

Please note: These minutes are yet to be confirmed as a true record of proceedings

SHIRE OF BUSSELTON

MINUTES OF A MEETING OF THE BUSSELTON SHIRE COUNCIL HELD ON 9 JUNE 2010

TABLE OF CONTENTS

ITEM NO.	SUBJECT	PAGE NO.
1.	ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE	1
2.	OPENING PRAYER	1
3.	PUBLIC QUESTION TIME	2
4.	SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	3
5.	APPLICATIONS FOR LEAVE OF ABSENCE	4
6.	CONFIRMATION OF MINUTES	4
6.1	Minutes of an Ordinary Council Meeting held on 26 May 2010.	4
7.	ANNOUNCEMENTS by the Presiding Member without discussion	4
8.	PETITIONS AND MEMORIALS	4
9.	DECLARATION OF DUE CONSIDERATION	4
10.	DECLARATIONS OF INTERESTS	5
11.	PRESENTATIONS BY PARTIES WITH AN INTEREST	5
12.	BUSINESS FROM PREVIOUS MEETING	5
13.	LIFESTYLE DEVELOPMENT REPORT	6
13.1	FUTURE VASSE TO DUNSBOROUGH ROUTE ALIGNMENT	50
13.2	PROPOSED AGED PERSONS HOME - LOT 9001 BELL DRIVE, BROADWATER	54
13.3	SHIRE OF BUSSELTON RESERVES FIRE MANAGEMENT PLAN	6
13.4	PROPOSED AMENDMENT NO. 151 - PROPOSED BUSSELTON AND DUNSBOROUGH WASTEWATER TREATMENT PLANT BUFFER AREAS: CONSIDERATION FOR ADOPTION FOR COMMUNITY CONSULTATION	8
14.	SYSTEMS AND INFORMATION REPORT	59
15.	COMMUNITY INFRASTRUCTURE REPORT	68
15.1	SELECTION CRITERIA FOR TENDER TEN 12/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND INSTALL SUB SOIL DRAINAGE	12
15.2	SELECTION CRITERIA FOR TENDER TEN 13/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND LAY TURF	15
15.3	SELECTION CRITERIA FOR TENDER TEN 01/10 - SUPPLY AND DELIVERY OF IRRIGATION COMPONENTS	18
15.4	SELECTION CRITERIA FOR TENDER TEN 03/10 - SUPPLY AND DELIVERY OF GRAVEL BASE COURSE MATERIAL	22
15.5	SELECTION CRITERIA FOR TENDER TEN 05/10 - SUPPLY AND LAYING OF EXTRUDED KERBING	25
15.6	SELECTION CRITERIA FOR TENDER TEN 06/10 - PLANT AND EQUIPMENT HIRE	29

15.7	SELECTION CRITERIA FOR TENDER TEN 08/09 DELIVERY OF HORTICULTURAL SERVICES	33
15.8	MEELUP BEACH MASTER PLAN	49
16.	COMMUNITY AND ORGANISATIONAL DEVELOPMENT REPORT	68
16.1	DRAFT STRATEGIC PLAN AND ACTION PLAN 2010-2020	70
16.2	SOUTHERN CAPES MOTORCYCLE CLUB LEASE COMMENCEMENT DATE	36
16.3	BUSSELTON REPERTORY CLUB LEASE APPLICATION	37
17.	CHIEF EXECUTIVE OFFICER'S REPORT	
17.1	SMALL LOCAL PROJECTS FUND 2009-10 No 27, 28, 29 and 30	39
17.2	POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - COMMUNITY ENGAGEMENT AND CONSULTATION POLICY	41
17.3	POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - DRAFT SURFING AND EVENTS COMPETITION POLICY FOR THE SHIRE OF BUSSELTON (CONSIDERATION OF ADOPTION FOR COMMUNITY CONSULTATION)	43
17.4	POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - LOCAL LAW REVIEW - BUSSELTON REGIONAL AIRPORT LOCAL LAW 2010	45
17.5	POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - SHIRE OF BUSSELTON PARKING LOCAL LAW 2010	47
18.	MOTIONS of which notice has been given	72
19.	CONFIDENTIAL REPORTS	73
20.	NOTICES OF MOTION proposed for consideration at a future Meeting	77
21.	QUESTIONS FROM MEMBERS WITHOUT NOTICE	77
22.	NEXT MEETING	77
23.	CLOSURE	77

SHIRE OF BUSSELTON**MINUTES OF A MEETING OF THE BUSSELTON SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON WEDNESDAY, 9 JUNE 2010 AT 5:30 PM**

The Presiding Member opened the meeting at 5.30 p.m.

1. ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Presiding Member: Cr Ian Stubbs Shire President

Members: Cr Grant Henley
Cr Len Boyling
Cr Gordon
Bleechmore
Cr Terry Best
Cr Tom Tuffin
Cr David Reid
Cr Don Hanran-Smith
Cr David Binks

Officers: Mr Matthew Smith A/Chief Executive Officer
Mr Nigel Bancroft Director, Lifestyle Development
Mr Oliver Darby Director, Community Infrastructure
Ms Cathryn Hutton Executive Manager, Systems and Information
Miss Louise Reid A/Director, Community and Organisational Development
Miss Lynley Rich Governance Manager
Miss Lisa Cole Administration Officer - Governance

Apologies: Cr Jackie Emery
Cr Rob Underdown

Leave of Absence: Nil

Media: "Busselton-Dunsborough Times"
"Busselton-Dunsborough Mail"

Public: 6

2. OPENING PRAYER

The Opening Prayer was delivered by Reverend Wayne Warfield from St Mary's Anglican Church.

Note: Due to the resignation of Cr Anne Ryan, a new Deputy Shire President needed to be elected.

ELECTION OF DEPUTY SHIRE PRESIDENT

The Shire President announced that the resignation of Cr Ryan was a sad loss to the Council and the community. Cr Ryan had a wealth of experience and was a great representative for the community. The Shire President proposes to hold a function on her return to thank her for her valuable contribution to the Shire.

The Shire President announced that the A/Chief Executive Officer would be conducting the election of the Deputy Shire President. The A/CEO advised that one nomination had been received for the position.

Cr David Binks had nominated in writing.

The A/CEO called for any further nominations.

Cr Tom Tuffin was nominated by Cr David Reid and accepted the nomination verbally.

Ballot papers were produced in alphabetical order and certified by the A/CEO.

Both candidates were invited to address the Council on their qualifications and merit for the position, which they undertook.

Ballot papers were distributed to the Councillors after the A/CEO announced that one ballot paper would be provided to each of the Councillors. To vote, each Councillor should tick the box located next to the name of their preferred candidate.

Ballot papers were collected and the A/CEO and Governance Manager determined the outcome of the ballot. The A/CEO announced the successful candidate for the position of Deputy Shire President to be Cr Tom Tuffin.

DECLARATION BY DEPUTY SHIRE PRESIDENT

The Shire President invited Cr Tom Tuffin to swear a declaration before the Council. Cr Tuffin made the following declaration:

I, Fredrick Thomas Tuffin, of 2 Wattle Street, Busselton, having been elected to the office of Deputy President of the Shire of Busselton, declare that I take the office upon myself and will duly, faithfully, honestly and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the *Local Government (Rules of Conduct) Regulations 2007*.

3. PUBLIC QUESTION TIME

Nil

4. SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

- 4.1 **At the Council Meeting of 26 May 2010**, Cr Binks asked the Director, Community Infrastructure what timeframe asbestos pipes were used for domestic and main water pipes.

Domestic and mains water pipes are not the Shire's infrastructure or asset and we are unable to comment on other service provider's infrastructure. In the Busselton area these pipes are the responsibility of Busselton Water Board and in Dunsborough these pipes are the responsibility of Water Corp. Anecdotally it is understood that up to the early 1970s asbestos reinforced pipes were used in isolated cases as sewer pipes and ventilation pipes but not for drinking water.

- 4.2 **At the Council Meeting of 26 May 2010**, Cr Binks asked the Director, Community Infrastructure if the Shire had any records of houses using asbestos pipes.

On discussion with the Director of Lifestyle Development, it is understood that the material used in the construction of water pipes is unlikely to be designated on building licence applications. Also refer to response above.

- 4.3 **At the Council Meeting of 26 May 2010**, Cr Binks asked the Director, Community Infrastructure if there are no records of houses using asbestos pipes, does the Shire have the capacity to generate a list of building approvals during the timeframe that asbestos pipes were used.

As above, however it must be pointed out that this exercise would be time consuming and costly and is also unlikely to provide a conclusive list as the local advice is that there was not a period of consistent use of asbestos pipes.

- 4.4 **At the Council Meeting of 26 May 2010**, Cr Binks asked the Director, Community Infrastructure if there were Shire plans of Infrastructure Mains water piping and domestic water piping using asbestos.

As mentioned above, this infrastructure is not the responsibility of the shire. When required for construction projects service information is provided via the dial before you dig system. There are some other infrastructure plans available provided by service agencies but these do not specify the construction material.

5. APPLICATIONS FOR LEAVE OF ABSENCE

C1006/178 Moved Councillor Reid, seconded Councillor Hanran-Smith:

That leave of absence be granted to Councillor David Binks for the Council Meetings on 14 July and 28 July.

CARRIED 9/0

6. CONFIRMATION OF MINUTES

6.1 Minutes of an Ordinary Council Meeting held on 26 May 2010.

C1006/179 Moved Councillor Bleechmore, seconded Councillor Best:

That the minutes of Ordinary Council Meeting held on 26 May 2010 be confirmed as a true and correct record.

CARRIED 9/0

7. ANNOUNCEMENTS by the Presiding Member without discussion

7.1 I recently met with the new CEO and spent the morning with him and he is looking forward to starting at the Shire. His official start date is 9 August 2010.

7.2 I went to the opening of the new oval at Dunsborough on 3 June. The staff have done a marvellous job on the oval, doing all of the design and work themselves without any outside consultants. On behalf of Council I would like to congratulate Oliver Darby and his team on a job well done.

Note: The Shire President invited Cr Best to report on the Girl Guide reunion he attended on his behalf.

7.3 Councillor Best advised Council that it was the 100th year of Girl Guides and they were still going strong. A book was presented to Council which will be displayed in the library.

8. PETITIONS AND MEMORIALS

Nil

9. DECLARATION OF DUE CONSIDERATION

The Presiding Member requested Councillors to acknowledge, in accordance with Clause 8.1 of the Standing Orders, that they had given due consideration to the matters contained within the Agenda.

Declared Due Consideration	No Declaration
Councillor Ian Stubbs	
Councillor Len Boyling	
Councillor Gordon Bleechmore	
Councillor Terry Best	
Councillor Tom Tuffin	
Councillor David Reid	
Councillor Don Hanran-Smith	
Councillor Grant Henley	
Councillor David Binks	

10. **DECLARATIONS OF INTERESTS**

DECLARATION OF INTEREST	
Name / Position	Councillor Len Boyling
Item No. / Subject	13.2 – Proposed Aged Persons Home – Lot 9001 Bell Drive, Broadwater
Type of Interest	Interest Affecting Impartiality

11. **PRESENTATIONS BY PARTIES WITH AN INTEREST**

- 11.1 Mr Trevor Kent addressed Council in accordance with Section 9 of the Standing Orders as a party with an interest in the late item, Reconsideration of Proposed cellar Door, Restaurant and Micro Brewery (Following State Administrative Tribunal (SAT) Directions Hearing) – Lot 100 Caves Road, Wilyabrup.
- 11.2 Mr Glenn Ahola addressed Council in accordance with Section 9 of the Standing Orders as a party with an interest in Item 13.2 – Proposed Aged Persons Home – Lot 9001 Bell Drive, Broadwater. Mr Ahola, representing the proponent, was in support of the alternative motion put forward by Officers but wanted Council to reconsider the Percent for Art Policy.

12. **BUSINESS FROM PREVIOUS MEETING**

Nil

EN BLOC RESOLUTION

At this juncture Items 13.3, 13.4, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 16.2, 16.3, 17.1, 17.2, 17.3, 17.4 and 17.5 were considered in accordance with Clause 11.1 of the Standing Orders via an En Bloc resolution of Council.

C1006/180 Moved Councillor Bleechmore, seconded Councillor Henley:

That the Officer Recommendations for Items 13.3, 13.4, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 16.2, 16.3 and 17.1 and the Committee Recommendations for Items 17.2, 17.3, 17.4 and 17.5 be adopted.

CARRIED 9/0

13.3 **SHIRE OF BUSSELTON RESERVES FIRE MANAGEMENT PLAN**

SUBJECT INDEX:	Bush Fire Control and Emergency Services
STRATEGIC INITIATIVE:	1.4.4 Take a proactive approach in reducing fire hazards in our community to minimise the risk of the threat of bushfires causing damage and injury to people and property, and by promoting "Be Fire Aware".
BUSINESS UNIT:	Ranger and Fire Services
SERVICE:	Environmental services
REPORTING OFFICER:	Tim Wall, Manager Ranger & Emergency Services
AUTHORISING OFFICER:	Nigel Bancroft, Director Lifestyle Development
DATE OF COMPLETION:	Ongoing
VOTING REQUIREMENT:	Simple majority
ATTACHMENT(S):	A. Shire of Busselton Reserves Fire Management Plan: Master Burn Plans B. Reserves Fire Management Plan

PRÉCIS

This report provides a summary of the report "Reserves Fire Management Plan" (FMP) prepared by Strategen Environmental Consultants for the Shire. The FMP focuses on risk reduction for the Shire's reserves using a number of approaches as best suited to each situation. This report seeks the Council endorsement of the FMP, including the associated actions to guide future works and budget development.

The FMP identifies actions to be implemented at various priority levels on Shire reserves as part of a long term strategy that focuses on fire hazard reduction to achieve enhancement of community safety and preservation of environmental values of relevant reserves. It further identifies existing measures already in progress. The FMP addresses all shire managed

reserves and Unallocated Crown Land (UCL) over 2 hectares in area, or that are considered to represent, or that have the potential to represent, a medium to extreme level of bush fire attack to existing development.

Attachment A includes the master burn plans from the FMP for the four sectors of the Shire. A copy of the complete FMP has been separately provided to all Councillors and is available on the Shire web site as part of the agenda at attachment B.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/181 Moved Councillor Bleechmore, seconded Councillor Henley:

That the Reserves Fire Management Plan for the Shire of Busselton, November 2009 (Strategen), be endorsed for the purpose of guiding the planning and implementation of future fire risk reduction works on Shire reserves and the determination of necessary budget allocations.

CARRIED 9/0
EN BLOC

13.4 PROPOSED AMENDMENT NO. 151 - PROPOSED BUSSELTON AND DUNSBOROUGH WASTEWATER TREATMENT PLANT BUFFER AREAS: CONSIDERATION FOR ADOPTION FOR COMMUNITY CONSULTATION

SUBJECT INDEX:	Town Planning Schemes and Amendments
APPLICATION NUMBER:	853/6/6/21 pt 151
STRATEGIC INITIATIVE:	2.4.1. Support development that is contained in identified nodes with well defined boundaries
BUSINESS UNIT:	Strategic Land Use Planning and Sustainability
SERVICE:	Strategic Planning
REPORTING OFFICER:	Strategic Land Use Planner – Louise Korovesi
AUTHORISING OFFICER:	Director, Lifestyle Development – Nigel Bancroft
DATE OF COMPLETION:	16 July 2010
VOTING REQUIREMENT:	Simple Majority
PROPOSAL:	<p>The proposed amendment would delete the existing Wastewater Exclusion and Wastewater Buffer Areas around the Busselton Wastewater Treatment Plant and insert new Wastewater Treatment Plant Buffer Areas around the Busselton and Dunsborough Wastewater Treatment Plants. The proposed amendment would also modify Clause 33 of the Scheme to reflect the proposed new buffer areas and deliver land use controls.</p> <p>Adoption in draft form would enable the scheme amendment to be referred to the Environmental Protection Authority for environmental assessment and subsequent advertising for community consultation.</p>
LOT SIZE:	N/A
ZONE:	'Public Purposes (Sewerage Treatment Plant)', 'Special Purposes (Waste Disposal)', 'Agriculture', 'Reserve for Recreation', 'Wastewater Exclusion Area', 'Wastewater Buffer Area', 'Development Investigation Area'
POLICIES:	<ol style="list-style-type: none"> 1. <i>Busselton Urban Growth Strategy</i> 2. <i>Local Rural Planning Strategy</i> 3. <i>Statement of Planning Policy No. 4 – State Industrial Buffer Policy</i> 4. <i>Environmental Protection Authority Guiding Statement No. 3 – Separation Distances Between Industrial and Sensitive</i>

Land Uses

5. *Environmental Protection Authority Guiding Statement No. 47 – Interim Guidance on Odour as a Relevant Environmental Factor*

ATTACHMENT(S):

A. Location Plan – Busselton Wastewater Treatment Plant

B. Location Plan – Dunsborough Wastewater Treatment Plant

C. Proposed Busselton Wastewater Treatment Plant Buffer

D. Proposed Dunsborough Wastewater Treatment Plant Buffer

E. Busselton Urban Growth Strategy

F. Draft Ambergate North Development Guide Plan and Proposed Busselton Wastewater Treatment Plant Buffer

PRÉCIS

The Council is requested to consider initiating an amendment to the Scheme to insert new buffers around the Busselton and Dunsborough Wastewater Treatment Plants (WWTPs) and deliver land use controls through an amendment to the provisions of Clause 33 of the Scheme.

The proposed amendment is required because the Water Corporation has identified the need to upgrade the capacity of the Busselton WWTP to cater for the growth of the Busselton urban area and the existing buffer area does not reflect the predicted odour emission footprint. Additionally, the Dunsborough WWTP is not currently afforded any protection in the Scheme from encroachment by odour sensitive land uses and the proposal seeks to introduce a new buffer area around the plant. Dunsborough WWTP is, however, largely protected by virtue of the Water Corporation owning much of the land around the plant.

The current planning and environmental policy framework requires the separation of odour emitting land uses and odour sensitive land uses, to be effected via buffer areas, with statutory controls on land uses within buffer areas delivered through local town planning schemes.

The proposal is considered to be generally consistent with the relevant planning and environmental policy framework and adoption of the proposed amendment for community consultation is recommended.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/182

Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council, in pursuance of Part V of the *Planning and Development Act 2005*, initiate draft Amendment No. 151 to the Shire

of Busselton District Town Planning Scheme No. 20 for community consultation for the purpose of:

- (a) amending the Scheme Map by:
- (i) deleting the existing Wastewater Exclusion Area and Wastewater Buffer Area around the Busselton Wastewater Treatment Plant; and
 - (ii) inserting a new Wastewater Treatment Plant Buffer Area around the Dunsborough and Busselton Wastewater Treatment Plants as illustrated on Attachments C and D, with the exception that the area associated with the Busselton Wastewater Treatment Plant shall not extend to the north of Rendezvous Road;
- (b) modifying Clause 33 to read as follows:

'33. Wastewater Treatment Plant Buffer Area

Objective

To ensure that land uses within a Wastewater Treatment Plant Buffer Area are compatible with the ongoing operations of the treatment plant.

(1) This clause applies to all land shown on the Scheme Map as being within a Wastewater Treatment Plant Buffer Area.

(2) In addition to any other provision of this Scheme, land indicated on the Scheme Map as being within a Wastewater Treatment Plant Buffer Area shall not be developed for any purpose other than the following:

- * Abattoir*
- * Animal Establishment*
- * Animal Husbandry*
- * Aquaculture*
- * Extractive Industry*
- * Forestry*
- * Intensive Agriculture*
- * Mineral Resource Development*
- * Public Utility*
- * Recreation Agriculture*
- * Recreation Area*
- * Roadside Stall*
- * Rural Industry*
- * Sawmill*
- * Service Station*

- * *Stock Yard*
- * *Timber Yard*
- * *A use not listed pursuant to Clause 22*

- (3) *Any application for planning consent for a use listed as either 'AA' or 'SA' in relation to land within or adjacent to the boundary of a Wastewater Treatment Plant Buffer Area shall be referred to the Water Corporation for advice which shall be taken into account in the determination of the application.*
- (4) *Any application for planning consent on land within a Wastewater Treatment Plant Buffer Area for a use that is not listed pursuant to Clause 22 shall be referred to the Water Corporation for consideration and advice and shall not be approved unless consistent with the objective of the Wastewater Treatment Plant Buffer Area.'*
- (5) *Where the Water Corporation, pursuant to Clause 33(4), advises that a proposed development is not consistent with the objective of the Wastewater Treatment Plant Buffer Area, the Council shall refuse the application unless advice is received from appropriately qualified, experienced, independent technical experts engaged by the Council, at the applicant's expense, advising that the proposed development is consistent with the objective of the Wastewater Treatment Plant Buffer Area.*

2. That as the draft Amendment is in the opinion of the Council consistent with Part V of the Act and regulations made pursuant to the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the *Town Planning Regulations 1967*. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.

CARRIED 9/0
EN BLOC

15.1 SELECTION CRITERIA FOR TENDER TEN 12/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND INSTALL SUB SOIL DRAINAGE

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	1.2.1 Support and facilitate leisure information and sporting activities.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Trades and Projects.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 October 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

This report seeks approval from the Council for the adoption of the selection criteria in order to call for tenders for TEN 12/09 - Dunsborough Oval Reconstruction - Supply & Install Sub Soil Drainage.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/183 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 12/09 - Dunsborough Oval Reconstruction - Supply & Install Sub Soil Drainage.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a Sole Tenderer who best demonstrates the ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranking the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(a) Compliance with the Specification contained in the Request.	Yes/No
(b) Compliance with the Conditions of Tendering in the Request.	Yes/No
(c) Compliance with the Request for Tender Closing Date.	Yes/No
(d) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
<p>A) Relevant Experience Describe your experience in completing/supplying similar Requirements. Respondents must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p>	10%
<p>C) Respondent's Resources Respondents should demonstrate their ability to supply and sustain the necessary:</p> <p>(a) Plant, equipment and materials; and (b) Any contingency measures or back up of resources including personnel (where applicable).</p>	10%
<p>D) Demonstrated Understanding Respondents should detail the process they intend to use to achieve the Requirements of the Specification.</p>	5%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	75%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.2 SELECTION CRITERIA FOR TENDER TEN 13/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND LAY TURF

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	1.2.1 Support and facilitate leisure information and sporting activities.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Trades and Projects.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 October 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

This report seeks approval from the Council for the adoption of the selection criteria in order to call for tenders for TEN 13/09 - Dunsborough Oval Reconstruction - Supply & Lay Turf.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/184 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 13/09 - Dunsborough Oval Reconstruction - Supply & Lay Turf.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a Sole Tenderer who best demonstrates the ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranking the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(e) Compliance with the Specification contained in the Request.	Yes/No
(f) Compliance with the Conditions of Tendering in the Request.	Yes/No
(g) Compliance with the Request for Tender Closing Date.	Yes/No
(h) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
<p>A. RELEVANT EXPERIENCE</p> <p>Describe your experience in completing/ supplying similar requirements. Tenderers must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p> <p>(a) Provide details of similar work;</p> <p>(b) Provide the scope of the Tenderer's involvement including details of outcomes;</p> <p>(c) Provide details of issues that arose during the project and how these were managed by the Tenderer;</p> <p>(d) Demonstrate sound judgement and discretion; and</p> <p>(e) Demonstrate competency and proven track record of achieving outcomes.</p>	10%

Description of Qualitative Criteria	Weighting
B. ABILITY TO DELIVER SERVICES WITHIN THE STIPULATED TIME FRAME(S) - A brief written statement detailing the Tenderer's ability to supply the services in accordance with the Principal's requested timeframe(s).	20%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	70%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the Tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.3 SELECTION CRITERIA FOR TENDER TEN 01/10 - SUPPLY AND DELIVERY OF IRRIGATION COMPONENTS

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	1.2.1 Support and facilitate leisure information and sporting activities.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Trades and Projects.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 October 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

The Shire of Busselton's current contract for the Supply of Reticulation Components is due to expire on 9 May 2010.

This report seeks approval from the Council for the adoption of the selection criteria in order to call for tenders for the Supply & Delivery of Irrigation Components for the next two (2) years with an option of extension for an additional one (1) year.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/185 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for Tender TEN 01/10 - Supply & Delivery of Irrigation Components.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a sole Tenderer who best demonstrates the ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranking the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(i) Compliance with the Specification contained in the Request.	Yes/No
(j) Compliance with the Conditions of Tendering in the Request.	Yes/No
(k) Compliance with the Request for Tender Closing Date.	Yes/No
(l) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
(a) ABILITY TO DELIVER SERVICES WITHIN THE STIPULATED TIME FRAME(S) - A brief written statement detailing the Tenderers ability to supply irrigation components as listed in the Price Schedule.	15%
(b) EXPERIENCE WITH SUPPLYING IRRIGATION COMPONENTS TO LOCAL/STATE GOVERNMENT DEPARTMENTS - A brief outline/client list (preferably one A4 page) describing component type and total value of supply to each client.	5%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	80%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the Tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.4 SELECTION CRITERIA FOR TENDER TEN 03/10 - SUPPLY AND DELIVERY OF GRAVEL BASE COURSE MATERIAL

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	2.1.2 Manage and maintain the Shire's assets for the amenity of the Community.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Maintenance and Construction.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 September 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

The Shire of Busselton's contract for the Supply of Gravel Base Course Material (TEN11/05) expired on 13 March 2010.

This report seeks the Council's approval of the selection criteria in order to call for tenders for the Supply and Delivery of Gravel Base Course Material.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/186 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 03/10 - Supply and Delivery of Gravel Base Course Material.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a Sole Tenderer who best demonstrates the ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranking the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An

assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(m) Compliance with the Specification contained in the Request.	Yes/No
(n) Compliance with the Conditions of Tendering in the Request.	Yes/No
(o) Compliance with the Request for Tender Closing Date.	Yes/No
(p) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
<p>A. RELEVANT EXPERIENCE</p> <p>Describe your experience in completing/ supplying similar requirements. Tenderers must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p> <p>(f) Provide details of similar work;</p> <p>(g) Provide the scope of the Tenderer's involvement including details of outcomes;</p> <p>(h) Provide details of issues that arose during the project and how these were managed by the Tenderer;</p> <p>(i) Demonstrate sound judgement and discretion; and</p> <p>(j) Demonstrate competency and proven track record of achieving outcomes.</p>	5%

Description of Qualitative Criteria	Weighting
<p>B. TENDERER'S RESOURCES</p> <p>Tenderers should demonstrate their ability to supply and sustain the necessary:</p> <ul style="list-style-type: none"> (c) Plant, equipment and materials; (d) Quality control; and (e) Any contingency measures or back up of resources including plant and personnel (where applicable). <p>As a minimum, Tenderers should provide a statement detailing their ability to supply the material in accordance with the Principal's request, a current commitment schedule, plant/ equipment schedule and details of quality control procedures in an attachment and label it "Tenderer's Resources".</p>	15%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	80%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the Tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.5 SELECTION CRITERIA FOR TENDER TEN 05/10 - SUPPLY AND LAYING OF EXTRUDED KERBING

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	2.1.2 Manage and maintain the Shire's assets for the amenity of the Community.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Maintenance and Construction.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 September 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

The Shire of Busselton's contract for the Supply and Laying of Extruded Kerbing (TEN 14/06) is due to expire on 25 June 2010.

This report seeks the Council's approval of the selection criteria in order to call for new tenders for the supply and laying of extruded kerbing.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/187 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 05/10 - Supply and Laying of Extruded Kerbing.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a Sole Tenderer who best demonstrates the ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranking the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An

assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(q) Compliance with the Specification contained in the Request.	Yes/No
(r) Compliance with the Conditions of Tendering in the Request.	Yes/No
(s) Compliance with the Request for Tender Closing Date.	Yes/No
(t) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

<p>A. RELEVANT EXPERIENCE AND KEY PERSONNEL SKILLS</p> <p>Describe your experience in completing/ supplying similar requirements and the experience of the proposed personnel to be allocated to this contract.</p> <p>Tenderers must, as a minimum, address the following information in an attachment and label it “Relevant Experience and Key Personnel Skills”:</p> <ul style="list-style-type: none"> • Provide details of similar work, providing the scope of the Tenderer’s involvement including details of outcomes; • Provide details of issues that arose during the project and how these were managed by the Tenderer, including demonstration of sound judgement and discretion; • Demonstration of competency and proven track record of achieving outcomes; and 	<p>10%</p>
---	------------

<ul style="list-style-type: none"> • The role of proposed personnel in the performance of this contract and details including current curriculum vitae, qualifications, memberships to professional associations and any additional information. 	
<p>B. SUITABILITY, CONDITION AND MAINTENANCE OF PLANT AND EQUIPMENT</p> <p>Tenderers should demonstrate their ability to supply and maintain the necessary:</p> <ul style="list-style-type: none"> • Plant and equipment; • Quality control; and • Any contingency measures or back up of resources including plant and personnel (where applicable). <p>As a minimum, Tenderers should provide a statement detailing their ability to supply the material in accordance with the Principal’s request, a current commitment schedule, plant / equipment schedule and details of quality control procedures in an attachment and label it “Tenderer’s Resources”.</p>	10%
<p>C. OCCUPATIONAL SAFETY AND HEALTH</p> <p>Tenderers will provide the following documentation in regard to workplace safety:</p> <ul style="list-style-type: none"> • The Companies Occupational Safety and Health; • policy endorsed by the CEO; • Any safe system of work and/or safety procedures; and • Statistical information regarding the Tenderers OSH performance. <p>Supply details in an attachment and label it “Occupational Safety and Health”.</p>	10%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	70%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and

Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the Tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.6 SELECTION CRITERIA FOR TENDER TEN 06/10 - PLANT AND EQUIPMENT HIRE

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	2.1.2 Manage and maintain the Shire's assets for the amenity of the Community.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Maintenance and Construction.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 September 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

The Shire of Busselton currently has a Panel Tender TEN 01/06 in place for the Dry and Wet Hire of Plant and Equipment. This Panel Tender is due to expire on 30 June 2010.

This report seeks the Council's approval of the selection criteria in order to call for new tenders for plant and equipment hire.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/188 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 06/10 - Plant and Equipment Hire.

SELECTION CRITERIA

The Principal shall be compiling a list of Ranked Preferred Suppliers (Panel Tender) from Tender responses received. The Contract will not be awarded to a single Tenderer.

Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. This means that, although price is considered, the Tender containing the lowest price will not necessarily be ranked highest.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An

assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(u) Compliance with the Specification contained in the Request.	Yes/No
(v) Compliance with the Conditions of Tendering in the Request.	Yes/No
(w) Compliance with the Request for Tender Closing Date.	Yes/No
(x) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
<p>A. RELEVANT EXPERIENCE AND KEY PERSONNEL SKILLS</p> <p>Describe your experience in completing/ supplying similar requirements and the experience of the proposed personnel to be allocated to this contract.</p> <p>Tenderers must, as a minimum, address the following information in an attachment and label it "Relevant Experience and Key Personnel Skills":</p> <ul style="list-style-type: none"> • Provide details of similar work, providing the scope of the Tenderer's involvement including details of outcomes; • Provide details of issues that arose during the project and how these were managed by the Tenderer, including demonstration of sound judgement and discretion; • Demonstration of competency and proven track record of 	20%

Description of Qualitative Criteria	Weighting
<p>achieving outcomes; and</p> <ul style="list-style-type: none"> • The role of proposed personnel in the performance of this contract and details including current curriculum vitae, qualifications, memberships to professional associations and any additional information. 	
<p>B. SUITABILITY, CONDITION AND MAINTENANCE OF PLANT AND EQUIPMENT</p> <p>Tenderers should demonstrate their ability to supply and maintain the necessary:</p> <ul style="list-style-type: none"> • Plant and equipment; • Quality control; and • Any contingency measures or back up of resources including plant and personnel (where applicable). <p>As a minimum, Tenderers should provide a statement detailing their ability to supply suitably conditioned plant and equipment, a maintenance schedule for all plant and equipment, a current commitment schedule, plant/ equipment schedule and details of quality control procedures in an attachment and label it “Suitability, Condition and Maintenance of Plant and Equipment”.</p>	10%
<p>C. OCCUPATIONAL SAFETY AND HEALTH</p> <p>Tenderers will provide the following documentation in regard to workplace safety:</p> <ul style="list-style-type: none"> • The Companies Occupational Safety and Health; • policy endorsed by the CEO; • Any safe system of work and/or safety procedures; and • Statistical information regarding the Tenderers OSH performance. <p>Supply details in an attachment and label it “Occupational Safety and Health”.</p>	10%

PRICE CONSIDERATIONS

Criteria	Weighting
----------	-----------

Criteria	Weighting
Tendered price	60%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the Tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

CARRIED 9/0
EN BLOC

15.7 SELECTION CRITERIA FOR TENDER TEN 08/09 DELIVERY OF HORTICULTURAL SERVICES

SUBJECT INDEX:	RFT Request for Tenders.
STRATEGIC INITIATIVE:	1.2.1 Support and facilitate leisure information and sporting activities.
BUSINESS UNIT:	Infrastructure Services.
SERVICE:	Maintenance and Construction.
REPORTING OFFICER:	Manager Infrastructure Services – Jason Vaughan.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 October 2010.
VOTING REQUIREMENT:	Simple Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

This report seeks approval from the Council for the adoption of the selection criteria in order to call for a Panel Tender for delivery of Specialist Horticultural, Landscaping, Turf Renovation and Revegetation Services within the Shire of Busselton.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/189 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopt the selection criteria and approve the calling of tenders for tender TEN 08/09 - Delivery of Horticultural, Landscaping, Turf Renovation and Revegetation Services.

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. No sole contract will be awarded in the case of calling for this Tender. All submissions received will be assessed based on their ability to provide quality goods or services at a competitive price. Tendered prices will be assessed using the average based scoring method, along with the following qualitative and compliance criteria to determine the most advantageous outcome to the Shire of Busselton. Submissions will then be ranked according to their competitiveness forming a Panel of Suppliers from which Shire staff will select the contract services required. This means that, although price is considered, the submissions containing the lower prices will not necessarily be ranked the highest.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

Description of Compliance Criteria	
(y) Compliance with the Specification contained in the Request.	Yes/No
(z) Compliance with the Conditions of Tendering in the Request.	Yes/No
(aa) Compliance with the Request for Tender Closing Date.	Yes/No
(bb) Compliance with and completion of the Price Schedule(s).	Yes/No

QUALITATIVE CRITERIA

In determining the most advantageous Panel of Suppliers, the Principal will score each Tenderer against the qualitative criteria. It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	Weighting
<p>A. RELEVANT EXPERIENCE Describe your experience in completing/supplying similar requirements. Tenderers must, as a minimum, address the following information in an attachment and label it "Relevant Experience":</p> <ul style="list-style-type: none"> • Provide details of similar work; • Provide the scope of the Tenderer's involvement including details of outcomes; • Provide details of issues that arose during the project and how these were managed by the Tenderer; • Demonstrate sound judgement and discretion; and 	10%

Description of Qualitative Criteria	Weighting
<ul style="list-style-type: none"> Demonstrate competency and proven track record of achieving outcomes. 	
<p>KEY PERSONNEL SKILLS AND EXPERIENCE</p> <p>Tenderer's must, as a minimum, provide the following information of the proposed personnel to be allocated to this contract in an attachment and label it "Key Personnel":</p> <ul style="list-style-type: none"> Their role in the performance of the contract; Current curriculum vitae; Qualifications; Memberships to professional associations; and Any additional information. 	10%
<p>C. TENDERER'S RESOURCES</p> <p>Tenderers should demonstrate their ability to supply and sustain the necessary:</p> <ul style="list-style-type: none"> Plant, equipment and materials; and Any contingency measures or back up of resources including plant and personnel (where applicable). <p>As a minimum, Tenderers should provide a current commitment schedule and plant/ equipment schedule in an attachment and label it "Tenderer's Resources".</p>	20%

PRICE CONSIDERATIONS

Criteria	Weighting
Tendered price	60%

Tender prices will be assessed using the average based scoring method contained in the WA Local Government Purchasing and Tender Guide. Unit Rate Prices along with related factors affecting the total cost to the Principal, including the Principal's contract management costs, may also be considered in assessing the best value for money outcome.

The average base scoring method will be used by applying the tendered rates to the estimated annual quantities of a representative mix of work, as determined by the Principal.

**CARRIED 9/0
EN BLOC**

16.2 SOUTHERN CAPES MOTORCYCLE CLUB LEASE COMMENCEMENT DATE

SUBJECT INDEX:	Agreements / Contracts
STRATEGIC INITIATIVE:	1.2.1 Support the provision of a range of healthy recreation, entertainment and lifestyle opportunities.
BUSINESS UNIT:	Community Development
SERVICE:	Property Services
REPORTING OFFICER:	Ann Sanford – Property Coordinator
AUTHORISING OFFICER:	A/Director, Community and Organisational Development – Louise Reid
DATE OF COMPLETION:	30 October 2010
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	(1) Location of leased area Reserve 25325

PRÉCIS

The Shire of Busselton leases a portion of land over Reserve 25325, as indicated in Attachment 1, locally known as the Jindong Motorcycle facility; it was formerly leased by The Busselton Motorcycle Association Inc with a new club forming in 2002 called the Southern Capes Motorcycle Club Inc (SCMC). In September 2002 a motion was moved to enter into a standard lease agreement with SCMC for a 5 year period with the option to extend for a further five 5 years. To date the lease agreement has not been formalised due to a number of factors. This report is to propose that the lease term commence this year instead of 2002 as originally resolved.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/190 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the CEO be authorised to enter into a standard community lease agreement with the Southern Capes Motorcycle Club Inc for the occupation of a portion of land on Reserve 25325 Lot 4200 Gibb Road, Kaloorup on Plan 208196 Volume 3004 Folio 21, on the following terms;
 - a) The lease shall be consistent with the Shire's standard community and sporting group crown land lease agreement;
 - b) The term of the lease to be 5 years, commencing in August 2010 with a further 5 year option;
 - c) The annual rent to be \$150.00 plus GST;

- d) All costs for the preparation of the lease to be met by the Lessee.

CARRIED 9/0
EN BLOC

16.3 BUSSELTON REPERTORY CLUB LEASE APPLICATION

SUBJECT INDEX:	Agreements / Contracts
STRATEGIC INITIATIVE:	1.2.1 Support the provision of a range of healthy recreation, entertainment and lifestyle opportunities.
BUSINESS UNIT:	Community Development
SERVICE:	Property Services
REPORTING OFFICER:	Ann Sanford – Property Coordinator
AUTHORISING OFFICER:	A/Director, Community Development– Louise Reid
DATE OF COMPLETION:	30 October 2010
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	(1) Map detailing Lots 310, 43 and 44

PRÉCIS

The Shire of Busselton leases Lot 310 Queen Street also known as Weld Theatre, to the Busselton Repertory Club Inc (BRC).

The current lease expires on 30 June 2010, the term being 5 years plus a 5 year option, this report presents the case for the Council to grant a new lease to the BRC for a similar term commencing 1 July 2010.

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/191 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the CEO be authorised to enter into a standard community lease agreement with the Busselton Repertory Club (Inc) for the occupation of Lot 310 Queen Street, on the following terms;
 - a) The lease shall be consistent with the Shire's standard community and sporting group lease agreement;
 - b) The term of the lease to be 5 years, commencing on the day following the expiry of the previous lease with a further 5 year option;
 - c) The annual rent to be \$150.00 plus GST;
 - d) All costs for the preparation of the lease to be met by the Lessee.

- e) An additional clause or clauses requiring compliance with the Conservation Plan for the Weld Hall prepared by the Heritage and Conservation Professionals in June 2009.
- f) An additional clause stating that the Shire may remove the eastern portion of the site, being the land to the rear of the original Weld Theatre building, from the leased area on the condition that the Shire will replace facilities in this area with equivalent or better facilities at an agreed location at the Shire's cost.

CARRIED 9/0
EN BLOC

17.1 SMALL LOCAL PROJECTS FUND 2009-10 No 27, 28, 29 and 30

SUBJECT INDEX:	Sponsorship and Grant Applications
STRATEGIC INITIATIVE:	1.1.1 Encourage and Support Cultural Activities and Events
BUSINESS UNIT:	Finance
SERVICE:	Financial Management and Control
REPORTING OFFICER:	Administration Officer – Lisa Cole
AUTHORISING OFFICER:	Acting CEO - Matthew Smith
DATE OF COMPLETION:	Subject to receipt of all necessary information, funds will be provided as soon as practicable following this Council Meeting
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	Nil

PRÉCIS

The following allocations of funds for expenditure from the Small Local Projects Budget allocation have been proposed. Funds are available and expenditure is permissible under the Local Government Act 1995.

No	Councillor Making Request	Amount	Recipient	Purpose for which funds will be used
27	Cr David Binks	770	Dunsborough Primary School P & C	To create an outside classroom.
28	Cr Gordon Bleechmore	500	Cliff's Kitchen	Purchasing the supplies for delivery of meals
29	Cr Gordon Bleechmore	500	Youth Care Chaplaincy	To assist Chaplains carry out their roles in their respective areas
30	Cr Tom Tuffin	1,000	Citizens' Advice Bureau	Weather-proofing of roof of building

COUNCIL DECISION / OFFICER RECOMMENDATION

C1006/192 Moved Councillor Bleechmore, seconded Councillor Henley:

That the following amounts be allocated from the Council's Small Local Projects Budget Allocation:

No	Councillor Making Request	Amount	Recipient	Purpose for which funds will be used
27	Cr David Binks	770	Dunsborough Primary School P & C	To create an outside classroom.
28	Cr Gordon Bleechmore	500	Cliff's Kitchen	Purchasing the supplies for delivery of meals
29	Cr Gordon Bleechmore	500	Youth Care Chaplaincy	To assist Chaplains carry out their roles in their respective areas
30	Cr Tom Tuffin	1,000	Citizens' Advice Bureau	Weather-proofing of roof of building

CARRIED 9/0

EN BLOC

17.2 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION -
COMMUNITY ENGAGEMENT AND CONSULTATION POLICY

SUBJECT INDEX:	Policies and Procedures
STRATEGIC INITIATIVE:	5.3 Create harmony and unity within the Community through open communication, participation and accurate representation.
BUSINESS UNIT:	Public Relations / Communications
SERVICE:	Community Engagement and Consultation
REPORTING OFFICER:	Communications Officer – Meredith Dixon
AUTHORISING OFFICER:	Acting CEO - Matthew Smith
DATE OF COMPLETION:	30 September 2010
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	Community and Engagement Policy (DRAFT AS AMENDED BY COMMITTEE)

PRÉCIS

This report was considered by the Policy and Legislation Committee at its meeting on 13 May, the recommendations from which require Council consideration. The Committee Recommendation has been included in the report and the attached draft policy has been updated to incorporate the Committee's recommendations.

Council has committed to the development of an Engagement and Consultation Policy which includes the implementation of a framework to assist with planning, implementing and reporting on initiatives to increase community interaction.

This report presents a draft Community Engagement and Consultation Policy for Council's consideration.

OFFICER RECOMMENDATION

1. That the Policy and Legislation Committee endorse the draft Community Engagement and Consultation policy;
2. That the draft policy be released for public consultation for a period of three weeks before being referred to the Council for consideration.

COUNCIL DECISION / COMMITTEE RECOMMENDATION

C1006/193 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council endorse the draft Community Engagement and Consultation policy as amended by the Committee.

2. That the draft policy, as amended, be released for public consultation for a period of three weeks before being referred to the Council for consideration, or in the event of significant outcomes from the consultative process, to the Policy and Legislation Committee prior to the Council.

CARRIED 9/0
EN BLOC

17.3 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - DRAFT SURFING AND EVENTS COMPETITION POLICY FOR THE SHIRE OF BUSSELTON (CONSIDERATION OF ADOPTION FOR COMMUNITY CONSULTATION)

SUBJECT INDEX:	Leisure Services
STRATEGIC INITIATIVE:	1.2.1 Support the provision of a range of healthy recreation, entertainment and lifestyle opportunities
BUSINESS UNIT:	Community Development
SERVICE:	Leisure Services
REPORTING OFFICER:	Recreation Officer – Jeremy O’Neill
AUTHORISING OFFICER:	Acting Director, Community and Organisational Development – Louise Reid
DATE OF COMPLETION:	1st August 2010
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	Surfing Events and Competition Policy Draft – April 2010 (AS AMENDED BY THE COMMITTEE)

PRÉCIS

This report was considered by the Policy and Legislation Committee at its meeting on 13 May, the recommendations from which require Council consideration. The Committee Recommendation has been included in the report and the attachment has been updated to reflect the recommendation.

This report informs the Council on the development of a draft Surfing Events and Competition Policy (SECP) for the Shire of Busselton. The SECP has been developed in response to Council Resolution C0904/114, whereby the Council requested that the CEO prepare a surfing policy based on the Cape to Cape Surfing Policy (2003) and adopted by the Shire of Augusta-Margaret River.

The SECP has been prepared following broad consultation with major surfing stakeholders, Yallingup Residents Association and Shire staff.

The objective of the SECP is to achieve consistency and co-ordination for the staging of Surfing Events, as defined in this policy, utilising land managed by the Shire of Busselton. The SECP also seeks to ensure equitable use of the surf locations by recreational surfers. Its implementation will assist to minimise damage to, and promote the recovery of coastal systems within the Shire of Busselton’s managed coastal reserves. The SECP also aims to provide opportunities for surf event organisers to run events in the area.

This report recommends the adoption of the SECP for the purpose of a formal public consultation period of 28 days.

OFFICER RECOMMENDATION

1. That the Council adopts the draft Shire of Busselton Surfing Events and Competition Policy for community consultation.
2. That the Shire advertises the draft policy for a period of 28 days.
3. The outcomes of the community consultation be reported back to the Council.

COUNCIL DECISION / COMMITTEE RECOMMENDATION

C1006/194 Moved Councillor Bleechmore, seconded Councillor Henley:

1. That the Council adopts for community consultation the draft Shire of Busselton Surfing Events and Competition Policy, as amended by the Committee.
2. That the Shire advertises the draft policy for a period of 28 days.
3. The outcomes of the community consultation be reported back to the Council, or in the event of significant outcomes from the consultative process, to the Policy and Legislation Committee prior to the Council.

CARRIED 9/0
EN BLOC

17.4 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - LOCAL LAW REVIEW - BUSSELTON REGIONAL AIRPORT LOCAL LAW 2010

SUBJECT INDEX:	Local Laws
STRATEGIC INITIATIVE:	5.1.3 Ensure regulatory requirements are met
BUSINESS UNIT:	Legal and Compliance
SERVICE:	Legal Services
VOTING REQUIREMENT:	Simple Majority
ATTACHMENT(S):	Proposed Busselton Regional Airport Local Law 2010 (AS AMENDED BY COMMITTEE)

PRÉCIS

This report was considered by the Policy and Legislation Committee at its meeting on 13 May, the recommendations from which require Council consideration. The Committee Recommendation has been included in the report and the attachment has been updated to reflect the recommendation.

The Council has previously resolved to consider implementing an airport local law. A draft local law was advertised however following certain amendments it is necessary to recommence the law-making process should the Council wish to incorporate the changes into any airport local law. The purpose of this report is for the Council to consider whether to commence the process of making the new local law pursuant to section 3.12 of the *Local Government Act 1995*. It is recommended that the Council commence the law-making process for the proposed *Shire of Busselton, Busselton Regional Airport Local Law 2010* "Airport Local Law".

OFFICER RECOMMENDATION

- (1) That the Council commences the law-making process, for the Airport Local Law 2010, the purpose and effect of the local law being as follows:

Purpose: To provide for the regulation, control and management of the Busselton Regional Airport.

Effect: To establish the requirements relating to regulation control and management of the Busselton Regional Airport.

- (2) That the Council authorise the CEO to carry out the law making procedure under section 3.12(3) of the *Local Government Act 1995* by following the procedures set out in sequence in the Act; by -
- (i) giving Statewide public notice and local notice of the proposed local law; and
 - (ii) giving a copy of the proposed local law and public notice to the Minister for Local Government.

- (3) That the CEO, after close of the public consultation period, submit to the Council for consideration a report on any submissions received on the proposed local law to enable the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4).

COUNCIL DECISION / COMMITTEE RECOMMENDATION

C1006/195 Moved Councillor Bleechmore, seconded Councillor Henley:

- (1) That the Council commences the law-making process, for the Airport Local Law 2010, the purpose and effect of the local law being as follows:

Purpose: To provide for the regulation, control and management of the Busselton Regional Airport.

Effect: To establish the requirements relating to regulation control and management of the Busselton Regional Airport.

- (2) That the Council authorise the CEO to carry out the law making procedure under section 3.12(3) of the *Local Government Act 1995* by following the procedures set out in sequence in the Act; by -
- (i) giving Statewide public notice and local notice of the proposed local law; and
 - (ii) giving a copy of the proposed local law and public notice to the Minister for Local Government.
- (3) That the CEO, after close of the public consultation period, submit to the Policy and Legislation Committee and then the Council for consideration a report on any submissions received on the proposed local law to enable the Policy and Legislation Committee to consider the submissions made and then the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4).

CARRIED 9/0
EN BLOC

17.5 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - SHIRE OF BUSSELTON PARKING LOCAL LAW 2010

SUBJECT INDEX:	Local Laws
STRATEGIC INITIATIVE:	5.1.3 Ensure regulatory requirements are met
BUSINESS UNIT:	Legal
SERVICE:	Legal Services
VOTING REQUIREMENT:	Simple majority
ATTACHMENT(S):	Proposed Shire of Busselton Parking Local Law 2010

PRÉCIS

This report was considered by the Policy and Legislation Committee at its meeting on 13 May, the recommendations from which require Council consideration. The Committee Recommendation has been included in the report.

A review has been conducted of the current *Parking Facilities By-law*, made in the early 1990's, and consistency with changes in primary legislation such as the *Road Traffic Code 2000*. It is recommended that the Council repeal the current local law and adopt a new Parking local law.

A draft Parking local law has been prepared, based on the WALGA model Parking local law for consideration by Council in deciding to initiate the local law-making procedure of the *Local Government Act 1995* (the Act).

OFFICER RECOMMENDATION

- (1) That the Council commences the law-making process, for the Shire of Busselton Parking Local Law 2010, the purpose and effect of the local law being as follows:

Purpose: The purpose of the proposed local law is to regulate and control the movement and parking of vehicles throughout the district.

Effect: The effect of the proposed local law will be to provide a well-regulated parking environment for all persons in the district.

- (2) That Council authorises the CEO to carry out the law-making procedure under section 3.12(3) of the *Local Government Act*, by -
 - (i) giving Statewide public notice and local public notice of the proposed local law; and
 - (ii) giving a copy of the proposed local law and public notice to the Minister for Local Government.
- (3) That the CEO, after the close of the public consultation period, submit a report to the Council on any submissions received on the proposed local law to enable the Council to consider the submissions made and

to determine whether to make the local law in accordance with section 3.12(4) of the Act.

COUNCIL DECISION / COMMITTEE RECOMMENDATION

C1006/196 Moved Councillor Bleechmore, seconded Councillor Henley:

- (1) That the Council commences the law-making process, for the Shire of Busselton Parking Local Law 2010, the purpose and effect of the local law being as follows:

Purpose: The purpose of the proposed local law is to regulate and control the movement and parking of vehicles throughout the district.

Effect: The effect of the proposed local law will be to provide a well-regulated parking environment for all persons in the district.

- (2) That Council authorises the CEO to carry out the law-making procedure under section 3.12(3) of the *Local Government Act*, by -
- (i) giving Statewide public notice and local public notice of the proposed local law; and
 - (ii) giving a copy of the proposed local law and public notice to the Minister for Local Government.
- (3) That the CEO, after the close of the public consultation period, submit a report to the Policy and Legislation Committee and then the Council on any submissions received on the proposed local law to enable the Policy and Legislation Committee to consider the submissions made and then the Council to consider the submissions made and to determine whether to make the local law in accordance with section 3.12(4) of the Act.

CARRIED 9/0
EN BLOC

ITEMS CONSIDERED BY SEPARATE RESOLUTION

At this juncture, in accordance with Clause 11.2b of the Standing Orders, those items requiring an Absolute Majority or in which Councillors had declared Financial, Proximity or Impartiality Interests were considered.

15.8 **MEELUP BEACH MASTER PLAN**

SUBJECT INDEX:	Internal Advisory/Management Committee Meetings of Council.
STRATEGIC INITIATIVE:	1.3.1 Build community vitality and a sense of place through nodal design and development.
BUSINESS UNIT:	Infrastructure Planning.
SERVICE:	Fleet Management.
REPORTING OFFICER:	Manager Infrastructure Planning – Jennifer May.
AUTHORISING OFFICER:	Director, Community Infrastructure – Oliver Darby.
DATE OF COMPLETION:	30 June 2010.
VOTING REQUIREMENT:	Absolute Majority.
ATTACHMENT(S):	Nil.

PRÉCIS

The Meelup Regional Park Management Committee proposes to use surplus operational funds to develop a Master Plan for Meelup Beach.

COUNCIL DECISION / OFFICER RECOMMENDATION**ABSOLUTE MAJORITY REQUIRED**

C1006/197 Moved Councillor Hanran-Smith, seconded Councillor Binks:

That the Council supports the use of surplus funds from the Meelup Regional Park Management Committee 2009/10 operational budget for the development of a Meelup Beach Master Plan to a total value not exceeding \$25,000 (excluding GST).

CARRIED 9/0
BY ABSOLUTE MAJORITY

13. LIFESTYLE DEVELOPMENT REPORT**13.1 FUTURE VASSE TO DUNSBOROUGH ROUTE ALIGNMENT**

SUBJECT INDEX:	Local Settlement Planning Strategy
APPLICATION NUMBER:	N/A
STRATEGIC INITIATIVE:	2.4.3 Continue to ensure safe transport infrastructure.
BUSINESS UNIT:	Strategic Planning and Sustainability
SERVICE:	Strategic Land Use Planning
REPORTING OFFICER:	Manager Strategic Planning and Sustainability – Paul Needham
AUTHORISING OFFICER:	Director Lifestyle Development – Nigel Bancroft
DATE OF COMPLETION:	23/07/10
VOTING REQUIREMENT:	Simple Majority
PROPOSAL:	Future Vasse to Dunsborough Route Alignment: proposed advice to the State Government regarding route selection and planning
LOT SIZE:	N/A
ZONE:	N/A
POLICIES:	WAPC <i>State Planning Policy 2.6: Leeuwin-Naturaliste Ridge Policy</i>
ATTACHMENT(S):	A – Potential routes B – Consolidated agenda and minutes associated with consideration of this issue at the Council's 27 May 2009 ordinary meeting C – Notes of July 2009 briefing D - Caves Road (Busselton to Yallingup) Traffic and Crash Notes E – Potential realignment of the Blue Route to avoid EPP wetlands

PRÉCIS

This report asks the Council to consider its advice to the State Government regarding the future development of a new Vasse to Dunsborough route. The report repeats and adds to the information provided to Councillors in an earlier report on this issue considered by the Council in February 2010.

The new route is intended to accommodate future traffic growth in the western part of Shire via a higher capacity route from Busselton/Vasse to Dunsborough. A number of potential alignments have previously been identified and considered, and these have been narrowed down to two possible options generally referred to as the 'Blue Route' and the 'Orange/Red Route'. Both of these alignments essentially consist of an

extension of the existing Busselton Bypass route from Vasse to Dunsborough.

Prior to proceeding with more detailed planning, environmental impact assessment, land acquisition and ultimately development, the State (through the Department of Planning), is requesting that the Council confirm its position on a preferred alignment. Whilst no specific timeframes have been set, it is anticipated that the new road would be developed in approximately 15-20 years time.

The Council last considered this matter in February 2010, at which time it resolved to defer consideration pending a briefing from responsible State Government agencies (i.e. the Department of Planning and Main Roads WA) and the undertaking of further consultation with stakeholders. The briefing requested by the Council occurred in April 2010. Further clarification on environment and landowner issues was sought by Councillors as part of that briefing, and this report includes additional information relating to those issues. Following consultation with Councillors it was concluded that further consultation with stakeholders could be facilitated via the briefing and community access sessions associated with the Council meeting at which this report is being considered.

The Council had previously considered the matter in May 2009, at which time it also resolved to defer consideration pending a briefing from the responsible State Government agencies (i.e. the then Department of Planning and Infrastructure, and Main Roads WA). The briefing requested by the Council at that time occurred in July 2009. Following that, further information and clarification was sought and several meetings were held between officers of the Shire, MRWA and DoP. That further information provided the basis for review and reconsideration of the matter.

As was the case when the matter was considered by the Council in February 2010, officers are recommending that the Council indicate to the State Government that it is supportive of the identification and subsequent development of a higher capacity route between Busselton/Vasse and Dunsborough, and that the Blue Route is the Shire's preferred route. Officers are also recommending that the Council highlight that it will expect that the State take pro-active steps to resolve, and to consult further with the Shire, landowners and the broader community, regarding a number of issues.

OFFICER RECOMMENDATION

That, with respect to the identification of a preferred alignment for a future Vasse to Dunsborough route, the Council advises the Department of Planning that it is supportive of the identification and subsequent development of a higher capacity route to and from Dunsborough, and that the Blue Route, including potential realignment to avoid EPP wetlands, is the Shire's preferred route. Further, that the Council expects that the State

take pro-active steps to consult further with the Shire, landowners and the broader community, to resolve the following issues –

1. The need to plan for connections from the Blue Route to Yallingup Siding Road to provide efficient road connections to the Commonage and Yallingup, and thereby also reduce long-term traffic on Commonage Road and through traffic in Dunsborough;
2. The need to review intersections with Caves Road in the Dunsborough Town Centre to ensure capacity to cope with the traffic that will be directed into the town;
3. The need to provide sufficient funding for stock crossings and strategies to ameliorate farm severance issues; and
4. The need to address environmental issues, especially minimising the impacts on wetlands, remnant vegetation and drainage.

MOTION

Moved Councillor Tuffin, seconded Councillor Reid:

That the CEO advises Main Roads W.A. that the Council's preferred route for a future Vasse to Dunsborough alignment is by means of upgrading Caves Rd to a dual carriage status with controlled access points.

FORESHADOWED MOTION

Councillor Binks foreshadowed his intention to move the Officer Recommendation.

MOTION PUT

That the CEO advises Main Roads W.A. that the Council's preferred route for a future Vasse to Dunsborough alignment is by means of upgrading Caves Rd to a dual carriage status with controlled access points.

LOST 2/7
Dissenting Voters
Cr Len Boyling
Cr Tom Tuffin

Note: As the motion was lost Councillor Binks was able to move the Officer Recommendation.

COUNCIL DECISION

C1006/198 Moved Councillor Binks, seconded Councillor Hanran-Smith:

That, with respect to the identification of a preferred alignment for a future Vasse to Dunsborough route, the Council advises the Department of Planning that it is supportive of the identification and subsequent

development of a higher capacity route to and from Dunsborough, and that the Blue Route, including potential realignment to avoid EPP wetlands, is the Shire's preferred route. Further, that the Council expects that the State take pro-active steps to consult further with the Shire, landowners and the broader community, to resolve the following issues –

1. The need to plan for connections from the Blue Route to Yallingup Siding Road to provide efficient road connections to the Commonage and Yallingup, and thereby also reduce long-term traffic on Commonage Road and through traffic in Dunsborough;
2. The need to review intersections with Caves Road in the Dunsborough Town Centre to ensure capacity to cope with the traffic that will be directed into the town;
3. The need to provide sufficient funding for stock crossings and strategies to ameliorate farm severance issues; and
4. The need to address environmental issues, especially minimising the impacts on wetlands, remnant vegetation and drainage.

CARRIED 9/0

13.2 PROPOSED AGED PERSONS HOME - LOT 9001 BELL DRIVE, BROADWATER

SUBJECT INDEX:	Development / Planning Applications
APPLICATION NUMBER:	DA10/0039
STRATEGIC INITIATIVE:	2.4.1 Support development that is contained in identified nodes with well defined boundaries
BUSINESS UNIT:	Development Services
SERVICE:	Statutory Planning
REPORTING OFFICER:	Senior Development Planner – Helen Foulds
AUTHORISING OFFICER:	Director, Lifestyle Development – Nigel Bancroft
DATE OF COMPLETION:	30 June 2010
VOTING REQUIREMENT:	Simple Majority
PROPOSAL:	Aged Care Facility featuring 97 beds for the 'frail aged', amenities and medical/carers facilities on Lot 9001 Bell Drive, Broadwater
LOT SIZE:	3.1709 ha
ZONE:	Residential R20
POLICIES:	3F – Reflective Building Materials 6B – Percent for Art 8A – Car Parking Provisions
ATTACHMENT(S):	A – Location Plan B – Overall Site Plan C – Floor Plan D – Elevations E – Summary of Submissions F – Modified Site Plan Showing Revised Driveway Layout. G – Aerial Photo

DECLARATION OF INTEREST	
Name / Position	Councillor Len Boyling
Item No. / Subject	13.2 – Proposed Aged Persons Home – Lot 9001 Bell Drive, Broadwater
Type of Interest	Interest Affecting Impartiality
Declaration	I am a resident of Novacare Lifestyle Village, a property with a boundary on Bell Drive, Broadwater. As a consequence there may be a perception that my impartiality on the matter may be affected. I declare that I will consider the item solely on its merits and vote or act accordingly.

PRÉCIS

The Council is asked to consider an application for an Aged Care Facility featuring 97 beds for the 'frail aged', associated amenities and medical/carers facilities on Lot 9001 Bell Drive, Broadwater.

Nine submissions were received during the advertising period. Concerns were raised on the use of Bell Drive as access to the development, the proposed location of the car park along Bell Drive, increased traffic and impact on residential amenity.

The development is considered to comply with the provisions of the District Town Planning Scheme No. 20 and is therefore recommended for approval, subject to conditions and modification.

OFFICER RECOMMENDATION

1. That the Council considers that the application submitted on 2 February, 2010 proposing an Aged Persons Home on Lot 9001 Bell Drive, Broadwater is generally consistent with District Town Planning Scheme No. 20 and the objectives and policies of the zone within which it is located.
2. That the CEO be requested to issue a Planning Consent accordingly with the following conditions:
 - i. All development is to be in accordance with the approved Development Plan dated <insert date> (attached), including any amendments placed thereon by the Shire of Busselton and except as may be modified by the following conditions:
 - ii. The development hereby approved shall be substantially commenced within two years from the date of this decision letter.
 - iii. Occupation or use of the development shall not occur until the Shire of Busselton has issued, to the owner, a written Permit to Use for the development.
 - iv. Prior to the commencement of development plans shall be submitted with the building licence application to the satisfaction of the Shire's planning department addressing the design changes indicated in red on the approved development plans:
 - a) Relocation of the northern most driveway crossover to 17.2 metres from the north-west corner of the development site along Bell Drive and appropriate modification of the car parking layout as necessary. The minimum width of this crossover shall be 6 metres.

The development shall be carried out strictly in accordance with the approved details.

- v. No development shall take place until appropriate arrangements have been made for the construction of Broadwater Boulevard, Bell Drive and Milkman Avenue, within the boundaries of Lot 9001 and including connections into the existing road network. The timing of the construction of the roads are to be to the satisfaction of the Shire of Busselton, with the applicable sections of Broadwater Boulevard and Bell Drive being constructed prior to the commencement of construction of the Aged Care Facility. Details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and construction programme details for the roads and footways have been submitted to and approved by the Shire's planning and engineering department prior to commencement of any works on site.
- vi. Planting within the Bell Drive and Milkman Avenue road reserve areas shall be completed prior to the issue of a Permit to Use, consistent with the approved revegetation plan to improve wildlife corridor function of these road reserves.
- vii. Prior to the commencement of development a detailed plan which shows natural ground levels and finished floor levels shall be submitted with the building licence application and approved by Shire's planning department. In this regard, the finished floor level is to be a minimum of 1.2 metres above the maximum groundwater level and 0.5 metres above the 1 in 100 year Broadwater flood level (whichever is the higher). The development shall be undertaken in accordance with the approved details.
- viii. Prior to the commencement of development details of the colour of the roofing material to be used shall be submitted with the building licence application and approved by the Shire's planning department. The development shall be carried out in accordance with the approved details.
- ix. Prior to the commencement of development the applicant shall undertake an assessment of acid sulphate soil risk assessment and undertake any required remedial measures necessary to accommodate the proposed works. The assessment shall be submitted with the building licence application and approved by the Shire's planning department.
- x. Prior to the issue of a Permit to Use the car parking bays, as shown on the approved plan, shall be provided on site. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] shall be designed, constructed, sealed,

drained, marked and thereafter maintained to the specifications and satisfaction of the Shire's planning department at all times.

- xi. Prior to the issue of a Permit to Use details for the provision of a minimum of one (1) disabled parking bay, shall be submitted with the building licence application and approved by the Shire's planning department. These bays shall thereafter be retained at all times.
- xii. No development shall take place until details of a dual use / pedestrian pathway system to link the site with community facilities have been submitted with the building licence application and approved by the Shire's planning department. The pathway shall be constructed in accordance with the approved details prior to the occupation of development.
- xiii. No development shall take place until a dust management plan has been submitted with the building licence application and approved by the Shire's planning department in writing. The implementation of the plan shall be undertaken at each and every stage of the development.
- xiv. No development shall take place until details of the fencing to be erected have been submitted with the building licence and approved by the Shire's planning department. The details shall specify position, design, materials, height and colours of the fencing. The fencing shall be erected prior to the issue of the Permit to Use and shall thereafter be retained at all times.
- xv. Prior to the commencement of development a detailed landscaping plan shall be submitted with a building licence application and approved by the Shire's planning department in writing. The Plan should indicate the location and species of all trees to be removed and / or retained; the location and type of fencing to be installed; the location and type of reticulation to be installed; and the location and type of paving to be installed. The Plan should also include a plant schedule nominating species, planting distances, numbers, planting sizes, together with the anticipated height of each plant at maturity. The Plan should identify and include any adjoining road verges.
- xvi. Prior to the issue of a Permit to Use, landscaping shall be installed in accordance with the approved plan and shall thereafter be maintained to the satisfaction of the Shire's planning department.
- xvii. No development shall commence on site until a drainage management plan has been submitted for the development site with the building licence application and approved by the Shire's planning department in writing. Prior to the issue of a Permit to

Use the works shall have been completed in accordance with the approved details.

- xviii. An Urban Water Management Plan for the road system is to be provided to the Shire for assessment and approval prior to the commencement of development. The UWMP is to address issues such as detention, nutrient stripping, maximum groundwater level, proposed finished floor levels, connection/overflow to the wetlands and is to be to the satisfaction of the Shire of Busselton on the advice of the Department of Water.
- xix. Prior to the commencement of development a contribution of \$660 (subject to increase with CPI) shall be made to the Shire of Busselton towards the upgrading of Bussell Highway intersections (zone 4) as required as a direct consequence of the development.
- xx. Prior to commencement of the development, satisfactory arrangements shall be made with the Shire to ensure compliance with the Shire's Percent for Art Policy via appropriate on-site works up to a minimum value of 1% of the estimated development cost (to the satisfaction of the Shire and based on demonstrated contract values or estimates provided by a quantity surveyor, with such contract or estimates being no more than 3 months old at the time of payment and if such information is more than 3 months old, the value of the payment shall be indexed to the general construction industry index for Western Australia) and/or where the value of on-site works is less than that, a payment sufficient to bring the total contribution to 1% of the estimated development cost shall be made to the Shire pursuant to the Shire's Percent for Art Policy.
- xxi. Prior to the issue of a Permit to Use, on-site works as agreed pursuant to condition xix shall be completed and maintained thereafter to the satisfaction of the Shire of Busselton.
- xxii. Prior to commencement of development the applicant shall provide a Performance Bond to the value of \$15,000 to be held against satisfactory compliance with conditions of this Planning Consent for the construction of the development. The bond may be in the form of cash, cheque or bank guarantee. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire of Busselton may enter the site to complete or rectify any outstanding work.
- xxiii. At the completion of road construction the applicant shall provide a Road and Drainage Defects Bond to the value of the cost of the works multiplied by 5% to be held for 12 months as a surety against the quality of the workmanship. The bond may

be in the form of cash, cheque or bank guarantee. At the end of the 12 month period the works shall be inspected and the bond returned once any defects have been repaired.

Note: Officers provided a revised recommendation to make a few amendments to the recommendation to increase the commencement date to 3 years, clarify that Milkman Avenue does not need to be developed prior to commencement and amend a typographical error. Cr Hanran-Smith moved the motion in accordance with the revised Officer Recommendation.

MOTION

Moved Councillor Hanran-Smith, seconded Councillor Binks:

1. That the Council considers that the application submitted on 2 February, 2010 proposing an Aged Persons Home on Lot 9001 Bell Drive, Broadwater is generally consistent with District Town Planning Scheme No. 20 and the objectives and policies of the zone within which it is located.
2. That the CEO be requested to issue a Planning Consent accordingly with the following conditions:
 - i. All development is to be in accordance with the approved Development Plan dated <insert date> (attached), including any amendments placed thereon by the Shire of Busselton and except as may be modified by the following conditions:
 - ii. The development hereby approved shall be substantially commenced within three years from the date of this decision letter.
 - iii. Occupation or use of the development shall not occur until the Shire of Busselton has issued, to the owner, a written Permit to Use for the development.
 - iv. Prior to the commencement of development plans shall be submitted with the building licence application to the satisfaction of the Shire's planning department addressing the design changes indicated in red on the approved development plans:
 - a) Relocation of the northern most driveway crossover to 17.2 metres from the north-west corner of the development site along Bell Drive and appropriate modification of the car parking layout as necessary. The minimum width of this crossover shall be 6 metres.

The development shall be carried out strictly in accordance with the approved details.

- v. No development shall take place until appropriate arrangements have been made for the construction of Broadwater Boulevard, Bell Drive and Milkman Avenue, within the boundaries of Lot 9001 and including connections into the existing road network. Broadwater Boulevard and Bell Drive shall be constructed prior to the commencement of construction of the Aged Care Facility. With respect to Broadwater Boulevard and Bell Drive, details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and construction programme details for the roads and footways shall be submitted to and approved by the Shire's planning and engineering department prior to commencement of any works on site. Milkman Avenue shall be constructed either prior to occupation of the Aged Care Facility, or appropriate arrangements shall be made prior to commencement of construction of the Aged Care Facility to ensure that Milkman Avenue is constructed prior to the occupation of any development within the boundaries of Lot 9001, but outside the boundaries of the development area for the Aged Care Facility, as identified on the approved plans.
- vi. Planting within the Bell Drive road reserve areas shall be completed prior to the issue of a Permit to Use, consistent with the approved revegetation plan to improve wildlife corridor function of these road reserves.
- vii. Prior to the commencement of development a detailed plan which shows natural ground levels and finished floor levels shall be submitted with the building licence application and approved by Shire's planning department. In this regard, the finished floor level is to be a minimum of 1.2 metres above the maximum groundwater level and 0.5 metres above the 1 in 100 year Broadwater flood level (whichever is the higher). The development shall be undertaken in accordance with the approved details.
- viii. Prior to the commencement of development details of the colour of the roofing material to be used shall be submitted with the building licence application and approved by the Shire's planning department. The development shall be carried out in accordance with the approved details.
- ix. Prior to the commencement of development the applicant shall undertake an assessment of acid sulphate soil risk assessment

and undertake any required remedial measures necessary to accommodate the proposed works. The assessment shall be submitted with the building licence application and approved by the Shire's planning department.

- x. Prior to the issue of a Permit to Use the car parking bays, as shown on the approved plan, shall be provided on site. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] shall be designed, constructed, sealed, drained, marked and thereafter maintained to the specifications and satisfaction of the Shire's planning department at all times.
- xi. Prior to the issue of a Permit to Use details for the provision of a minimum of one (1) disabled parking bay, shall be submitted with the building licence application and approved by the Shire's planning department. These bays shall thereafter be retained at all times.
- xii. No development shall take place until details of a dual use / pedestrian pathway system to link the site with community facilities have been submitted with the building licence application and approved by the Shire's planning department. The pathway shall be constructed in accordance with the approved details prior to the occupation of development.
- xiii. No development shall take place until a dust management plan has been submitted with the building licence application and approved by the Shire's planning department in writing. The implementation of the plan shall be undertaken at each and every stage of the development.
- xiv. No development shall take place until details of the fencing to be erected have been submitted with the building licence and approved by the Shire's planning department. The details shall specify position, design, materials, height and colours of the fencing. The fencing shall be erected prior to the issue of the Permit to Use and shall thereafter be retained at all times.
- xv. Prior to the commencement of development a detailed landscaping plan shall be submitted with a building licence application and approved by the Shire's planning department in writing. The Plan should indicate the location and species of all trees to be removed and / or retained; the location and type of fencing to be installed; the location and type of reticulation to be installed; and the location and type of paving to be installed. The Plan should also include a plant schedule nominating species, planting distances, numbers, planting sizes, together with the anticipated height of each plant at maturity. The Plan should identify and include any adjoining road verges.

- xvi. Prior to the issue of a Permit to Use, landscaping shall be installed in accordance with the approved plan and shall thereafter be maintained to the satisfaction of the Shire's planning department.
- xvii. No development shall commence on site until a drainage management plan has been submitted for the development site with the building licence application and approved by the Shire's planning department in writing. Prior to the issue of a Permit to Use the works shall have been completed in accordance with the approved details.
- xviii. An Urban Water Management Plan for the road system is to be provided to the Shire for assessment and approval prior to the commencement of development. The UWMP is to address issues such as detention, nutrient stripping, maximum groundwater level, proposed finished floor levels, connection/overflow to the wetlands and is to be to the satisfaction of the Shire of Busselton on the advice of the Department of Water.
- xix. Prior to the commencement of development a contribution of \$660 (subject to increase with CPI) shall be made to the Shire of Busselton towards the upgrading of Bussell Highway intersections (zone 4) as required as a direct consequence of the development.
- xx. Prior to commencement of the development, satisfactory arrangements shall be made with the Shire to ensure compliance with the Shire's Percent for Art Policy via appropriate on-site works up to a minimum value of 1% of the estimated development cost (to the satisfaction of the Shire and based on demonstrated contract values or estimates provided by a quantity surveyor, with such contract or estimates being no more than 3 months old at the time of payment and if such information is more than 3 months old, the value of the payment shall be indexed to the general construction industry index for Western Australia) and/or where the value of on-site works is less than that, a payment sufficient to bring the total contribution to 1% of the estimated development cost shall be made to the Shire pursuant to the Shire's Percent for Art Policy.
- xxi. Prior to the issue of a Permit to Use, on-site works as agreed pursuant to condition xx shall be completed and maintained thereafter to the satisfaction of the Shire of Busselton.
- xxii. Prior to commencement of development the applicant shall provide a Performance Bond to the value of \$15,000 to be held against satisfactory compliance with conditions of this Planning Consent for the construction of the development. The bond may

be in the form of cash, cheque or bank guarantee. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire of Busselton may enter the site to complete or rectify any outstanding work.

xxiii. At the completion of road construction the applicant shall provide a Road and Drainage Defects Bond to the value of the cost of the works multiplied by 5% to be held for 12 months as a surety against the quality of the workmanship. The bond may be in the form of cash, cheque or bank guarantee. At the end of the 12 month period the works shall be inspected and the bond returned once any defects have been repaired.

AMENDMENT

Moved Councillor Reid, seconded Councillor Tuffin:

That the Shire's 1% contribution for Arts policy be amended to .25% for this proposal.

FORESHADOWED AMENDMENT

Councillor Best foreshadowed his intention to amend the motion in the event that Cr Reid's proposed amendment failed so that the Shire's 1% contribution for Arts policy be amended to .5% for this proposal.

AMENDMENT PUT

Moved Councillor Reid, seconded Councillor Tuffin:

That the Shire's 1% contribution for Arts policy be amended to .25% for this proposal.

CARRIED 5/4

Dissenting Voters

Cr David Binks

Cr Don Hanran-Smith

Cr Terry Best

Cr Len Boyling

Note: As the amendment put forward by Councillor Reid was carried, Councillor Best could not move his amendment.

COUNCIL DECISION

C1006/199 Moved Councillor Hanran-Smith, seconded Councillor Binks:

1. That the Council considers that the application submitted on 2 February, 2010 proposing an Aged Persons Home on Lot 9001 Bell

Drive, Broadwater is generally consistent with District Town Planning Scheme No. 20 and the objectives and policies of the zone within which it is located.

2. That the CEO be requested to issue a Planning Consent accordingly with the following conditions:
 - i. All development is to be in accordance with the approved Development Plan dated <insert date> (attached), including any amendments placed thereon by the Shire of Busselton and except as may be modified by the following conditions:
 - ii. The development hereby approved shall be substantially commenced within three years from the date of this decision letter.
 - iii. Occupation or use of the development shall not occur until the Shire of Busselton has issued, to the owner, a written Permit to Use for the development.
 - iv. Prior to the commencement of development plans shall be submitted with the building licence application to the satisfaction of the Shire's planning department addressing the design changes indicated in red on the approved development plans:
 - a) Relocation of the northern most driveway crossover to 17.2 metres from the north-west corner of the development site along Bell Drive and appropriate modification of the car parking layout as necessary. The minimum width of this crossover shall be 6 metres.

The development shall be carried out strictly in accordance with the approved details.

- v. No development shall take place until appropriate arrangements have been made for the construction of Broadwater Boulevard, Bell Drive and Milkman Avenue, within the boundaries of Lot 9001 and including connections into the existing road network. Broadwater Boulevard and Bell Drive shall be constructed prior to the commencement of construction of the Aged Care Facility. With respect to Broadwater Boulevard and Bell Drive, details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and construction programme details for the roads and footways shall be submitted to and approved by the Shire's planning and engineering department prior to commencement

of any works on site. Milkman Avenue shall be constructed either prior to occupation of the Aged Care Facility, or appropriate arrangements shall be made prior to commencement of construction of the Aged Care Facility to ensure that Milkman Avenue is constructed prior to the occupation of any development within the boundaries of Lot 9001, but outside the boundaries of the development area for the Aged Care Facility, as identified on the approved plans.

- vi. Planting within the Bell Drive road reserve areas shall be completed prior to the issue of a Permit to Use, consistent with the approved revegetation plan to improve wildlife corridor function of these road reserves.
- vii. Prior to the commencement of development a detailed plan which shows natural ground levels and finished floor levels shall be submitted with the building licence application and approved by Shire's planning department. In this regard, the finished floor level is to be a minimum of 1.2 metres above the maximum groundwater level and 0.5 metres above the 1 in 100 year Broadwater flood level (whichever is the higher). The development shall be undertaken in accordance with the approved details.
- viii. Prior to the commencement of development details of the colour of the roofing material to be used shall be submitted with the building licence application and approved by the Shire's planning department. The development shall be carried out in accordance with the approved details.
- ix. Prior to the commencement of development the applicant shall undertake an assessment of acid sulphate soil risk assessment and undertake any required remedial measures necessary to accommodate the proposed works. The assessment shall be submitted with the building licence application and approved by the Shire's planning department.
- x. Prior to the issue of a Permit to Use the car parking bays, as shown on the approved plan, shall be provided on site. The parking area(s), driveway(s) and point(s) of ingress and egress [including crossover(s)] shall be designed, constructed, sealed, drained, marked and thereafter maintained to the specifications and satisfaction of the Shire's planning department at all times.
- xi. Prior to the issue of a Permit to Use details for the provision of a minimum of one (1) disabled parking bay, shall be submitted with the building licence application and approved by the Shire's planning department. These bays shall thereafter be retained at all times.

- xii. No development shall take place until details of a dual use / pedestrian pathway system to link the site with community facilities have been submitted with the building licence application and approved by the Shire's planning department. The pathway shall be constructed in accordance with the approved details prior to the occupation of development.
- xiii. No development shall take place until a dust management plan has been submitted with the building licence application and approved by the Shire's planning department in writing. The implementation of the plan shall be undertaken at each and every stage of the development.
- xiv. No development shall take place until details of the fencing to be erected have been submitted with the building licence and approved by the Shire's planning department. The details shall specify position, design, materials, height and colours of the fencing. The fencing shall be erected prior to the issue of the Permit to Use and shall thereafter be retained at all times.
- xv. Prior to the commencement of development a detailed landscaping plan shall be submitted with a building licence application and approved by the Shire's planning department in writing. The Plan should indicate the location and species of all trees to be removed and / or retained; the location and type of fencing to be installed; the location and type of reticulation to be installed; and the location and type of paving to be installed. The Plan should also include a plant schedule nominating species, planting distances, numbers, planting sizes, together with the anticipated height of each plant at maturity. The Plan should identify and include any adjoining road verges.
- xvi. Prior to the issue of a Permit to Use, landscaping shall be installed in accordance with the approved plan and shall thereafter be maintained to the satisfaction of the Shire's planning department.
- xvii. No development shall commence on site until a drainage management plan has been submitted for the development site with the building licence application and approved by the Shire's planning department in writing. Prior to the issue of a Permit to Use the works shall have been completed in accordance with the approved details.
- xviii. An Urban Water Management Plan for the road system is to be provided to the Shire for assessment and approval prior to the commencement of development. The UWMP is to address issues such as detention, nutrient stripping, maximum groundwater level, proposed finished floor levels, connection/overflow to the wetlands and is to be to the

satisfaction of the Shire of Busselton on the advice of the Department of Water.

- xix. Prior to the commencement of development a contribution of \$660 (subject to increase with CPI) shall be made to the Shire of Busselton towards the upgrading of Bussell Highway intersections (zone 4) as required as a direct consequence of the development.
- xx. Prior to commencement of the development, satisfactory arrangements shall be made with the Shire to ensure compliance with the Shire's Percent for Art Policy via appropriate on-site works up to a minimum value of .25% of the estimated development cost (to the satisfaction of the Shire and based on demonstrated contract values or estimates provided by a quantity surveyor, with such contract or estimates being no more than 3 months old at the time of payment and if such information is more than 3 months old, the value of the payment shall be indexed to the general construction industry index for Western Australia) and/or where the value of on-site works is less than that, a payment sufficient to bring the total contribution to .25% of the estimated development cost shall be made to the Shire pursuant to the Shire's Percent for Art Policy.
- xxi. Prior to the issue of a Permit to Use, on-site works as agreed pursuant to condition xx shall be completed and maintained thereafter to the satisfaction of the Shire of Busselton.
- xxii. Prior to commencement of development the applicant shall provide a Performance Bond to the value of \$15,000 to be held against satisfactory compliance with conditions of this Planning Consent for the construction of the development. The bond may be in the form of cash, cheque or bank guarantee. Any such bond is to be accompanied by a written authorisation from the owner of the land that the Shire of Busselton may enter the site to complete or rectify any outstanding work.
- xxiii. At the completion of road construction the applicant shall provide a Road and Drainage Defects Bond to the value of the cost of the works multiplied by 5% to be held for 12 months as a surety against the quality of the workmanship. The bond may be in the form of cash, cheque or bank guarantee. At the end of the 12 month period the works shall be inspected and the bond returned once any defects have been repaired.

CARRIED 7/2

Dissenting Voters

Cr Don Hanran-Smith

Cr David Binks

13.3 SHIRE OF BUSSELTON RESERVES FIRE MANAGEMENT PLAN

This item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/181, page 6](#))

13.4 PROPOSED AMENDMENT NO. 151 - PROPOSED BUSSELTON AND DUNSBOROUGH WASTEWATER TREATMENT PLANT BUFFER AREAS: CONSIDERATION FOR ADOPTION FOR COMMUNITY CONSULTATION

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/182, page 8](#))

14. SYSTEMS AND INFORMATION REPORT

Nil

15. COMMUNITY INFRASTRUCTURE REPORT

15.1 SELECTION CRITERIA FOR TENDER TEN 12/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND INSTALL SUB SOIL DRAINAGE

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/183, page 12](#))

15.2 SELECTION CRITERIA FOR TENDER TEN 13/09 - DUNSBOROUGH OVAL RECONSTRUCTION - SUPPLY AND LAY TURF

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/184, page 15](#))

15.3 SELECTION CRITERIA FOR TENDER TEN 01/10 - SUPPLY AND DELIVERY OF IRRIGATION COMPONENTS

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/185, page 18](#))

15.4 SELECTION CRITERIA FOR TENDER TEN 03/10 - SUPPLY AND DELIVERY OF GRAVEL BASE COURSE MATERIAL

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/186, page 21](#))

15.5 SELECTION CRITERIA FOR TENDER TEN 05/10 - SUPPLY AND LAYING OF EXTRUDED KERBING

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/187, page 24](#))

15.6 SELECTION CRITERIA FOR TENDER TEN 06/10 - PLANT AND EQUIPMENT HIRE

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/188, page 27](#))

15.7 SELECTION CRITERIA FOR TENDER TEN 08/09 DELIVERY OF HORTICULTURAL SERVICES

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/189, page 32](#))

15.8 MEELUP BEACH MASTER PLAN

This Item was considered earlier in the meeting as part of the Items considered by separate resolution of Council. ([C1006/190, page 47](#))

16. COMMUNITY AND ORGANISATIONAL DEVELOPMENT REPORT**16.1 DRAFT STRATEGIC PLAN AND ACTION PLAN 2010-2020**

SUBJECT INDEX:	Corporate & Strategic Planning
STRATEGIC INITIATIVE:	5.1.1 Further develop financial and business planning structures to support decision making
BUSINESS UNIT:	Economic and Strategic Development
SERVICE:	Organisational Development
REPORTING OFFICER:	Manager, Economic and Strategic Development – Maxine Palmer
AUTHORISING OFFICER:	A/Director, Community and Organisational Development - Louise Reid
DATE OF COMPLETION:	June 2010
VOTING REQUIREMENT:	Simple majority
ATTACHMENT(S):	1 - Strategic Plan 2010-2020 2 - Action Plan 2010-2020 3 – Submissions table

PRÉCIS

The Council at its meeting on 14 April 2010 resolved to advertise for community consultation the draft Strategic Plan and Action Plan 2010 – 2020 for a period of two weeks. The plans have been advertised and displayed on the Shire’s website and at the libraries and the Administration Office.

On 28 April 2010 a workshop with Elected Members took place to review indicative cost estimates and timeframes proposed to implement the draft Strategic Action Plan. Elected Members were satisfied with the plan and the financial sources suggested to implement it over the next ten years.

This report suggests some further changes as a result of the community submissions received, outlines the changes made to the draft Strategic Action Plan at the workshop with Elected Members and recommends the Council’s endorsement of these plans.

OFFICER RECOMMENDATION

1. That the Council endorse the draft Strategic Plan 2010 - 2020 (Attachment 1 to the Agenda report).
2. That the Council endorse the draft Action Plan 2010-2020 (Attachment 2 to the Agenda report), with the explanatory note “Changes could occur over the 10 years of this plan in the social, economic, political and natural environment and thus, the actions listed here are subject to regular review by the Council”, and with the following alterations:

- * Delete "Investigate a shop front at Dunsborough".
- * Add "and upgrading of the Shire's public transport system" to the strategic action "Lobbying for a train service extended from Bunbury to Busselton."

Note: Councillor Bleechmore provided Council with a revised recommendation to amend Priority 2 and Priority 3 in the Draft Action Plan.

COUNCIL DECISION

C1006/200 Moved Councillor Bleechmore, seconded Councillor Binks:

1. That the Council endorse the draft Strategic Plan 2010 - 2020 (Attachment 1 to the Agenda report).
2. That the Council endorse the draft Action Plan 2010-2020 (Attachment 2 to the Agenda report), with the explanatory note "Changes could occur over the 10 years of this plan in the social, economic, political and natural environment and thus, the actions listed here are subject to regular review by the Council", and with the following alterations:
 - * Delete "Investigate a shop front at Dunsborough".
 - * Add "and upgrading of the Shire's public transport system" to the strategic action "Lobbying for a train service extended from Bunbury to Busselton."
 - * In relation to Priority 2, change all references to the Capes disabled beach access/fishing platform to read "Construction of a combined finger jetty/disabled fishing platform at old Dunsborough Boat Ramp"
 - * In relation to Priority 6, amend the third dot point to read "Promote Street and park tree planting for Western Ringtail Possum habitat while being mindful of mature size when planning density and proximity to road and buildings".

CARRIED 9/0

16.2 SOUTHERN CAPES MOTORCYCLE CLUB LEASE COMMENCEMENT DATE

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/190, page 35](#))

16.3 BUSSELTON REPERTORY CLUB LEASE APPLICATION

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/191, page 36](#))

17. CHIEF EXECUTIVE OFFICER'S REPORT

17.1 SMALL LOCAL PROJECTS FUND 2009-10 No 27, 28, 29 and 30

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/192, page 38](#))

17.2 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - COMMUNITY ENGAGEMENT AND CONSULTATION POLICY

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/193, page 39](#))

17.3 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - DRAFT SURFING AND EVENTS COMPETITION POLICY FOR THE SHIRE OF BUSSELTON (CONSIDERATION OF ADOPTION FOR COMMUNITY CONSULTATION)

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/194, page 41](#))

17.4 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - LOCAL LAW REVIEW - BUSSELTON REGIONAL AIRPORT LOCAL LAW 2010

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/195, page 43](#))

17.5 POLICY AND LEGISLATION COMMITTEE RECOMMENDATION - SHIRE OF BUSSELTON PARKING LOCAL LAW 2010

This Item was considered earlier in the meeting as part of the En Bloc resolution of Council. ([C1006/196, page 45](#))

18. MOTIONS of which notice has been given

Nil

19. CONFIDENTIAL REPORTS

Note: Officers proposed that the Council accept an Item of Urgent Business as recommended by the Busselton Jetty Advisory Committee.

PROCEDURAL MOTION

Moved Councillor Boyling, seconded Councillor Henley:

That Council accepts the item as an item of urgent business.

CARRIED 9/0

19.1 LATE ITEM - BUSSELTON JETTY REFURBISHMENT MAY 2010 STATUS REPORT

SUBJECT INDEX: Jetties: Design and Construction
STRATEGIC INITIATIVE: 2.1.2 Manage and maintain the Shire's assets for the amenity of the Community.
BUSINESS UNIT: Infrastructure Planning
SERVICE: Asset Management
DATE OF COMPLETION: October 2010
VOTING REQUIREMENT: Absolute Majority

This item (including Attachment B) is confidential pursuant to Clause 5.23(2)(c) of the Local Government Act 1995 - a contract entered into, or that may be entered into, by the local government and which relates to a matter to be discussed at the meeting, including confidential financial and operational information regarding that contract.

The item and Attachment B also contains information of commercial value to the Shire that should be treated as confidential in accordance with clause 5.23(2)(e) of the Act.

COUNCIL DECISION / COMMITTEE / OFFICER RECOMMENDATION

C1006/201 Moved Councillor Hanran-Smith, seconded Councillor Bleechmore:

1. That the forecast final costs schedule attached to the report, with adjustment to account for the resolutions hereunder, be endorsed as the updated financial limits for the negotiation and finalisation of:
 - * The variations to Marine and Civil's Busselton Jetty Refurbishment Contract RFT TEN 05/08; and
 - * all other associated works required to complete the Busselton Jetty Refurbishment Project.

2. That the Council notes the revised dates expected for Practical Completion of Contract RFT TEN 05/08 that are:
 - * Mid-August 2010 for Separable Portion One (SP1), the reopening of public access to the Underwater Observatory; and
 - * September 2010 for Separable Portion Two, the completion of all Marine and Civil contract works.
3. If late completion occurs, after accounting for approved extensions of time, the liquidated damages specified in the contract shall be applied except that the CEO be delegated the authority to waive the application of part or all of the liquidated damages at his discretion as a trade off to resolve other unresolved contract variations or disputed matters.
4. That an option that has been developed for staged re-opening of daytime public access onto the new jetty sections earlier than the forecast mid-August 2010 Separable Portion One Practical Completion date NOT be further pursued or implemented in consideration of the downside risks associated with that option.
5. The railway realignment and pavement reinstatement works be implemented as shown on Disley Civil Engineering drawing 09001-01 by civil works contractors engaged directly by the Shire, noting the following provisions:
 - a). The timber sleepers and brick pavers shall be purchased by the Shire and supplied to the civil contractor as Principal supplied materials.
 - b). The brick pavers shall be high quality Urbanstone commercial grade exposed aggregate paving or equivalent units from other suppliers, purchased by competitive quote to an upper budget limit of \$80 per square metre;
 - c). Quotes shall be sought and consultants & contractors engaged to design and construct the in-situ concrete 'abutment slabs 1 & 2' using exposed aggregate concrete to match the selected brick paving as best as possible;
 - d). The foreshore civil works shall include demolition of the existing rock retaining wall to the north west of the old train shed;
 - e). The foreshore civil work shall include the careful removal of the timber heritage monument from near the abovementioned rock wall to be set aside in the jetty depot yard pending its reinstatement or disposal at the discretion of the Busselton Jetty Advisory Committee;
 - f). Existing foreshore lighting shall remain as is, with no upgrade to foreshore lighting as part of this scope of work.

6. In consideration of the recent storm and barge damage sustained to proposed heritage node #1, the Heritage Council of WA be requested to approve the retention of nodes #2 and #3 (only) and the construction of new node #4 as previously detailed in the Shire's 11 March 2010 submission, to satisfy conditions 3 and 4 of HCWA's 24 March 2009 approval, with the previously proposed node #1 now to be fully demolished along with the balance of the skeleton jetty.
7. The CEO be authorised to approve the commitment of expenditures to commence the pile driving and/or fabrication and coating of steelwork required for heritage node 4, if necessary ahead of the finalisation of construction issue drawings and design approvals for that node, if needed to avoid significant delay to the project completion and consequential delay costs.
8. The memorial plaques removed from jetty section 3 be reinstalled on a white painted timber board placed on a 45 degree angle above the midrail of the new jetty section 3 west-side balustrade between piers 143A and 151A, subject to parties that have registered an interest in the plaques being consulted to confirm they have no significant objection to this proposal.
9. The new Jetty Swim commemorative plaque be fixed to the balustrade midrail near the head of the stairs to the new section 5 jetty swim interchange platforms.
10. That,
 - a). The proposed section 5 handrail be deleted from pier 210 to 220A (45m deleted) and from pier 230A to 256 (118m deleted);
 - b). New handrail be added to the east edge of the refurbished jetty in section 6 from pier 315 to 347 (145m added); and
 - c). New kerb be added to the east edge of section 6 from pier 280 to pier 315.
11. The contract be varied to include two days of barge and diving crew time to cut-off the most dangerous of the section 6 & 7 remnant piles as is possible in that timeframe.
12. Marine and Civil be directed to engage Durafenz to design and construct the section 7 fence and gate based on the Durafenz quote provided to the Shire on 20 May 2010 but having the top edge of the fence redesigned into a curved or wave shaped form to improve the overall aesthetics.
13. The CEO report to Council proposing an amendment to the Local Law relating to use of a public jetty (the Busselton Jetty Local Law) to prohibit fishing off the jetty at all times from locations north of the security gate that is to be installed at pier 365 approximately 50 metres south of the Underwater Observatory.

14. In relation to the section 7 disability access ramp and platforms:
 - a). Marine and Civil be directed to implement substructure works based on the GHD design (when checked and issued for construction), including the installation of the two remaining timber piles, the installation of walers, braces and halfcaps across the full width of piers 349 to 357
 - b). Marine and Civil be directed to proceed with the fabrication and coating (only) of the superstructure steelwork required for the ramps.
15. The CEO, prior to approving any directive to be issued from the Superintendent to Marine and Civil that instructs Marine & Civil to undertake the entire section 7 heritage timber decking work scope, shall further investigate cost savings that might be achievable by:
 - a). Jetty based crainage (rather than barge based crainage) options for installing the timberwork components of the section 7 heritage timber deck; and/or
 - b). having Shire personnel or parties other than Marine & Civil complete the final task of fixing deck timbers on to the timber joists and steel superstructure (that are still ideally to installed by Marine & Civil) for the section 7 heritage timber deck.
16. That a contract credit variation for "Delete Scout Road Jetty Refurbishment and Retain temporary strengthening works implemented by Marine & Civil shall be negotiated and implemented at the discretion of the CEO if ultimately determined by the CEO to be an appropriate and worthwhile cost saving measure.

CARRIED 9/0

Note: Officers proposed that the Council accept a late item of urgent business in relation to a Micro Brewery proposal on Caves Road.

PROCEDURAL MOTION

Moved Councillor Tuffin, seconded Councillor Hanran-Smith:

That Council rejects the item as an item of urgent business.

CARRIED 9/0

20. **NOTICES OF MOTION** proposed for consideration at a future Meeting

Nil

21. **QUESTIONS FROM MEMBERS WITHOUT NOTICE**

21.1 Councillor Tuffin asked what the status was of the report on the quality of the water in the Queen Elizabeth drain.

Response: Director, Lifestyle Development

The Environmental Officer has received reports from the Water Corp but we are still chasing reports from the Department of Water, which we should have shortly.

21.2 Councillor Hanran-Smith asked if Council was aware that the Yallingup Residents Association had paid the agreed amount on the Surfside court case.

Response: Acting Chief Executive Officer

The A/CEO advised Council that the Shire was aware of this.

22. **NEXT MEETING**

23 June 2010

23. **CLOSURE**

The meeting closed at 6.55pm

THESE MINUTES CONSISTING OF PAGES 1 TO 76 WERE CONFIRMED AS A TRUE
AND CORRECT RECORD ON _____

DATE: _____

PRESIDING MEMBER: _____