
- iii) The amount of funds provided

This report covers the half-yearly period 1 October 2014 to 31 March 2015, as the report for the last quarter of 2014 has not previously been provided.

Council Policy Compliance

This matter is in line with the Councillor Discretionary fund Policy requirements

Legislative Compliance

There is no legislative compliance applicable to this matter

Officer Comments

The following table outlines the Councillor Discretionary Fund payments made for the period 1 October 2014 to 31 March 2015:

Councillor	Recipient	Purpose	Value
Cr Kelly	Special Olympics WA South West Region	To support the multisport event held in recognition of Disability Awareness Week and to celebrate International	\$350.00

Councillor	Recipient	Purpose	Value
		Day of People with Disability.	
Cr Kelly	Maidens Park Primary School	Performing arts budget	\$250.00
Cr Kelly	Enable South West	Art Partners art supplies	\$1000.00
Cr Kelly	Withers Progress Association	to support their community workshop program at Hudson Road	\$250.00
Cr Kelly	Bunbury Musical Comedy Group	to support their Theatre program, particularly props department	\$150.00
Cr Kelly	Print Shop Bunbury	To print Marcia Brochures	\$203.00
Cr Kelly	South West Women's Health and Information Centre	to support their health outreach program for women	\$500.00
Cr McCleary	Mediation South West Chris Phillips	Payment of Invoice 86869 for the Withers Action Group mediation session	\$660.00
Cr McCleary	Milligan House	General Purpose Use	\$500.00
Cr McCleary	Jaiden Lanigan	to assist with the costs of attending the 2014 World Speed Skating Championships, Rosario Argentina	\$300.00
Cr McCleary	Kayleen Walker – ECU Student	Full Delegate ticket for attendance at the Sister Cities Conference in Bunbury	\$790.00
Cr McCleary	Sacha King – ECU Student	Full Delegate ticket for attendance at the Sister Cities Conference in Bunbury	\$790.00
Cr McCleary	Bunbury Underwater Hockey Club Inc.	Assist the local U15 Underwater Hockey State Team players attending the National Championships in Sydney	\$200.00
Cr McCleary	Kaiella Taylor	Travel costs -under 15s yachting	\$250.00
Cr McCleary	Withers Progress Association Inc	To purchase art supplies	\$800.00
Cr McCleary	Uniting Care West	To assist with Local Youth Friendly Event	\$200.00
Cr Giles	Colts Cricket Club	For the development of Junior cricket in Bunbury	\$500.00
Cr Giles	Bryce Lanigan	to assist with the costs of attending the 2014 State Junior Road Championships (Cycling) in QLD	\$200.00
Cr Giles	SW Womens Health & Information Centre	To assist with South West Aboriginal Women's Health Promotion programs	\$2500.00
Cr Giles	Uniting Care West	To assist with Local Youth Friendly Event	\$300.00
Cr Giles	Roselle Enriquez – ECU Student	Student ticket for attendance at Sister City Conference in Bunbury	\$300.00
Cr Jones	Stirling Streets Art Centre	For the assistance of the Summer School program run at the Stirling Street Arts Centre.	\$5000.00
Cr Steck	Friday Brass Band	to assist with the purchase of banners for competition	\$500.00
Cr Steck	Bunbury Historical Society	To assist with Costume Gala Event	\$1000.00
Cr Miguel	South West Women's Health and Information Centre	To support their outreach programs	\$500.00
Cr Miguel	Festival Brass Group	To help the group expand their musical activities in the Bunbury Community	\$500.00
Cr Miguel	Jaiden Lanigan	to assist with the costs of attending the 2014 World Speed Skating	\$250.00

Councillor	Recipient	Purpose	Value
		Championships, Rosario Argentina	
Cr Miguel	Withers Progress Association	Support of Community Workshops	\$500.00
Cr Hayward	Des Ugle Park Christmas Concert & Family Day	Donation for the Christmas Concert and Family Day	\$250.00
Cr Hayward	Andrew Frazer	Donation for Re.Discover 2015: An Annual Walking Street Art Exhibition	\$200.00
Cr Hayward	Bunbury Underwater Hockey Club Inc.	Assist the local U15 Underwater Hockey State Team players attending the National Championships in Sydney	\$250.00
Cr Hayward	Withers Progress Association	Public Liability Insurance	\$500.00
Cr Cook	Festival Brass Group	Support funding to facilitate visits by musicians to Nursing Homes, Schools, Retirement Villages and the like.	\$250.00
Cr Cook	Friends of Des Ugle Park	Donation for the Christmas Concert and Family Day	\$250.00
Cr Cook	Val Lishman Health Research Foundation	Assist with Autism Research	\$250.00
Cr Cook	Men's shed	Building standard operating procedure manuals	\$250.00
Cr Cook	Bunbury Seniors Computer Club	Assist with training materials	\$250.00
Cr Cook	Life Without Barriers	Support Bunbury Athletes at Special Olympics, Melbourne	\$250.00
Cr Cook	Bryce Lanigan	to assist with the costs of attending the 2014 State Junior Road Championships (Cycling) in QLD	\$250.00
Cr Cook	City of Bunbury Lifesaving Club	200 Club Sponsorship for season 2014/2015	\$220.00
Cr Cook	Special Olympics WA South West Region	Procedures and Governance setup	\$250.00
Cr Cook	Jaiden Lanigan	to assist with the costs of attending the 2014 World Speed Skating Championships, Rosario Argentina	\$250.00
Cr Cook	Andrew Frazer Designs	Support funding for 2015 programme of Re.Discover 2015	\$280.00
Cr Cook	Bunbury Underwater Hockey Club	Assist U15 players	\$250.00
Cr Cook	Roadwise Advertising	Roadwise Advertising (internal transfer)	\$250.00
Cr Cook	Kaiella Taylor	Travel costs -under 15s yachting	\$250.00
Cr Cook	Youth Driver Development Program	Advanced Motorcycle Training	\$250.00
Cr Cook	Louise Bradford	Badminton Tournament	\$250.00
Cr Cook	Bunbury Community Radio	Assist with start up	\$250.00
Cr Cook	Withers Progress Association	Seed funding	\$230.00
Cr Cook	Choose Respect	Pamphlets	\$220.00
Cr Cook	South West Senior Expo	Running Costs	\$300.00
Cr McNeill	Jaiden Lanigan	to assist with the costs of attending the 2014 World Speed Skating Championships, Rosario Argentina	\$200.00
Cr McNeill	Bunbury Underwater Hockey Club Inc.	Assist the local U15 Underwater Hockey State Team players attending the National Championships in Sydney	\$250.00
Cr McNeill	Chef's Long Table Lunch	To assist with 2015 CLTL event	\$500.00
Cr Prosser	Bunbury Rowing Club	for the summer junior rowing program	\$500.00

Councillor	Recipient	Purpose	Value
Cr Prosser	COB Surf Life Saving Club	for the 200 Club sponsor	\$500.00
Cr Prosser	Bunbury Bowling Club	for events sponsorship	\$500.00
Cr Prosser	Festival Brass Band	Support funding to facilitate visits by musicians to Nursing Homes, Schools, Retirement Villages and the like.	\$500.00
Mayor Brennan	South Bunbury Rotary Club	Dunstan Street Christmas Lights Traffic Management	\$2500.00

Analysis of Financial and Budget Implications

There are no financial or budget implications as the money allocated has been included in the 2014/2015 budget.

Community Consultation

There is no community consultation required for this matter.

Councillor/Officer Consultation

There is no councillor/officer consultation required for this matter.

Outcome – Council Meeting 14 April 2015

Pursuant to Standing Order 5.5 the recommendation (as printed) from the Executive was moved Cr Cook seconded Cr Hayward and adopted ('en bloc') to come the Council's decision on the matter.

Council Decision 122/15

That Council receives the report for the period 1 October 2014 to 31 March 2015 relating to Councillor and Mayoral Discretionary Fund expenditure.

CARRIED

9 votes "for" / Nil votes "against"

10.4 Precinct Committees (was listed as item 10.2.5 of the Council Agenda)

Applicant/Proponent:	Internal
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Nil

Summary

The purpose of this report is for Council to consider the outcomes of the community consultation relating to Precinct Committees

The results of the consultation were presented to Council informally at the briefing held on 10 March 2015, and are now presented formally for Council to determine the appropriate way forward in this regard.

Executive Recommendation

That Council:

1. Notes the feedback received in relation to the Precinct Committee consultation process.
2. Maintains the status quo in terms of its community engagement mechanisms, noting that staff will continue to look for improvements and different mechanisms of consultation and engagement on specific projects and activities.

Background

At the Ordinary Council Meeting held on 10 June 2014, Point 4 of Council Decision 198/14 authorised the CEO to initiate community consultation and research into the potential establishment of Community Panels or Precinct Committees based on geographic groupings of interest throughout the City.

As a result of this decision, a research paper entitled *Community Panels/Precinct Committees in the City of Bunbury* was prepared and endorsed by Council (refer resolution 421/14). The paper, which formed the basis of the community engagement, examined the use of community panel/precinct committees across Australia, and outlined options for consideration.

Community consultation was undertaken in this regard during February 2015, to ascertain the level of community interest in each of the three options presented within the research paper. Respondents were invited to have their say via an online survey, a paper survey available in the Customer Service Centre and in the Bunbury Herald, or in writing via post or email, or in person at a community meeting.

The consultation was widely advertised including via the Household Panel, in the City Focus, newspaper and radio media, advertising in the Bunbury Herald, City of Bunbury and e-Watch e-newsletters, and across Facebook.

In total 108 submissions were received comprising 70 online surveys, 18 paper surveys, four written responses, and 16 attendees at the public meeting.

Council Policy Compliance

Not applicable.

Legislative Compliance

Nil

Officer Comments

The results of the consultation are summarised as follows:

Online Survey - 70 responses

The online survey asked respondents to select which option they would like to see implemented and were then directed to specific questions based on the option selected.

Over 50% of respondents were 50 years or older, with a further 31.4% being between 40 and 49 years. The remaining 15.8% were under 39 years.

Twenty people would like to see precinct committees, 19 a place-making approach, 18 are happy with the status quo, and 13 would like a Citizens Panel.

Of the 20 who would like precinct committees 12 are interested in becoming members and seven might consider becoming members. Most people would dedicate one to three hours per month and attend monthly or quarterly meetings.

With regard to support provided by Council, 76% of people would like professional input to be provided on specific topics and 71.4% would like facilitated communications between Council and the Committee. Over 65% of people would like to see a Councillor or Officer on the committees, and over 60% would like administration support provided. Over 50% would like financial support for essential operating expenses as well as to implement priority projects.

Of the 13 who would like a Citizens Panel six would consider being a member and the remaining seven might consider becoming members. Most people could contribute one to three days over a three-month period.

Of the 19 people who would like a place-making approach, 18 would provide input into the formation of the precinct plan and most would prefer to provide feedback through online survey or discussion forums, or at community meetings.

A majority of open-ended comments indicated respondents are happy with what is currently being done, particularly the Household Panel. Several people mentioned that localised consultation for planning and development matters should be increased, several requested a return to the ward system, and others would like to see Councillors available occasionally in public locations to speak direct with community members.

Paper Survey - 18 responses

The questions were the same as the online survey but rather than choosing one option many respondents selected multiple options they would like to see implemented. A majority of respondents were aged 50 years or over (78%).

Of all the options, 29% would like to see a place-making approach only implemented, and a further 29% would like to see both precinct committees, citizens panels, and a place-making approach. 17% would like to see precinct committees only implemented, and a further 11.7% are happy with the status quo. The amount of time available to contribute, level of support from Council, and motivations were consistent with the findings from the online survey.

Written - 4 responses

Two respondents were happy with the current system but would like to see some improvements to the surveys and increased feedback. Another commented that a Tree Street Precinct was started in 2004 however it was unsuccessful due to a lack of administration support from the City, and noted that the full support of Council is required for precinct committees to be successful. The fourth submission supports precinct committees but states that any model must be adequately supported administratively and otherwise by the City.

Community Meeting - 16 attendees

During the meeting each option was summarised followed by group discussion. Key points raised include:

- All the options have merit, and a hybrid of all three should be implemented;
- Withers Advisory Committee is a good model, and could be used across the City;
- Council needs to determine exactly what they are trying to achieve, and what we want out of those who are involved;
- Community initiated groups get better outcomes with Council acting to back them up;
- Each Councillor could have their own group of residents/committee;
- Expressions of interest for people to be selected, meet only three or four times per year, and be well promoted across the precinct as “go-to” people for Council;
- Sometimes current surveys are poorly worded and confusing, there needs to be feedback on outcomes.

It is clear from the research presented in the Discussion Paper as well as feedback through the consultation period that to be successful any model must be driven by the community and supported by Council.

While some suburbs were well represented such as Withers, South Bunbury, and the CBD, others had only minimal respondents so a precinct committee approach may not suit these areas as well as it may suit others. The average age of respondents was overwhelmingly above 50 years, indicating other methods would need to be implemented to seek community input and involvement from younger generations.

It is also clear that to meet community expectations and give precinct committee the best chance of success additional resources above the City’s current available staffing would be required.

In light of the survey results, it is considered appropriate to maintain current community engagement arrangements at this time.

Analysis of Financial and Budget Implications

There are no financial implications arising from the recommendations contained within this report.

Councillor/Officer Consultation

This matter has previously been discussed with Council on a number of occasions as detailed within this report.

Outcome – Council Meeting 14 April 2015

Pursuant to Standing Order 5.5 the recommendation (as printed) from the Executive was moved Cr Cook seconded Cr Hayward and adopted ('en bloc') to come the Council's decision on the matter.

Council Decision 123/15

That Council:

- 1. Notes the feedback received in relation to the Precinct Committee consultation process.***
- 2. Maintains the status quo in terms of its community engagement mechanisms, noting that staff will continue to look for improvements and different mechanisms of consultation and engagement on specific projects and activities.***

CARRIED

9 votes "for" / Nil votes "against"

10.5 Bunbury-Setagaya Sister Cities Committee – Appointment of New Committee Members (was listed as item 10.1.1 of the Council Agenda)

Applicant/Proponent:	Bunbury Setagaya Sister Cities Committee
Author:	Julian Bowron, Manager Community, Arts and Culture
Executive:	Stephanie Addison-Brown, Director Corporate and Community Services
Attachments:	Appendix CRUSC-1: Applications for Positions on the Bunbury-Setagaya Sister Cities Committee

Summary

The purpose of this report is for Council to consider approving the nominations received to fill four vacant positions on the Bunbury-Setagaya Sister Cities Committee as recommended by the Bunbury-Setagaya Sister Cities Committee at a Special Meeting held on Wednesday 25 March 2015.

Bunbury-Setagaya Sister Cities Committee Recommendation

That Council appoints the following people to the Bunbury-Setagaya Sister Cities Committee:

- Heather Colvin community member
- Felicity Farnell community member
- Gemma Rossiter community member
- Dai Tonai youth member

****Absolute Majority Vote Required***

Background

Membership of the Bunbury-Setagaya Sister Cities Committee was finalised following the last Local Government ordinary election in October 2013. Since this election, some positions have become vacant and now need to be filled.

At a Special Meeting of the Bunbury-Setagaya Sister Cities Committee on 25 March 2015, it was recommended that the four nominations received to fill the vacant positions were referred to Council to be endorsed as Bunbury-Setagaya Sister Cities Committee members. Each applicant was considered appropriate to fill a position on the Committee.

Council Policy Compliance

There is no Council policy applicable to this proposal.

Legislative Compliance

There are no legislative requirements relevant to this proposal.

Officer Comments

Following an advertisement for new members, the Bunbury-Setagaya Sister Cities Committee members felt the need to expedite the appointment of new Committee members so convened a Special Meeting on 25 March 2015 for this purpose.

Four applications were received for five vacant positions (i.e. for three community member places and two youth member places).

The Committee assessed the four applications received and recommended that all four were all suitable.

Analysis of Financial and Budget Implications

There are no financial or budget implications arising from this report.

Community Consultation

Not applicable

Councillor/Officer Consultation

Not applicable

Outcome – Council Meeting 14 April 2015

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

The Mayor put the motion to the vote and it was adopted to become the Council’s decision on the matter.

Council Decision 124/15

That Council appoints the following people to the Bunbury-Setagaya Sister Cities Committee:

- ***Heather Colvin*** ***community member***
- ***Felicity Farnell*** ***community member***
- ***Gemma Rossiter*** ***community member***
- ***Dai Tonai*** ***youth member***

****Absolute Majority Vote Required***

CARRIED

9 votes “for” / Nil votes “against”

ABSOLUTE MAJORITY ATTAINED

10.6 Corporate Business Plan 2015/16 to 2018/19 (was listed as item 10.2.2 of the Council Agenda)

Applicant/Proponent:	Internal
Author:	Greg Golinski, Manager Governance
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Appendix CEO-3: Draft Corporate Business Plan 2015/16 to 2018/19

Summary

The purpose of this report is for Council to consider adoption of the City's Corporate Business Plan 2015/16 to 2018/19.

Executive Recommendation

That Council:

1. Adopt the draft Corporate Business Plan 2015/16 – 2018/19 as presented.
2. Request the CEO provide local public notice detailing the adoption of the Plan.

***Absolute Majority Vote Required**

Background

As a result of amendments to the *Local Government (Administration) Regulations* (the Regulations) in 2011 (commonly known as the integrated planning and reporting framework), local governments are required to have in place an adopted Corporate Business Plan (CBP) that covers a period of at least four financial years.

In addition, local governments are required to review the CBP every year (regulation 19DA(4) of the Regulations).

Following Council's adoption of a revised Strategic Community Plan (SCP) on 17 March 2015, a review of the CBP has now been undertaken to ensure consistency with the revised framework in the SCP. The document has also been updated to outline the Activities and Projects to be undertaken over the next four years to 2018/19.

A copy of the draft CBP is **attached** at Appendix CEO-3.

Council Policy Compliance

N/A

Legislative Compliance

Regulation 19DA of the *Local Government (Administration) Regulations* outlines the requirements for a Corporate Business Plan.

Officer Comments

The core purpose of the CBP is to activate the Objectives outlined in the SCP. The plan identifies the proposed operating and capital projects to be undertaken by the City over the next four years.

The City's adopted SCP contains five Key Priority Areas, underpinned by 23 Objectives. In a strategic context, every project and Activity within the CBP is linked to an SCP Objective, which facilitates a linkage between the SCP and CBP.

It is important to note that the City's CBP will be reviewed on an annual basis in line with the budget process for each ensuing financial year, which will ensure that the listed projects reflect current Council priorities and anticipated funding availability.

Analysis of Financial and Budget Implications

The financial implications of the Activities and Projects contained within the draft CBP are contained with the document itself. The forecasts contained in the draft CBP for 2015/16 will be used as a basis for producing the draft annual budget for 2015/16.

Councillor/Officer Consultation

The draft CBP has been developed in consultation with all City Departments. Councillors were also involved in the development of the document through participation in a series of workshops/briefings between February and March 2015.

Outcome – Council Meeting 14 April 2015

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

The Mayor put the motion to the vote and it was adopted to become the Council's decision on the matter.

Council Decision 125/15

That Council:

- 1. Adopt the draft Corporate Business Plan 2015/16 – 2018/19 as presented.***
- 2. Request the CEO provide local public notice detailing the adoption of the Plan.***

****Absolute Majority Vote Required***

CARRIED

9 votes "for" / Nil votes "against"

ABSOLUTE MAJORITY ATTAINED

10.7 Hay Park Master Plan (was listed as item 10.3.1 of the Council Agenda)

Applicant/Proponent:	Internal Report
Author:	Gary Thompson, Sport and Recreation Liaison Officer
Executive:	Stephanie Addison-Brown, Director Corporate and Community Services
Attachments:	Appendix DCCS-1: Hay Park Master Plan Appendix DCCS-2: Hay Park Master Plan Community Consultation Results

Summary

The Hay Park Master Plan was undertaken to review the existing facilities and infrastructure at Hay Park with the view of comparing the facilities and infrastructure against the current-day needs and requirements of Hay Park users regarding facilities.

The Hay Park Master Plan outlines the rationale and prioritisations for the development of facilities and infrastructure at Hay Park over the next ten (10) years.

Executive Recommendation

That Council utilise the Hay Park Master Plan as a basis for future planning and development for the Hay Park Sport and Recreation Precinct.

Background

The Hay Park Master Plan has been devised over the past 15 months with work having been undertaken to review past reports and studies into the condition of the facilities at Hay Park and comparing them to their current condition. Stakeholder consultation has also been undertaken to ensure the priorities for the future are mapped according to community and user group expectations.

The Hay Park Master Plan has a long-term focus and serves to prioritise which development work is required at Hay Park to bring facilities up to a standard that can cater for the high usage demand that the precinct receives.

Through review and consultation, it is clear that the current facilities have become outdated and are struggling to meet the needs of users, both for now and into the future. The development works outlined in the Hay Park Master Plan have been prioritised through a user group priority consultation meeting and these have been costed, demonstrating a heavy reliance on external funding sources.

Council Policy Compliance

Council Policy “Recreation Facilities” adopted in January 2015 is applicable to this item and the Policy Statement is as follows:

To enhance the quality of life for visitors and residents of Bunbury through the provision of a diverse range of high quality and cost effective active and passive recreational activities and/or facilities.

Legislative Compliance

Not Applicable

Officer Comments

A significant amount of positive feedback was received from the community in regard to the consultation process with feedback obtained from 242 surveys which were completed during the consultation period. Conversations were also held with various clubs and associations as the consultation period rolled out.

The current condition of the majority of Hay Park facilities, in particular buildings, was highlighted as being inadequate or in a poor condition and respondents felt this required immediate attention to bring them up to a suitable standard. It is noted that failure to address these concerns may result in the inability to sustain or attract sporting fixtures, events and user groups.

With the recommendation for Council to endorse the Hay Park Master Plan as a basis for future planning and development of the Hay Park Sport and Recreation Precinct, it is believed that this will give the Bunbury community a clear outline of how the City of Bunbury plans to address the community's needs and requirements for Hay Park in a progressive, logical and timely manner.

Analysis of Financial and Budget Implications

Council's draft Corporate Business Plan currently lists the following projects to be undertaken in the next four (4) years:

- PR-2616:** Undertake Hay Park Development Plan - Upgrade Len Nisbett Pavilion or Kit Keddie Pavilion or Ned Myles Pavilion (2015/2016 - \$200,000 and reliant on external grants).
- PR-2659:** Undertake Hay Park Development Plan – Convert dilapidated basketball courts to parking area (2016/17 - \$25,000)
- PR-2666:** Undertake Hay Park Development Plan – New parking area for tennis and croquet clubs (2017/18 - \$177,800)

These projects do not include those listed for the Hay Park South Multi Sports Pavilion.

The Hay Park Master Plan highlights a number of recommendations that will need to be considered for future budget planning. Other sources of funding will have to be investigated to achieve some of these outcomes.

Community Consultation

The chronology of Community Consultation is as follows:

- January 2014 - All sport and recreation clubs based at Hay Park completed a Hay Park Users Survey.
- June 2014 - Hay Park Users groups attended a prioritisation meeting.
- November 2014 - Hay Park Users groups attended a Hay Park Users meeting regarding update on master plan.

- November 2014 - Council endorsed a community consultation period to be open between 1st January 2015 until 27th February 2015 to allow for feedback to be gathered on the draft version of the Hay Park Master Plan.

Councillor/Officer Consultation

The consultation process involved the following relevant City Officers:

- Manager Sport and Recreation
- Sport and Recreation Liaison Officer
- Manager Building and Trades
- Manager Civil and Open Space
- Community Development Officer/Access
- Environmental Health Officer

The Executive Leadership Team and Elected Members were also briefed as follows:

- 13th October 2014 - Presentation to ELT on the draft Hay Park Master Plan and discussion about next steps
- 21st October 2014 - Presentation on the draft Hay Park Master plan was provided at the Council Briefing Session
- 18th November 2014 - Council endorsed the draft Hay Park Master Plan to be out for public comment
- 4th March 2015 - Presentation to ELT in regard to the feedback from the consultation exercise

Outcome – Council Meeting 14 April 2015

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

The Mayor put the motion to the vote and it was adopted to become the Council’s decision on the matter.

Council Decision 126/15

That Council utilise the Hay Park Master Plan as a basis for future planning and development for the Hay Park Sport and Recreation Precinct.

CARRIED

6 votes “for” / 3 votes “against”

Crs Jones, Steck and Miguel asked that their votes “against” be recorded.
All other Councillors and the Mayor voted “for” the motion.

10.8 Proposed Riverlea Local Development Plan (was listed as item 10.4.1 of the Council Agenda)

File Ref:	P13321-03
Applicant/Proponent:	TME Town Planning Management Engineering Pty Ltd
Author:	Teshome Tadesse, Senior Planning Officer Thor Farnworth, Manager Sustainability, Planning and Development
Executive:	Bob Karaszekewych, Director Planning, Development and Regulatory Services
Attachments:	Attachment DPDS-1: Moorlands Structure Plan Attachment DPDS-2: Approved Detailed Area Plan Moorlands Attachment DPDS-3: Riverlea Local Development Plan Attachment DPDS-4: Proponent's Response to Government Agencies Attachment DPDS-5: Schedule of Submissions

Summary

Town Planning Management Engineering Pty Ltd (TME) on behalf of the developers of the Riverlea residential estate, located in Glen Iris, has submitted an application to amend Local Planning Policy: Detailed Area Plan – Moorland Avenue (DAP), adopted by Council on 8 November 2011.

The proposal includes amendments to the existing development requirements and standards and that the DAP be referred to as a Local Development Plan (LDP). The term 'Local Development Plan' or 'LDP' is the presently preferred term used in State Planning Policy 3.1 Residential Design Codes (R-Codes) for such a statutory planning instrument.

The proposed LDP was advertised for public comment from 11 February 2015 to 3 March 2015. A total of seven (7) submissions were received from infrastructure service providers and state government agencies with no comment made or no objection stated to the proposed LDP.

The proposal satisfies the provisions of the City of Bunbury Town Planning Scheme No. 7 (TPS7), the adopted Moorlands Structure Plan and the Western Australian Planning Commission's (WAPC) subdivision condition applicable to the R40 density coded Lots within the Riverlea Residential Estate.

Executive Recommendation

That Council:

1. In accordance with clause 6.2.7.1(c) of the City of Bunbury Town Planning Scheme No. 7, resolves to approve the proposed Riverlea Local Development Plan, reference number 13325P-DP-02C, dated 28 January 2015.
2. Forward a copy of the approved Riverlea Local Development Plan to the Western Australian Planning Commission within 10 days of Council's approval in accordance with clause 6.2.7.1(e) of the City of Bunbury Town Planning Scheme No. 7.
3. In accordance with clause 2.5(b) of the City of Bunbury Town Planning Scheme No. 7, resolves to rescind Local Planning Policy: Detailed Area Plan – Moorland Avenue.

4. Advise the proponent and submitters of Council’s decision.

Background

The Riverlea Residential Estate is included in “Development Zone – Residential” under the Scheme. In accordance with clause 5.10.11.3 of the Scheme, no subdivision or development is allowed within a development zone, unless it complies with an adopted structure plan.

Council adopted the Moorlands Structure Plan (attached at Appendix DPDS-1) on 7 May 2009, subsequently endorsed by the WAPC on 15 May 2009.

One (1) provision (condition 8) of the Moorlands Structure Plan specifies that:

“All medium density residential land (R40) requires a detailed area plan prior to any subdivision or planning approval being granted.”

The current approved DAP (attached at Appendix DPDS-2) was adopted by Council on 8 November 2011 (Decision: 251/11) as a Local Planning Policy under the Scheme.

In order to facilitate the proponent’s desired changes in the way the R40 residential density coded portions of the estate are subdivided and developed, Council is required to rescind the current DAP and replace it with the revised proposed Riverlea Local Development Plan (LDP) attached at Appendix DPDS-3

Council Policy Compliance

Local Planning Policy: Detailed Area Plan - Moorland Avenue is the existing statutory planning instrument for guiding the detailed subdivision and development of R40 density coded land in the Riverlea Residential Estate.

The proposal is to replace the existing DAP with the revised LDP for the following reasons:

- * the Scheme sets out the procedures for the adoption of a LDP (formerly known as a DAP) separate to that for the making or amending of a Local Planning Policy under clause 2.4 of the Scheme;
- * the terminology for such a statutory planning instrument has been changed under the R-Codes to avoid confusion with the term Development Assessment Panels (DAPs); and
- * the proponent seeks modifications to the design and development requirements and standards contained in the current DAP, and that these modifications should be made in the proposed LDP format.

Legislative Compliance

The proposed LDP has been prepared in accordance with the Scheme development requirements and standards and the Moorlands Structure Plan provisions. Once the proposed LDP has been approved by Council, the development requirements and standards contained in the LDP will be considered as deemed-to-comply provisions similar to that of the R-Codes.

Officer Comments

The adopted DAP, or proposed LDP, is a requirement under the Mooreland Structure Plan, and it is a condition of subdivision approval (condition 22, WAPC reference: 136022) imposed by the Commission.

In accordance with the R-Codes, a LDP is defined as follows:

“Also referred to as detailed area plans or similar, adopted by a decision-maker under a scheme and/or a local structure plan, to provide specific and detailed planning to guide and coordinate development, which may include variation(s) to the R-Codes.”

The main purpose of the LDP is to provide supplementary development requirements and standards (including any variations) to the R-Codes, in order to provide detailed guidance on the design and assessment of subdivision and development proposals within a particular locality.

In summary, the main differences between the proposed LDP and the adopted DAP include the following:

- * the creation of additional R40 residential density coded lots;
- * inclusion of an additional rear access lane; and
- * inclusion of a visitor car parking area (south west corner).

As such, it is considered that the proposed LDP will provide for:

- * better small lot urban design outcomes in terms of dwelling orientation, building form, setbacks, vehicle access and solar access;
- * greater land use efficiency; and
- * more appropriate streetscape.

In this case, the proposed LDP will only be applicable to those R40 density coded portions of the Riverlea Residential Estate. Under the proposed LDP, the medium density residential land coded R40 has potential for 54 lots, of which 17 lots would be accessed by a rear laneway, while the remaining 37 lots would have direct access from a public road.

The majority of lots to be accessed by a six (6) metre wide laneway at the rear of the property will have frontage to proposed Public Open Space (POS) areas. It is considered that the orientation of these dwellings to face onto the POS is a desired outcome that should be achieved in accordance with the WAPC’s Liveable Neighbourhood design requirements.

The proposed LDP also indicates dwelling orientation for lots that will have direct access from public roads. For some of these lots, the proposed LDP indicates a designated access/crossover point to enhance traffic safety and streetscape. In addition, the proposed LDP shows minimum front, side and rear setback requirements for the R40 residential density coded Lots.

Any future development proposals seeking a relaxation to the development requirements and standards under the proposed LDP can be considered as variations to the plan, and as such, applicants will be required to justify the variations and consult with adjoining landowners.

Analysis of Financial and Budget Implications

There are not considered to be any direct financial or budgetary implications for Council in approving the proposed LDP. Conditions of land subdivision include, but are not limited to, the following items that are to be dedicated/constructed at the subdivider's/ developer's cost and to the specification and satisfaction of the relevant public authorities:

- * all lots with frontage to a constructed and drained subdivisional road that is connected to the local road system;
- * a contribution towards traffic calming measures, including intersection treatments connecting to main roads;
- * a contribution towards roundabouts, road intersections, cycleways, dual use pathways and footpaths;
- * land being filled, drained and connected to the reticulated stormwater drainage system; and
- * all lots with connection to the reticulated potable water and sewerage systems.

Community Consultation

The proposed LDP was advertised for public comment from 11 February 2015 to 3 March 2015. Public consultation included the following:

- * the proposal was advertised for 21 days with public notices placed in locally circulated newspapers;
- * two (2) advertising signs were placed on the subject site;
- * a public notice was placed on the City of Bunbury's website; and
- * copies of the draft proposed LDP documents were placed at the counter for public viewing.

A total of seven (7) submissions were received from infrastructure service providers and state government agencies with no comment made or no objection stated to the proposed LDP. The comments made by state government agencies mainly concerned or reiterated their specific requirements. The proponent's response to the submissions from state government agencies is attached at Appendix DPDS-4.

The comments provided by infrastructure service providers mainly related to standard subdivision and development matters. However, it should be noted that the current proposal is not an application for subdivision or planning approval to permit development at this stage. It is only a proposal for a LDP, which will facilitate future residential development on the R40 density coded portions of the Riverlea Residential Estate. Therefore, the comments are not relevant to the proposed LDP. However, the submissions provided by infrastructure service providers have been forwarded to the proponent for their attention.

A summary of the submissions and the corresponding officer's comments can be viewed in the Schedule of Submissions attached at Appendix DPDS-5.

Delegation of Authority

The proposed LDP is a statutory planning instrument that alters or varies some of the requirements or standards of the R-Codes. Consequently, Council's consideration and determination for approval with or without modifications or refusal of the proposed LDP is required.

Councillor/ Officer Consultation

The staff of the Sustainability, Planning and Development department participated in the review and assessment of the proposed LDP, which was referred to all members of the Development Coordination Unit (DCU) for comment and advice.

Outcome – Council Meeting 14 April 2015

The Mayor Gary Brennan declared a Financial Interest and vacated the chamber at 5:42pm. The Deputy Mayor commenced Chairing the meeting from this time.

Mr Gary Barbour of Calibre Consulting addressed Council in support of the Executive Recommendation.

The recommendation (as printed) was moved Cr Hayward, seconded Cr Miguel.

The Deputy Mayor put the motion to the vote and it was adopted to become the Council's decision on the matter.

Council Decision 127/15

That Council:

- 1. *In accordance with clause 6.2.7.1(c) of the City of Bunbury Town Planning Scheme No. 7, resolves to approve the proposed Riverlea Local Development Plan, reference number 13325P-DP-02C, dated 28 January 2015.***
- 2. *Forward a copy of the approved Riverlea Local Development Plan to the Western Australian Planning Commission within 10 days of Council's approval in accordance with clause 6.2.7.1(e) of the City of Bunbury Town Planning Scheme No. 7.***
- 3. *In accordance with clause 2.5(b) of the City of Bunbury Town Planning Scheme No. 7, resolves to rescind Local Planning Policy: Detailed Area Plan – Moorland Avenue.***
- 4. *Advise the proponent and submitters of Council's decision.***

CARRIED

8 votes "for" / Nil votes "against"

The Mayor Gary Brennan returned to the chamber at 5:47pm and recommenced Chairing the meeting.

11. Applications for Leave of Absence

12. Motions on Notice

No Motions on Notice had been received at the time of printing.

13. Questions on Notice

13.1 Response to Previous Questions from Members taken on Notice

Nil.

13.2 Questions from Members

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

There are two items of business which are considered to be Urgent for the following reasons:

1. In order for the City of Bunbury to commit support to the program and to ensure the best position possible for the group to access funding, the item titled “Regional Centres Program” is required to be dealt with urgent business.
2. To enable the offer to proceed in a timely fashion, a decision is required on Council’s in relation to Council’s preparedness to further negotiate the offer on Lot 361 Geographe Way, Withers.

Recommendation

That Council pursuant to section 5.4 of the Standing Orders, agree to receive the items entitled “Regional Centres Program” and “Lot 361 Geographe Way, Withers” as matters of urgent business.

Outcome – Council Meeting 14 April 2015

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

The Mayor put the motion to the vote and it was adopted to become the Council’s decision on the matter.

Council Decision 128/15

That Council pursuant to section 5.4 of the Standing Orders, agree to receive the items entitled “Regional Centres Program” and “Lot 361 Geographe Way, Withers” as matters of urgent business.

CARRIED

9 votes “for” / Nil votes “against”

14.1 Regional Centres Program

Applicant/Proponent:	Internal Report
Author:	Andrew Brien, Chief Executive Officer
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	CEO-XX - Regional Centres Development Plan Phase Two Briefing Questions & Answers

Summary

Council support is sought to participate in the Regional Centre Program Group. This group would be responsible for the development of a regional growth plan with a completion date of 1 October 2016.

The process if adopted by Council would be to form part a local Greater Bunbury Steering Committee consisting of Shire Presidents and the Mayor of Bunbury, Chief Executive Officers (CEO) and the CEO of the South West Development Commission (SWDC) or their delegates at sufficiently senior level to participate.

It should be noted, the group may also include other members as agreed and would have strong links to community and business stakeholders.

Executive Recommendation

That Council:

1. Agrees to support the involvement of the City of Bunbury in the Regional Centres Program
2. Endorse the appointment of the Mayor and CEO as the Council representatives.
3. Delegates approval for the Mayor and CEO to negotiate and sign a Memorandum of Understanding and any other agreements required on behalf of Council regarding the program.

Background

The State Government recognises Western Australia's population will continue to grow into the future and regional Western Australia through its major centres has a role to host some of that growth and as a result, the Government wishes to enter into a partnership with nine new regional centres building on the initial super towns program.

The objective of the partnership is to develop an economic plan for each centre that will set out a path way for economic growth in a manner that compliments local governments existing or proposed town plans and ten year community strategies.

There is no intent that the growth plan in any shape or form affects the responsibility and autonomy of each local government. It is a guide for local government, state and federal government and the private and not for profit sector that can help inform and maximise the benefits of future investment.

Council Policy Compliance

Not Applicable.

Legislative Compliance

Not Applicable.

Officer Comments

Greater Bunbury has been identified as one of the State's growth centres incorporating the City of Bunbury and the surrounding three (3) local governments which form the Greater Bunbury area.

While this provides a singular focus for growth planning it is recognised that economic and social links radiate out to adjacent localities and shires. The growth plan would have the capacity to recognise and enhance those linkages.

Greater Bunbury is unique in that to proceed it will require a collaborative partnership between the four local government authorities and the SWDC in order to develop a growth plan that can embrace the whole area based on a shared vision and values

It should be noted that participation is based on a selection process with four of the nominated nine regional growth centre's being selected in the first round and the balance of five in the second round. The Selection process will in part focus on the willingness and capacity of the local governments to participate and how the centre is positioned in relation to the economic cycle

Whilst participation is voluntary and entirely at the decision of the local governments involved, in order to develop regionally based strategies this framework will provide a sound platform to work from.

Analysis of Financial and Budget Implications

State funding is available to resource the process and LandCorp are available to assist in the execution of the project.

Whilst the City and other Local Governments would be expected to commit time to the process, it will be independently funded.

Resourcing from Council will be prioritised once the Memorandum of Understanding is drafted. In the event that further resourcing beneficial to Council is required, a further report will be provided to Council.

Community Consultation

Not applicable.

Councillor/Officer Consultation

The Chief Executive Officer and Elected Members are aware of the proposal and have previously been provided with a copy of the Regional Centres Development Plan Phase Two Briefing Questions. This report serves to formalise Councils support on the matter.

Outcome – Council Meeting 14 April 2015

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

The Mayor put the motion to the vote and it was adopted to become the Council’s decision on the matter.

Council Decision 129/15

That Council:

- 1. Agrees to support the involvement of the City of Bunbury in the Regional Centres Program***
- 2. Endorse the appointment of the Mayor and CEO as the Council representatives.***
- 3. Delegates approval for the Mayor and CEO to negotiate and sign a Memorandum of Understanding and any other agreements required on behalf of Council regarding the program.***

CARRIED

9 votes “for” / Nil votes “against”

15. Meeting Closed to Public

15.1 *Matters for which the Meeting may be Closed*

Recommendation

In accordance with sections 5.23(2)(c) of the *Local Government Act 1995* and clause 6.2 of the City of Bunbury's Standing Orders Local Law 2012, Council resolves to close the meeting to members of the public to consider the Items titled " 15.1.2 Lot 361 Geographe Way, Withers".

The motion was moved Cr Steck, seconded Cr Hayward.

The Mayor put the motion to the vote and was CARRIED 9 votes "for" / Nil votes "against". The meeting was closed to all members of the public and press at 5:52pm.

15.1.1 Lot 361 Geographe Way Withers

Applicant/Proponent:	Southern Districts Estate Agency
Author:	Felicity Anderson, Manager Major Projects
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Appendix CRUSC-2-1: Location Plan Appendix CRUSC-2-2 – Landgate Valuation Report

This report is confidential in accordance with section 5.23(2)(c) of the *Local Government Act 1995*, which also permits the meeting to be closed to the public for business relating to the following:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*

A confidential report and recommendation has been circulated to members under separate cover (Confidential Report CRUSC-2). The report is not for circulation.

Outcome – Council Meeting 14 April 2014

The Executive Recommendation (as printed) was moved Cr Hayward, seconded Cr McCleary.

The Mayor put the motion to the vote and it was adopted to become the Council's decision on the matter.

Council Decision 130/15

That Council:

- 1. Note the offer to purchase***
- 2. Authorise the CEO to negotiate further on the purchase to obtain a price closer to the last valuation***
- 3. Provide agreement to the proposed conditions of the contract***
- 4. Authorise the CEO to commence the disposal of the site in accordance with the Local Government Act.***

CARRIED

9 votes “for” / Nil votes “against”

15.2 Public Reading of Resolutions that may be made Public

Cr Cook moved Cr Jones seconded that the meeting be reopened to the public and press.

The Mayor put the motion to the vote and was CARRIED 9 votes “for” / Nil votes “against”.

The meeting was reopened to the public and press at 6:00pm.

The Mayor read aloud Council Decision 130/15:

“That Council:

- 1. Note the offer to purchase*
- 2. Authorise the CEO to negotiate further on the purchase to obtain a price closer to the last valuation*
- 3. Provide agreement to the proposed conditions of the contract*
- 4. Authorise the CEO to commence the disposal of the site in accordance with the Local Government Act.”*

16. Closure

The meeting was declared closed at 6:02 pm.