

## **Withers Advisory Committee**

### **Minutes**

**Friday 23 September 2016**

#### **Committee Terms of Reference**

1. To review and progress the Withers Action Plan.
2. Endorse or amend recommendations subject to conditions as per Council Decisions 34/14.
3. Receive information from Council and the Withers Community to assist decision making.
4. To provide stronger community relations in Withers.
5. Oversees projects implemented from the Withers Reserve

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## Withers Advisory Committee Minutes

Friday 23 September 2016

The Withers Advisory Committee has delegated authority as per Council Decision 34/14

Note: These minutes are subject to confirmation at the next Withers Advisory Committee Meeting

### 1. Declaration of Opening / Announcements of Visitors

Cr James Hayward declared the meeting open at 1:00pm and acknowledged Cr Murray Cook in attendance

### 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.

### 3. Announcements from the Presiding Member

Nil

### 4. Attendance

*Committee Members:*

Member Name	Representing
Cr James Hayward	City of Bunbury Council
Cr Jaysen Miguel	City of Bunbury Council
Barbara Watkins	Withers Community Member
Doug Fimister	Withers Community Member
Mary Dunlop	Withers Community Member

*Ex-officio Members:*

Member Name	Representing
Gavin Harris	Director Works and Services

*Support Staff:*

Name	Title
Alison Baker	Executive Assistant Works and Services

#### 4.1 Apologies

Cr Karen Steele  
Joanna Hugues-Dit-Ciles  
Ken Warnes

#### 4.2 Approved Leave of Absence

### 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.”*

### 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

Nil

**6.2 Responses to Public Questions Taken ‘On Notice’**

Nil

**7. Confirmation of Minutes**

The minutes for the Withers Advisory Committee meeting held on 19 August 2016 have been circulated.

**Recommendation**

The minutes of the Withers Advisory Committee held on 19 August 2016 be confirmed as a true and accurate record.

**Outcome – Withers Advisory Committee 23 September 2016**

It was noted that Page 6 of the 19 August 2016 minutes has an incorrect date. The date in the minutes will be amended from 8 March 2017 to 8 March 2016.

The following Recommendation was moved by Mary Dunlop, seconded by Doug Fimister.

The minutes of the Withers Advisory Committee held on 19 August 2016 be confirmed as a true and accurate record with amendment as discussed at the meeting.

Cr James Hayward put the motion to the vote and was adopted to become the Committee’s decision on the matter.

WAC Decision 27/16

*The minutes of the Withers Advisory Committee held on 19 August 2016 be confirmed as a true and accurate record with amendment as discussed at the meeting.*

Carried

5 votes ‘for’ / Nil votes ‘against’

**8. Petitions, Presentations and Deputations**

**8.1 Petitions**

Nil

**8.2 Presentations**

Nil

**8.3 Deputations**

Nil

## 9. Reports

### 9.1 Financial Report

<b>File Ref:</b>	A06599
<b>Applicant/Proponent:</b>	Internal Report
<b>Responsible Officer</b>	Alison Baker, Exec. Assistant Works and Services
<b>Executive:</b>	Gavin Harris Director Works and Services
<b>Attachments:</b>	DWS 1 Expenditure Report as at 15.09.16

#### Summary

The purpose of this item is to present the Committee with a current financial report.

#### Executive Recommendation

That the monthly financial report be received.

#### Background

Council Decision 128/11 provided a \$300,000 annual allocation for a period of five years to a total of \$1,500,000 for Withers Action Projects. As of 1 January 2014 expenditure against the Withers Action Plan was recorded as \$214,187 with \$385,813 in the Withers Reserve and accounts for expenditure in years one and two of the five year period.

Effectively when the Withers Advisory Committee was formed the remaining funding available was \$1,285,813.

\$300,000 was available for 2013/14 Withers Action Plan projects with a further \$385,813 held in the Withers Reserve.

Council Decision 99/14 approved the transfer of \$129,000 from the Withers Reserve to Withers Projects.

Council Decision 144/14 approved the transfer of \$135,000 from the Withers Reserve to Withers Projects.

Council Decision 274/14 approved the transfer of \$30,804 into the Withers Reserve which represented savings from completed 13/14 Projects and the transfer of \$42,000 from the Withers Reserve for the CCTV project.

Council Decision 370/14 approved the transfer of \$8,650 from the Withers Reserve which represented the over budget expenditure in the 2013/14 Devonshire Street Path project.

The audited 2013/14 Financial Statement showed that adjustment of \$122 to the Withers Reserve was required due to end of financial year processing.

Council Decision 76/15 approved transfer of \$29,400 from the Withers Reserve to fund an additional \$35,000 to construct a pedestrian crossing on Ocean Drive.

Net savings for 2014/2015 completed projects as at May 2015 was \$32,198, which has been transferred into the Withers Reserve.

Council Decision 239/15 approved transfer of \$37,320 from the Withers Reserve for the following projects:

- \$4,320 PR-2851 Design and Upgrade Ashrose Reserve
- \$20,000 PR-3888 Closure of Laneways – survey and legal costs
- \$3,000 increase to PR-3740 Construct pedestrian crossing on Ocean Drive.
- \$10,000 increase to PR-3618 Install CCTV to cover maintenance/replacement costs.

Net savings for 2014/2015 for completed projects as at 30 June 2015 was \$36,090, which has been transferred into the Withers Reserve.

Net savings for 2015/2016 completed projects as at 31 October 2015 was \$11,172, which has been transferred into the Withers Reserve.

Net savings for 2015/2016 completed projects as at 31 January 2016 was \$886, which has been transferred into the Withers Reserve.

Council Decision 388/15 approved \$8,000 was transferred to PR-3729 Prepare Withers Local Area Plan / General Structure Plan to allow for the completion of the plan as part of Council's October Budget Review.

Withers Advisory Committee Decision 6/16 was referred to the Bunbury City Council as there was not unanimous support of the Elected Members for the decision. At the 8 March 2016 Council Meeting Council Decision 68/16, resolved to endorse the WAC 6/16 including Point 3

3. *Approve \$67,000 Construction of footpath on Naturaliste Avenue from Costello Street to Ocean Drive.*

Council further resolved Point 2 a and b

- (a) *Advise the Withers Advisory Committee that the City of Bunbury is unable to fund the footpath in Naturaliste Avenue from Costello Street to Lefroy Place within the current budget as the current focus of Council's footpath programme is on upgrade and renewal of poor condition paths.*
- (b) *Approve the construction of the footpath Naturaliste Avenue from Costello Street to Lefroy Place at a cost \$52,500 from within the Withers Reserve*

Net savings for 2015/2016 completed projects as at 31 March 2016 was \$10,665, which has been transferred into the Withers Reserve.

Withers Advisory Committee Decision 18/16 recommended Council approve the allocation of \$115,000 for the implementation of a Withers Youth Strategy. Council approved the expenditure at its 23 August 2016 Council decision 297/16. Withers Advisory Committee Decision 19/16 approved the transfer of the remaining funds from PR-3435 Closure of Laneways to PR-3888 Closure of Laneways in Withers Survey and Legal costs.

At the Withers Advisory Committee meeting 19 August 2016 the committee endorsed \$53,910 for Installation of CCTV (Jacaranda – Davenport and Rendell – Westwood Laneways) and \$55,000 for External Toilet Facilities at Withers Library (including an external sink). WAC decision 25/16.

The total funds available for Withers Action Plan Projects for 16/17 is **\$39,726.** This figure is represented by the balance of the Withers Reserve (\$126,136) and the annual 2015/16 allocation (\$300,000), less those projects already approved for 2015/2016 and 2016/2017 (\$386,410).

**Officer Comments**

This report only covers expenditure and income from the City of Bunbury Withers Action Plan funded projects.

A detailed report is attached which includes expenditure, remaining balance and status of projects (see DWS 1 - Expenditure Report as at 15.09.16).

**Table 1 – Source of Funds**

Withers Reserve	\$ 1,500,000
Less 2011/2012 Projects	\$ 169,460
Less 2012/2013 Projects	\$ 44,727
Less 2013/2014 Projects	\$ 350,092
Less 2014/2015 Approved and Carried over Projects	\$ 563,276
Withers Reserve	\$ 372,445
Add 2014/2015 Net Project savings as at May 2015	\$ 32,198
Withers Reserve	\$ 404,643
Less 2014/2015 Approved Projects (12.06.15 meeting)	\$ 37,320
Add 2014/2015 Net Project savings as at June 2015	\$ 36,090
Balance of Withers Reserve including 2015/2016 Allocation	\$ 403,413
Less 2015/2016 Approved Projects	\$ 162,500
Add 2014/2015 Net project savings as at October 2015	\$ 11,172
Add 2015/2016 Net Project savings as at January 2016	\$ 886
Add 2015/2016 Net Project savings as at March 2016	\$ 10,665
Less 2016/2017 Approved Project	\$ 223,910
Balance of Withers Reserve	\$ 39,726

**2016/2017 Withers Action Plan Funding**

Balance of Withers Reserve 19.08.16	\$ 148,636
Less PR-4173 Installation of CCTV Withers Laneways	\$ 53,910
Less PR-4174 Construction of external sink and toilets at Withers Library	\$ 55,000
2016/2017 Available Funds including Withers Reserve	\$ 39,726



**Table 2 – Summary of DWS 1 – Expenditure Report as at 15.09.16**

<b>Project</b>	<b>Description</b>	<b>Budget</b>	<b>Expenditure</b>	<b>Committed</b>	<b>Total Expenditure</b>	<b>Remaining</b>	<b>WAC Decision</b>
PR-3888	Closure of Laneways – Survey and Legal Costs	\$ 29,900	\$ 489		\$ 489	\$ 29,411	WAC 12/15 WAC 19/16
PR-4132	Construction of footpath on Naturaliste Avenue (Ocean Drive to Lefroy Place)	\$119,500	\$106,663		\$106,663	\$ 12,837	WAC 6/16 Council 68/16
PR-XXXX	Implementation of Withers Youth Strategy	\$115,000				\$115,000	WAC 18/16 Council 297/16
PR-4173	Installation of CCTV (Jacaranda - Davenport and Rendell - Westwood Laneways)	\$ 53,910				\$ 53,910	WAC 25/16
PR-4174	External toilet facilities and external sink at Withers Library	\$ 55,000				\$ 55,000	WAC 25/16
<b>TOTALS</b>		<b>\$373,310</b>	<b>\$107,152</b>	<b>\$0</b>	<b>\$107,152</b>	<b>\$266,158</b>	

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

This report provides a financial report for the Withers Advisory Committee.

#### **Council Policy Compliance**

The Withers Advisory Committee has delegated authority to prioritise and commence relevant works subject to conditions as per Council Decision 34/14.

#### **Legislative Compliance**

The provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 are applicable for Council reporting.

#### **Outcome – Withers Advisory Committee 23 September 2016**

The Executive Recommendation (as printed) was moved by Cr Jaysen Miguel, seconded by Mary Dunlop.

Cr James Hayward put the motion to the vote and was adopted to become the Committee's decision on the matter

WAC Decision 28/16

*That the monthly financial report be received.*

Carried

5 votes 'for' / Nil 'against'

## 9.2 Withers Action Plan Projects Status

<b>File Ref</b>	A06599
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer</b>	Gavin Harris, Director Works and Services
<b>Executive:</b>	Gavin Harris, Director Works and Services
<b>Attachments:</b>	

### Summary

The purpose of this report is to update the Withers Advisory Committee on the status of the Withers Action Plan Projects.

### Executive Recommendation

That the status of the endorsed Withers Action Plan projects be noted.

### Background

At the Committee's meeting held on 14 November 2014, it was advised that the Financial Report and status of projects will be separated into two reports.

### Council Policy Compliance

N/A

### Legislative Compliance

N/A

### Officer Comments

Individual Withers Action Plan Project status is as follows:

#### PR-3888 Closure of Laneways – survey and legal costs

Following Council's endorsement to close D, E, G, H, J and Slee Place, the Department of Lands has commenced the investigations into the formal closure of the laneways. They have advised that the process will take a minimum of 6 months and they will provide updates at significant milestones.

#### PR-4132 Construction of footpath on Naturaliste Avenue (Ocean Drive to Lefroy Place)

Western Power light pole has been relocated awaiting final invoices

#### PR-XXXX Implementation of Withers Youth Strategy

Expression of Interest to be issued 22/09/16 closing 06/10/16

PR-4173 Installation of CCTV (Jacaranda – Davenport and Rendell – Westwood Laneways

The locations for the cameras have been established and we are currently seeking quotes for the installation of the underground services (conduits, pits, fibre and power).

PR-4174 External toilet facilities and external sink at Withers Library

Detailed design commenced to enable plans to be submitted for building approval

**Analysis of Financial and Budget Implications**

There are no financial or budgetary implications impacting from the recommendations of this report.

**Outcome – Withers Advisory Committee 23 September 2016**

The Executive Recommendation (as printed) was moved by Mary Dunlop, seconded by Barbara Watkins.

Cr James Hayward put the motion to the vote and it was adopted to become the Committee's decision on the matter.

WAC 29/16

*That the status of the endorsed Withers Action Plan projects be noted.*

CARRIED

5 votes "for" / Nil votes "against"

**9.3 Nomination for Withers Advisory Committee Member on assessment panel for Withers Youth Strategy Expression of Interest**

<b>File Ref:</b>	A06599
<b>Applicant/Proponent:</b>	Internal Report
<b>Responsible Officer:</b>	Gavin Harris, Director Works and Services
<b>Executive:</b>	Gavin Harris, Director Works and Services
<b>Attachments:</b>	

**Summary**

This report is to nominate a Community member of the Withers Advisory Committee to the assessment panel for the Withers Youth Strategy Expression of Interest.

**Executive Recommendation**

The Withers Advisory Committee nominates \_\_\_\_\_ to be the representative on the assessment panel for the Withers Youth Strategy Expression of Interest.

**Background**

At the 10 June 2016 meeting the Committee recommended that Council endorse \$115,000 for the Withers Youth Strategy. The project was endorsed at Council's 23 August 2016 meeting. At the Withers Advisory Committee it was discussed that a member to the Committee be on the assessment panel for the Withers Youth Strategy Expression of Interest.

**Council Policy Compliance**

The Withers Advisory Committee has delegated authority to prioritise and commence relevant works subject to conditions as per Council Decision 34/14.

**Legislative Compliance**

Nil

**Officer Comments**

The Expression of Interest for the Withers Youth Strategy will issued on 22 September and close on the 6 October 2016. An assessment workbook will be prepared by Council's Procurement Department for the submissions received. This workbook will be provided the nominated person on or about 10 October 2016 to review for the assessment panel meeting on or about 17 October 2016. It is anticipated the assessment meeting will take one hour. Depending on the number and quality of submissions there will also be a closed request for quotation to successful respondents stemming from the EOI process that will also require further assessment by a WAC Member. The Council representatives will be John Kowal, Acting Director Corporate & Community Services and Sharon Chapman, Manager Community & Library Services.

**Analysis of Financial and Budget Implications**

Nil

**Community Consultation**

Nil

**Councillor/Officer Consultation**

This recommendation has been discussed at previous Withers Advisory Committee Meetings.

**Outcome – Withers Advisory Committee 23 September 2016**

Mary Dunlop nominated to be the representative on the assessment panel for the Withers Youth Strategy Expression of Interest.

The nomination was moved by Cr Jaysen Miguel and, seconded by Doug Fimister.

Cr James Hayward put the motion to the vote and it was adopted to become the Committee's decision on the matter.

WAC 30/16

*The Withers Advisory Committee nominates Mary Dunlop to be the representative on the assessment panel for the Withers Youth Strategy Expression of Interest.*

CARRIED

5 votes "for" / Nil votes "against"

#### **9.4 Withers Action Plan Projects 2016/2017**

<b>File Ref:</b>	A06599
<b>Applicant/Proponent:</b>	Internal Report
<b>Responsible Officer:</b>	Gavin Harris, Director Works and Services
<b>Executive:</b>	Gavin Harris, Director Works and Services
<b>Attachments:</b>	

#### **Summary**

The balance remaining in the Withers Reserve is \$39,726 and no projects have been identified by the Committee for investigation by Council Officers.

#### **Executive Recommendation**

The Withers Advisory Committee recommends to Council that all remaining Withers Reserve Funds to be allocated to PR-4140 Implement Withers Local Area Plan Strategies

#### **Background**

The Withers Advisory Committee was established in 2013 to review and progress the Withers Action Plan. At the time the Withers Advisory Committee was established there was \$385,813 in the Withers Reserve and 3 years remaining on the \$300,000 per year funding. The final allocation of \$300,000 was in 2015/2016. There is \$39,726 remaining unallocated in the Withers Reserve.

#### **Council Policy Compliance**

The Withers Advisory Committee has delegated authority to prioritise and commence relevant works subject to conditions as per Council Decision 34/14.

#### **Legislative Compliance**

Nil

#### **Officer Comments**

The Committee has not identified any projects for Council officers to investigate. Report to the Committee's 19 August 2016 detailed the projects the Committee had endorsed and the status of the nine priorities of the Withers Action Plan endorsed by the Committee.

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

The Withers Advisory Committee has endorsed projects to the value of \$1,246,087 with \$39,726 remaining in the Withers Reserve.

#### **Community Consultation**

Nil

#### **Councillor/Officer Consultation**

This recommendation has been discussed at previous Withers Advisory Committee Meetings.

**Outcome – Withers Advisory Committee 23 September 2016**

The Executive Recommendation (as printed) was moved by Doug Fimister, seconded by Mary Dunlop.

Cr James Hayward put the motion to the vote and it was adopted to become the Committee's decision on the matter.

WAC 31/16

*The Withers Advisory Committee recommends to Council that all remaining Withers Reserve Funds to be allocated to PR-4140 Implement Withers Local Area Plan Strategies*

CARRIED

5 votes "for" / Nil votes "against"



### 9.5 **Future of Withers Advisory Committee**

<b>File Ref:</b>	A06599
<b>Applicant/Proponent:</b>	Internal Report
<b>Responsible Officer:</b>	Gavin Harris, Director Works and Services
<b>Executive:</b>	Gavin Harris, Director Works and Services
<b>Attachments:</b>	

#### **Summary**

Subject to Item 9.4 Withers Action Plan Projects 2016/2017 all funds of the Withers Reserve have been allocated and the future for the Withers Advisory Committee requires decision.

#### **Recommendation A**

Pursuant to clause 11.63 of the City of Bunbury Standing Orders 2012, the debate be resumed in order for further discussion to be undertaken.

#### **Executive Recommendation**

The Withers Advisory Committee recommend to Council

1. The Withers Advisory Committee be disbanded
2. Community members of the Withers Advisory Committee be considered as members of any Community Reference Groups established to progress the Withers Local Area Plan

#### **Background**

The Withers Advisory Committee was established in 2013 to review and progress the Withers Action Plan. Subject to Item 9.3 Withers Action Plan Projects 2016/2017 the Withers Advisory Committee has endorsed or recommended the allocation of all funds in the Withers Reserve at the time the Committee was established (\$1,285,324).

#### **Council Policy Compliance**

The Withers Advisory Committee has delegated authority to prioritise and commence relevant works subject to conditions as per Council Decision 34/14.

#### **Legislative Compliance**

Nil

#### **Officer Comments**

At Council's 7 July 2015 all Council's Committee were reviewed. Point 4 of Council Resolution 240/15 stated:-

Endorse the continuation of the Withers Advisory Committee until all funds in the Withers Reserve have been allocated.

Subject to Item 9.4 the Committee has now allocated all of the Withers Reserve. Council is working with stakeholders to progress the Withers Local Area Plan, which the Committee endorsed. It is

recommended that Community members of the Withers Advisory Committee be considered for members for any Community Reference Groups established.

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

Subject to Item 9.4 Withers Action Plan Projects 2016/2017 there are no unallocated funds remaining in the Withers Reserve.

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

Councillors Hayward and Steele attended an out of session Withers Advisory Committee workshop where this was discussed informally. Community members Mary Dunlop and Ken Warnes also attended the meeting.

### **Outcome – Withers Advisory Committee 23 September 2016**

The recommendation A (as printed) was moved by Cr Jaysen Miguel, seconded by Doug Fimister.

Cr James Hayward put the motion to the vote and it was adopted to become the Committee's decision on the matter.

WAC 32/16

*Pursuant to clause 11.6 of the City of Bunbury Standing Orders 2012, the debate be resumed in order for further discussion to be undertaken.*

Carried  
5 votes 'for' / Nil votes 'against'

The Executive Recommendation (as printed) was moved by presiding Member Cr James Hayward, seconded Doug Fimister.

Cr James Hayward put the motion to the vote and it was adopted to become the Committee's decision on the matter.

WAC 33/16

The Withers Advisory Committee recommend to Council

1. The Withers Advisory Committee be disbanded
2. Community members of the Withers Advisory Committee be considered as members of any Community Reference Groups established to progress the Withers Local Area Plan

Carried  
5 votes 'for' / Nil votes 'against'

**10. Questions on Notice**

**10.1 *Response to Previous Questions from Members taken on Notice***

**10.2 *Questions from Members***

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

**12. Statement from the Presiding Member Cr James Hayward**

Would like to take this opportunity to thank all Community members, Councillors and staff representatives on the Withers Advisory Committee. It has been quite a journey of the years, with some ups and downs. I am immensely proud of what the Committee has been able to achieve and I think it has made a difference. I believe what we set out to do at the start, in terms of getting a bigger plan for Withers and have a holistic approach has been achieved with the work on the Local Area Plan. This provides a map going forward. I think that all of you should take a very big pat on the back and a thank you on behalf of the City of Bunbury and the community of Withers. Your contribution has been huge, it hasn't been easy, once again thank you very much,

**13. Statement from Cr Murray Cook**

I would like to thank Cr Hayward and the Committee, as mentioned it has been a hard road since 2013 to now and I wish there were more people here at today's meeting to listen to me. I think the work that has been achieved in the last three years is magnificent. To get through the turbulent times, when there was some degree of difficulty and to hold your head up high and carry on, the achievements that have been done already and setting the platform for the Local Area Plan. Thank you very much on behalf of the community.

**14. Date of Next Meeting**

There are no further meetings for this committee.

**15. Close of Meeting**

Presiding Member Cr James Hayward closed the meeting at 1:20pm

Actions Required after Meeting

1. Minutes of meeting to be sent to Council for noting.
2. Items to be raised for Council following requests/recommendations/motions by committee
3. Any other actions required