

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

**CITY OF BUSSELTON**

**MINUTES FOR THE COUNCIL MEETING HELD ON 26 OCTOBER 2016**

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## MINUTES

MINUTES OF A MEETING OF THE A MEETING OF THE BUSSELTON CITY COUNCIL HELD IN MEETING ROOM ONE, COMMUNITY RESOURCE CENTRE, 21 CAMMILLERI STREET, BUSSELTON, ON 26 OCTOBER 2016 AT 5.30PM.

### 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 5.30pm.

### 2. ATTENDANCE

#### Presiding Member:

Cr Grant Henley Mayor

#### Members:

Cr Ross Paine  
Cr Terry Best  
Cr John McCallum  
Cr Rob Bennett  
Cr Paul Carter  
Cr Robert Reekie  
Cr Gordon Bleechmore

#### Officers:

Mr Mike Archer, Chief Executive Officer  
Mr Oliver Darby, Director, Engineering and Works Services  
Mr Paul Needham, Director, Planning and Development Services  
Mrs Naomi Searle, Director, Community and Commercial Services  
Mr Cliff Frewing, A/Director, Finance and Corporate Services  
Miss Hayley Barge, Administration Officer, Governance

#### Apologies

Nil

#### Approved Leave of Absence

Cr Coralie Tarbotton

#### Media:

1

#### Public:

1

### 3. PRAYER

The prayer was delivered by Reverend Wayne Warfield of St Mary's Anglican Church.

**4. PUBLIC QUESTION TIME****Response to Previous Questions Taken on Notice**

Nil

**Public Question Time**

Nil

**5. ANNOUNCEMENTS WITHOUT DISCUSSION****Announcements by the Presiding Member**

The Mayor acknowledged the passing of Mr Bob Evans, former Councillor from 1993 – 2003, Ex Royal Australian Navy.

**Announcements by other Members at the invitation of the Presiding Member**

Nil

5.34pm

At this time the Director, Community and Commercial Services left the meeting and did not return.

**6. APPLICATION FOR LEAVE OF ABSENCE****Council Decision**

**C1610/107**

Moved Councillor T Best, seconded Councillor P Carter

That Leave of Absence be granted to Councillor Gordon Bleechmore for the period 9 to 11 November 2016 and 24 November to 5 December 2016, inclusive.

**CARRIED 8/0**

**7. PETITIONS AND PRESENTATIONS**

Nil

**8. DISCLOSURE OF INTERESTS**

The Mayor noted that a declaration of proximity interest had been received from:

- Cr Gordon Bleechmore in relation to Agenda Item 11.1 Amendment No. 18 to Local Planning Scheme No. 21 - Rezone Lot 4 and 318 Layman Road, Wonnerup from 'Agriculture' to 'Conservation' and Reserve for 'Recreation' with Associated Structure Plan, Consideration for Final Adoption.

The Mayor advised that in accordance with the Local Government (Rules of Conduct) Regulations 2007 this declaration would be read out immediately before Item 11.1 was discussed.

**9. CONFIRMATION AND RECEIPT OF MINUTES****Previous Council Meetings**9.1 Minutes of the Council Meeting held 12 October 2016**Council Decision****C1610/108**

Moved Councillor J McCallum, seconded Councillor T Best

That the Minutes of the Council Meeting held 12 October 2016 be confirmed as a true and correct record.

**CARRIED 8/0****Committee Meetings**9.2 Minutes of the Finance Committee Meeting held 6 October 2016**Council Decision****C1610/109**

Moved Councillor G Bleechmore, seconded Councillor J McCallum

- 1) That the minutes of the Finance Committee meeting held 6 October 2016 be received.
- 2) That the Council notes the outcomes from the Finance Committee meeting held 6 October 2016 being:
  - a) The Finance Committee Information Bulletin - August 2016 item is noted.
  - b) The List of Payments Made - August 2016 item is presented for Council consideration at item 10.1 of this agenda.
  - c) The Financial Activity Statements - Period Ending 31 August 2016 item is presented for Council consideration at item 10.2 of this agenda.
  - d) The Budget Amendments - Engineering Works & Services, Various item is presented for Council consideration at item 10.3 of this agenda.

**CARRIED 8/0**

**ITEMS BROUGHT FORWARD AND ADOPTION BY EXCEPTION RESOLUTION**

At this juncture the Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion, that the remaining reports, including the Committee and Officer Recommendations, will be adopted en bloc.

**Council Decision / Committee Recommendation and Officer Recommendation**

**C1610/110** Moved Councillor J McCallum, seconded Councillor G Bleechmore

That the Committee and Officer Recommendations in relation to the following agenda items be carried en bloc:

- 10.1 Finance Committee - 6/10/2016 - LIST OF PAYMENTS MADE - AUGUST 2016
- 10.2 Finance Committee - 6/10/2016 - FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 AUGUST 2016
- 15.1 COUNCILLORS' INFORMATION BULLETIN

**CARRIED 8/0**

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## **10. REPORTS OF COMMITTEE**

### 10.1 Finance Committee - 6/10/2016 - LIST OF PAYMENTS MADE - AUGUST 2016

<b>SUBJECT INDEX:</b>	Financial Operations
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Financial Services
<b>ACTIVITY UNIT:</b>	Finance
<b>REPORTING OFFICER:</b>	Strategic Financial Plan Accountant - Stuart Wells
<b>AUTHORISING OFFICER:</b>	Director, Finance and Corporate Services - Matthew Smith
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A List of Payments - August 2016⇒

**This item was considered by the Finance Committee at its meeting on 6 October 2016, the recommendations from which have been included in this report.**

#### **PRÉCIS**

This report provides details of payments made from the City's bank accounts for the month of August 2016, for noting by the Council and recording in the Council Minutes.

#### **BACKGROUND**

The Local Government (Financial Management) Regulations require that when the Council has delegated authority to the Chief Executive Officer to make payments from the City's bank accounts, that a list of payments made is prepared each month for presentation to, and noting by, Council.

#### **STATUTORY ENVIRONMENT**

Section 6.10 of the Local Government Act and more specifically, Regulation 13 of the Local Government (Financial Management) Regulations; refer to the requirement for a listing of payments made each month to be presented to the Council.

#### **RELEVANT PLANS AND POLICIES**

NA.

#### **FINANCIAL IMPLICATIONS**

NA.

#### **Long-term Financial Plan Implications**

NA.

#### **STRATEGIC COMMUNITY OBJECTIVES**

This matter principally aligns with Key Goal Area 6 – 'Open and Collaborative Leadership' and more specifically Community Objective 6.3 – 'An organisation that is managed effectively and achieves positive outcomes for the community'.

**RISK ASSESSMENT**

NA.

**CONSULTATION**

NA.

**OFFICER COMMENT**

NA.

**CONCLUSION**

NA.

**OPTIONS**

NA.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

NA.

**Council Decision / Committee Recommendation and Officer Recommendation**

**C1610/111** Moved Councillor J McCallum, seconded Councillor G Bleechmore

That the Council notes payment of voucher numbers M113257 – M113404, EF047721 – EF048196, T007268 – T007281, and DD002833 – DD002859; together totaling \$7,106,965.24.

**CARRIED 8/0**

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10.2 Finance Committee - 6/10/2016 - FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 AUGUST 2016

<b>SUBJECT INDEX:</b>	Budget Planning and Reporting
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Financial Services
<b>ACTIVITY UNIT:</b>	Financial Services
<b>REPORTING OFFICER:</b>	Strategic Financial Plan Accountant - Stuart Wells
<b>AUTHORISING OFFICER:</b>	Director, Finance and Corporate Services - Matthew Smith
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Financial Activity Statements - August 2016⇒

**This item was considered by the Finance Committee at its meeting on 6 October 2016, the recommendations from which have been included in this report.**

### PRÉCIS

Pursuant to Section 6.4 of the Local Government Act ('the Act') and Regulation 34(4) of the Local Government (Financial Management) Regulations ('the Regulations'), a local government is to prepare, on a monthly basis, a statement of financial activity that reports on the City's financial performance in relation to its adopted/ amended budget.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the City's financial performance on a year to date basis for the period ending 31 August 2016.

### BACKGROUND

The Regulations detail the form and manner in which financial activity statements are to be presented to the Council on a monthly basis; and are to include the following:

- Annual budget estimates
- Budget estimates to the end of the month in which the statement relates
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates
- Material variances between budget estimates and actual revenue/ expenditure/ (including an explanation of any material variances)
- The net current assets at the end of the month to which the statement relates (including an explanation of the composition of the net current position)

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year. At its meeting of 21 July 2016, the Council adopted (C1607/160) the following material variance reporting threshold for the 2016/17 financial year:

*That pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations, the Council adopts a material variance reporting threshold with respect to financial activity statement reporting for the 2016/17 financial year to comprise variances equal to or greater than 10% of the year to date budget amount as detailed in the Income Statement by Nature and Type/ Statement of Financial Activity report, however variances due to timing differences and/ or seasonal adjustments are to be reported on a quarterly basis.*

## **STATUTORY ENVIRONMENT**

Section 6.4 of the Local Government Act and Regulation 34 of the Local Government (Financial Management) Regulations detail the form and manner in which a local government is to prepare financial activity statements.

## **RELEVANT PLANS AND POLICIES**

Not applicable

## **FINANCIAL IMPLICATIONS**

Any financial implications are detailed within the context of this report.

### **Long-term Financial Plan Implications**

## **STRATEGIC COMMUNITY OBJECTIVES**

This matter principally aligns with Key Goal Area 6 – ‘Open and Collaborative Leadership’ and more specifically Community Objective 6.3 - ‘An organisation that is managed effectively and achieves positive outcomes for the community’. The achievement of the above is underpinned by the Council strategy to ‘ensure the long term financial sustainability of Council through effective financial management’.

## **RISK ASSESSMENT**

Risk assessments have been previously completed in relation to a number of ‘higher level’ financial matters, including timely and accurate financial reporting to enable the Council to make fully informed financial decisions. The completion of the monthly Financial Activity Statement report is a control that assists in addressing this risk.

## **CONSULTATION**

Not applicable

## **OFFICER COMMENT**

In order to fulfil statutory reporting requirements, and to provide the Council with a synopsis of the City’s overall financial performance on a full year basis, the following financial reports are attached hereto:

- Statement of Financial Activity

This report provides details of the City’s operating revenues and expenditures on a full year basis, by nature and type (i.e. description). The report has been further extrapolated to include details of non-cash adjustments and capital revenues and expenditures, to identify the City’s net current position; which reconciles with that reflected in the associated Net Current Position report.

- Net Current Position

This report provides details of the composition of the net current asset position on a full year basis, and reconciles with the net current position as per the Statement of Financial Activity.

- Capital Acquisition Report

This report provides full year budget performance (by line item) in respect of the following capital expenditure activities:

- Land and Buildings

- Plant and Equipment
- Furniture and Equipment
- Infrastructure

▪ Reserve Movements Report

This report provides summary details of transfers to and from reserve funds, and also associated interest earnings on reserve funds, on a full year basis.

Additional reports and/or charts are also provided as required to further supplement the information comprised within the statutory financial reports.

## COMMENTS ON FINANCIAL ACTIVITY TO 31 AUGUST 2016

Historically, significant variances are evident in most revenue and expenditure categories during the early part of each financial year. With this in mind, this initial monthly report will not make any specific commentary on individual variances, which are predominantly due to timing differences. However, the report does list, for information purposes, those activities where the 10% reporting threshold has been exceeded (irrespective of timing matters).

### Operating Activity

▪ Operating Revenue

As at 31 August 2016, there is a variance of -0.66% (-\$345K) in total operating revenue, with the following categories exceeding the 10% material variance threshold:

Description	Variance %	Variance \$000's
Other Revenue	+27%	+\$17
Interest Earnings	-18%	-\$119
Profit on Asset Disposals	100%	+12

▪ Operating Expenditure

As at 31 August 2016, there is a variance of +5% (+\$539K) in total operating expenditure, with the following categories exceeding the 10% material variance threshold:

Description	Variance %	Variance \$000's
Materials and Contracts	+41%	+\$946
Utilities	+21%	+\$84
Other Expenditure	+30%	+\$132
Allocations	-66%	-\$252

### Capital Activity

▪ Capital Revenue

As at 31 August 2016, there is a variance of -87% (-\$10,593K) in total capital revenue, with the following categories exceeding the 10% material variance threshold:

Description	Variance %	Variance \$000's
Transfer from Reserves	-84%	-\$7,729
Transfer from Restricted Assets	-97%	-\$2,921
Proceeds from Sale of Assets	+100%	+\$57

▪ Capital Expenditure

As at 31 August 2016, there is a variance of 73% (+\$16,600K) in total capital expenditure, with the following categories exceeding the 10% material variance threshold:

Description	Variance %	Variance \$000's
Land and Buildings	+47%	+\$2,159
Plant and Equipment	-83%	-\$54
Furniture and Equipment	+83%	+\$114
Infrastructure	+87%	+\$9,215
Transfers to Restricted Assets	-262%	-\$543
Transfers to Reserves	+79%	+\$5,709

The attachments to this report include detailed listings of the following capital expenditure (project) items, to assist in reviewing specific variances:

- Land and Buildings
- Plant and Equipment
- Furniture and Equipment
- Infrastructure

## CONCLUSION

Significant variances are not unusual in the very early part of each financial year, with this primarily due to budget timing differences, coupled with an increased tendency for higher variances to occur based on 'lesser' year to date budget allocations. In reviewing the financial performance to the end of July, the major variances are all primarily attributable to timing differences.

## OPTIONS

The Council may determine not to receive the statutory financial activity statement reports.

## TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Reports are received as at the date of the relevant Council meeting

## Council Decision / Committee Recommendation and Officer Recommendation

**C1610/112** Moved Councillor J McCallum, seconded Councillor G Bleachmore

That the Council receives the statutory financial activity statement reports for the period ending 31 August 2016, pursuant to Regulation 34(4) of the Local Government (Financial Management) Regulations.

**CARRIED 8/0**

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## **15. CHIEF EXECUTIVE OFFICER'S REPORT**

### **15.1 COUNCILLORS' INFORMATION BULLETIN**

<b>SUBJECT INDEX:</b>	Councillors' Information
<b>STRATEGIC OBJECTIVE:</b>	Governance systems that deliver responsible, ethical and accountable decision-making.
<b>BUSINESS UNIT:</b>	Executive Services
<b>ACTIVITY UNIT:</b>	Governance Services
<b>REPORTING OFFICER:</b>	Reporting Officers - Various
<b>AUTHORISING OFFICER:</b>	Chief Executive Officer - Mike Archer
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Planning Applications Received 16 September - 30 September <a href="#">⇒</a>
	Attachment B Planning Applications Determined 16 September - 30 September <a href="#">⇒</a>
	Attachment C Senator the Hon Fiona Nash - Community Development Grants Programme <a href="#">⇒</a>
	Attachment D Department of Education - Early Childhood Development in WA State Report <a href="#">⇒</a>
	Attachment E Western Australian Young Achiever Awards - Nominations Open <a href="#">⇒</a>

### **PRÉCIS**

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

### **INFORMATION BULLETIN**

#### **15.1.1 Planning and Development Statistics**

Attachment A is a report detailing all Planning Applications received by the City between 16 September, 2016 and 30 September, 2016. 68 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 16 September, 2016 and 30 September, 2016. A total of 58 applications (including subdivision referrals) were determined by the City during this period with 58 approved / supported and 0 refused.

#### **15.1.2 Current Active Tenders**

##### **2016 TENDERS**

##### **RFT11/16 AIRSIDE DESIGN & CONSTRUCT**

Following an Expressions of Interest (EOI 01/16) process for making a preliminary selection among prospective tenderers, the City of Busselton invited tenders for the Airside D & C Contractor (Design and Construction of Airside Infrastructure at Busselton Margaret River Regional Airport). Ten (10)

respondents were considered to be capable of satisfactorily supplying the goods/services and were subsequently shortlisted as acceptable tenderers:

Company	Location
Downer EDI Works Pty Ltd	Perth
Densford Civil Pty Ltd	Perth
CPD Contractors Pty Ltd	Perth
Ertech Pty Ltd	Perth
Fulton Hogan Construction Pty Ltd	South Australia
Georgiou Group Pty Ltd	Perth
BCG Contracting Pty Ltd	Perth
BMD Constructions Pty Ltd	Perth
WBHO Infrastructure Pty Ltd	Perth
NRW Pty Ltd	Perth

On 16 June 2016, under delegated authority, the CEO proceeded to invite the shortlisted tenderers to formally submit tenders. NRW Pty Ltd, Fulton Hogan Construction Pty Ltd and Densford Civil Pty Ltd have since advised that, for commercial reasons, they will not be submitting a tender. A tender briefing and site inspection was held at the Airport on 27 June 2016 which was attended by the remaining eight tenderers. The tender closed 4 August 2016. The value of the contract is expected to exceed the CEO's delegated authority under Delegation Ref 3L (refer to Council Resolution C1606/140). The evaluation has been completed and Council resolved at its 12 October 2016 meeting to:

- Endorse the outcomes of the evaluation panel's assessment resulting in the tender submitted by ERTECH PTY LTD being determined as the best value for money tender and the tender submitted by BMD CONSTRUCTION PTY LTD as the second best value for money tender;
- Endorse Endorses that any variation made pursuant to Regulation 20 of the Local Government (Functions and General) Regulations involving strengthening aircraft pavements, providing additional taxiways, providing wider shoulders to aircraft pavements and increasing the size apron parking areas are, separately and together, minor variations having regard to the total goods and services that tenderers were invited to supply; and
- Delegates authority to the CEO to negotiate with ERTECH Pty Ltd the terms of the contract for a finalised lump sum price and to approve variations in accordance with Regulation 21A of the Local Government (Functions and General) Regulations limited so as not to exceed the overall project budget.

#### **RFT16/16 LANDSIDE INFRASTRUCTURE DESIGN – BUSSELTON/MARAGARET RIVER REGIONAL AIRPORT**

The City of Busselton invited tenders for the design and construct of landside infrastructure at Busselton Margaret River Regional Airport. The tender was advertised on 13 August 2016, with a closing date of 8 September 2016. The CEO has a specific delegation in relation to award of this tender, subject to it not exceeding the approved budget for these goods/services. It is not expected that the value of the contract will exceed the CEO's delegated power, but there is possibility that the value could be exceeded. It is anticipated the evaluation will be completed and depending on the value of the contract, a recommendation report presented to either Council or the CEO in November 2016.

**RFT17/16 CONSTRUCTION OF MILNE STREET PAVILLION**

The City of Busselton invited tenders for the construction of Milne Street Pavillion at the Barnard Park playing fields on the Busselton Foreshore. The tender was advertised on 13 August 2016, with a closing date of 13 September 2016. The tender closing date was extended to and closed on 15 September 2016 and 10 tenders were received. The evaluation has been completed and the contract resulting from RFT017/16 was awarded by Council to Innovest Construction Pty Ltd.

**RFT 18/16 SUPPLY OF CLEANING CHEMICALS & PAPER CONSUMABLES**

The City of Busselton invited tenders for the supply of general cleaning chemicals and paper consumables for all the City of Busselton owned and managed facilities. The tender was advertised on 3 September 2016, with a closing date of 27 September 2016. The tender closing date was extended to and closed on 29 September 2016 and 8 tenders were received. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in October 2016.

**RFT 19/16 DESIGN AND CONSTRUCTION OF THE BUSSELTON FORESHORE COASTAL DEFENCES CENTRAL CORE AREA**

The City of Busselton invited tenders for the detailed design and construction of coastal defence structures along the central core of the Busselton Foreshore Development. The tender was advertised on 17 September 2016, with a closing date of 25 October 2016. The value of the contract is expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to Council in November 2016.

**RFT20/16 BUSSELTON FORESHORE – CONSTRUCTION OF YOUTH & COMMUNITY ACTIVITIES BUILDING**

The City of Busselton invited tenders for the construction of Youth & Community Activities Building at the Busselton Foreshore. The tender was advertised on 24 September 2016, with a closing date of 25 October 2016. The value of the contract is expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to Council in November 2016.

**RFT21/16 DESIGN SERVICES BUSSELTON ROAD NETWORK UPGRADES**

The City of Busselton invited tenders for engaging a suitably qualified consultant for the supply of civil design services to progress existing concept designs to detailed designs for the following roads:

- Duplication of Causeway Road (Peel Terrace – Strelly Street includes a new dual lane roundabout at Rosemary Street);
- Peel Terrace (West Street – Brown Street); and
- Duplication of Strelly Street (Bussell Bypass to Barlee Street).

The City would also have the option to extend the contract to include the following roads:

- Eastern Link Road (Causeway Road to Peel Terrace – includes a bridge structure over the Vasse River);
- Victoria Square round-about;
- Peel Terrace (Brown Street – Ford Road);
- Duplication of Strelly Street (Barlee Street – West Street up to the Bussell Highway); and
- Duplication of Causeway Road (Strelly Street – Bussell Bypass).

The tender was advertised on 8 October 2016, with a closing date of 25 October 2016. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in November 2016.

**15.1.3 Senator the Hon Fiona Nash – Community Development Grants Programme**

Correspondence has been received from Senator the Hon Fiona Nash and is available to view in Attachment C.

**15.1.4 Department of Education – Early Childhood Development in WA State Report**

The Department of Education has provided a copy of the Early Childhood in WA State Report, the covering letter is available to view in Attachment D and the full report is located in the Council in tray.

**15.1.5 Western Australian Young Achiever Awards – Nominations Open**

Correspondence has been received from the Western Australian Young Achiever Awards and is available to view in Attachment E, nomination forms are also available in the Council in tray.

**Council Decision and Officer Recommendation**

**C1610/113** Moved Councillor J McCallum, seconded Councillor G Bleechmore

That the items from the Councillors' Information Bulletin be noted:

- 15.1.1 Planning and Development Statistics
- 15.1.2 Current Active Tenders
- 15.1.3 Senator the Hon Fiona Nash – Community Development Grants Programme
- 15.1.4 Department of Education – Early Childhood Development in WA State Report
- 15.1.5 Western Australian Young Achiever Awards – Nominations Open

**CARRIED 8/0**

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### ITEMS CONSIDERED BY SEPARATE RESOLUTION

At this juncture, in accordance with Clause 5.6 (3)(a) & (b) of the Standing Orders, those items requiring an Absolute Majority or in which Councillors had declared Financial, Proximity or Impartiality Interests were considered.

10.3 Finance Committee - 6/10/2016 - BUDGET AMENDMENTS - ENGINEERING WORKS & SERVICES, VARIOUS

<b>SUBJECT INDEX:</b>	Budget Planning and Reporting
<b>STRATEGIC OBJECTIVE:</b>	Infrastructure assets are well maintained and responsibly managed to provide for future generations.
<b>BUSINESS UNIT:</b>	Engineering and Works Services
<b>ACTIVITY UNIT:</b>	Engineering and Works Services
<b>REPORTING OFFICER:</b>	Engineering Management Accountant - Stephen Wesley
<b>AUTHORISING OFFICER:</b>	Manager, Engineering and Facilities Services - Daniell Abrahamse
<b>VOTING REQUIREMENT:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Attachment A Alpha Road Footpath Concept⇒ Attachment B South West Catchment Council Funding Agreement⇒

**This item was considered by the Finance Committee at its meeting on 6 October 2016, the recommendations from which have been included in this report.**

### **PRÉCIS**

This report seeks approval from Councils for the following budget amendments;

1. Bring to account extra funding received from Main Roads Western Australia for preliminary works on Queen Street. This will also require a 1/3<sup>rd</sup> matching contribution from the City. **(adjustment 1)**
2. Transfer the left over budget on two existing projects to a new project to construct a footpath along Alpha Road to tie-in to the existing path network near the Busselton Hospital. **(adjustment 2)**
3. Bring to account a grant secured from the South West Catchment Council for various water quality improvement purposes. **(adjustment 3)**

### **BACKGROUND**

#### **Adjustment 1 – Extra Main Roads Western Australia (MRWA) Grant Funding Received**

The City was recently notified by MRWA, under the Regional Road Group Funding program that an additional \$50,000 in road funding had become available. In accepting this grant the City would need to contribute \$25,000 of its own funding. It is proposed that the \$25,000 be drawn down from the City's Infrastructure Asset Renewal Reserve, being the balance specifically pertaining to the partitioned amount associated with Road Asset Renewal. Each year the City draws-down the majority of the extra 1% in rates collected for the purpose of addressing the funding gap as detailed in the Roads Asset Management Plan; however we are mindful to leave a small balance in the reserve for the purpose of accepting extra grant funding where a matching contribution is needed, if the opportunity arises.

This funding will be used to undertake detailed design and preliminary planning works associated with the project to expand Queen Street to a dual carriage way as set-out in the Busselton Traffic

Study. Due to a limited time-frame required to provide a response to MRWA, the funds were subsequently accepted on behalf of the Council. This report now seeks Councils approval to adjust the budget to bring this new capital project to account.

**Adjustment 2 – Left over Footpath and Cycle way funding to be used for a new path along Alpha Road, West Busselton**

Council's approval is sought to construct a footpath along Alpha Street, West Busselton. The path will provide a tie-in with the existing path network built as part of the new Busselton Hospital. **See Attachment A.** To fund this project it is proposed the City use left-over funding from path projects primarily carried out in the previous financial year.

**Part 1 – Brown Street Footpath**

Towards the end of the 2015/16 financial year a footpath was constructed along Brown Street, extending from Kent Street in the south through to Marine Terrace in the North. This project was conservatively estimated at \$153,000. The project subsequently cost \$94,212 thus representing an underspent to budget of \$58,788. The project was estimated conservatively at the time due to power transmission (poles and wires) and various trees positioned along the then proposed alignment. After detailed design it was found that the path could be constructed without moving power poles or removing a number of trees as was first envisaged. To this end, City Officers seek to use the unspent money to construct a new path along Alpha Street in West Busselton.

**Part 2 – Busselton Bypass "Cycle Highway"**

Last financial year the City constructed three separate sections of the path comprising the Busselton Bypass "Cycle Highway". Upon completion this cycle way will represent a continuous dedicated dual use path approximately 9 km long extending from Vasse in the West through to Strelly Street in the East. This path also doubles as a section of the Wardandi Rail Trail crossing the restored wooden rail bridge crossing Kangaroo Gully.

This path comprises 6 sections as shown below;

**Section 1:- Strelly Street to Clydebank Avenue crossing Cook Street (light industrial area)**

Section 2:- Clydebank Avenue to Grace Court

Section 3:- Grace Court to Fairway Drive

**Section 4:- Fairway Drive to Kangaroo Creek bridge**

Section 5:- Kangaroo Creek to Caprock Crescent Path Entrance

**Section 6:- Caprock Crescent Path End to Glenview Drive**

Sections 1, 4 & 6 were constructed last financial year and are the subject of this report. (RBN, City, Blackspot funded)

Section 2 will be built this financial year, 2016/17. (Regional Bicycle Network grant)

Section 3 was built in 2009 – City Funded

Section 5 was built in 2011-2012 by Estate Developers as a condition for the provision of community infrastructure.

Section 1 was constructed with 50% of grant funds received under the Regional Bicycle Network grant program (RBN) at an estimated cost of \$245,000. The works came in under budget and Engineering Works and Services Officers sought to apply the left over grant money against section 5 that was 100% City funded at a value of \$56,000. After much debate approval was subsequently granted and this allowed for the substitution of City funds with grant funds saving the City \$54,304.

## Summary

Adjustment 2 seeks approval by Council to use both the \$58,788 and \$54,304 savings to construct a pathway to the value of \$113,092 along Alpha Road, West Busselton. **See Attachment A**

### **Adjustment 3 – South West Catchments Council grant for various water quality improvement purposes**

The City was recently notified of its success in securing \$44,000 from the South West Catchments Council towards various water quality improvement initiatives. Details on these initiatives are contained in the draft grant agreement, **see Attachment B**.

The two primary outcomes from this agreement are;

1. The purchase and installation of a gross pollutant trap (GPT) to be installed to treat storm water entering the RAMSAR listed Vasse Estuary. The GPT will remove gross pollutants (rubbish), sediments, oils and nutrients from the storm water. The grant money is to purchase the GPT while the City pays for the cost of installation.
2. The development of a technical manual on how to maintain the different types of water quality infrastructure located throughout the City. A suitably qualified consultant will be employed to help develop this manual.

Councils approval is sought to accept this funding and document it within the City's financial management system via a budget adjustment.

## STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act refers to expenditure from the municipal fund that is not included in the annual budget. In the context of this report, where no budget allocation exists, expenditure is not to be incurred until such time as it is authorised in advance, by an absolute majority decision of the Council.

## RELEVANT PLANS AND POLICIES

### **Adjustment 1**

Roads Asset Management Plan, Busselton Traffic Study

### **Adjustment 2**

Bike Plan, Footpath Asset Management Plan

### **Adjustment 3**

City of Busselton Environment Strategy – Waterways management

## FINANCIAL IMPLICATIONS

This budget adjustment will have no financial implications on the City's overall financial net position, and have no impact on net municipal funds other than a reduction to the City's Infrastructure Asset Renewal Reserve by \$25,000.

## STRATEGIC COMMUNITY OBJECTIVES

### **Caring and Inclusive Community**

- 1.3 A community that supports healthy, active ageing and services to enhance quality of life as we age. (Footpaths)

**Well Planned, Vibrant and Active Places**

- 2.3 Infrastructure assets that are well maintained and responsibly managed to provide for future generations. (New Roads)

**Connected City**

- 4.3 A linked network of cycle ways and pedestrian paths providing alternative transport options. (Footpaths)

**Cared for and Enhanced Environment**

- 5.1 Our natural environment is cared for and enhanced for the enjoyment of the community and visitors. (Vasse Wetlands)

**RISK ASSESSMENT**

There is a risk to the City, as there is with all projects undertaken, that the final cost could exceed budget. If this looks to be the case Council will be notified so a suitable offset / project scope back can be identified.

**CONSULTATION**

Consultation has taken place with Main Roads Western Australia with regards to amendment 1. Consultation has taken place with the South West Catchments Council with regards to amendment 3.

**OFFICER COMMENT**

Nil

**CONCLUSION**

Council's approval is sought to amend the budget as per the details contained in this report. Upon approval the proposed works will be planned, organized and completed by June 30 2017.

**OPTIONS**

The Council could decide not to go ahead with any or all of the proposed budget amendment requests.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Should the Officer Recommendation be endorsed, the associated budget amendment will be processed within a month of being approved.

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

That Council endorses the following amendments to the 2016/17 budget:

Budget Account Number	Description 1	Description 2	2015/16 adopted budget	2015/16 proposed budget	Difference
<b>Adjustment 1 – Main Roads Western Australia</b>					
541.SNEW.1210.0000	Main Road Western Australia Grant	Causeway Road works	0	-50,000	-50,000
541.SNEW.3280.0000	Contractors	Project cost	0	\$75,000	\$75,000
RESERVE TRANSFER		City's financial contribution	\$733,634	-\$25,000	\$708,634
<b>Adjustment 2 – New footpath Alpha Road</b>					
541.F0059.3280.0000	Brown Street	Transfer left over funds	\$58,788	-\$58,788	0
541.F1008.3280.0000	Bypass Cycle way	Transfer left over funds	\$54,304	-\$54,304	0
541.FNEW.3280.0000	New project	Alpha Road	0	\$113,092	\$113,092
<b>Adjustment 3 – South West Catchments Council (SWCC) Grant</b>					
541.S0049.1215.0000	SWCC Grant	For GPT	0	-32,000	-32,000
521.10850.1239.0000	SWCC Grant	For WQ manual	29,862	-12,000	-41,862
541.S0049.7723.0000	Gross Pollutant Trap (GPT) est.cost	Purchase GPT	0	\$32,000	\$32,000
521.10850.3260.0000	Water Quality (WQ) report	Consultant	0	\$12,000	\$12,000

Note: Officers proposed a Revised Recommendation for Committee consideration that would amend the reserve transfer amounts, an incorrect budget account number and some descriptions.

**Council Decision / Committee Recommendation and Revised Officer Recommendation**

**C1610/114**

Moved Councillor P Carter, seconded Councillor G Bleachmore

**ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That Council endorses the following amendments to the 2016/17 budget:

Budget Account Number	Description 1	Description 2	2016/17 adopted budget	2016/17 proposed budget	Difference
<b>Adjustment 1 – Main Roads Western Australia</b>					
541.SNEW.1210.0000	Main Road Western Australia Grant	Queen Street Road works	0	-50,000	-50,000
541.SNEW.3280.0000	Contractors	Project cost	0	\$75,000	\$75,000
RESERVE TRANSFER		City's financial contribution	-\$1,705,967	-\$25,000	- \$1,730,967
<b>Adjustment 2 – New footpath Alpha Road</b>					
541.F0059.3280.0000	Brown Street	Transfer left over funds	\$58,788	-\$58,788	0
541.F1008.3280.0000	Bypass Cycle way	Transfer left over funds	\$54,304	-\$54,304	0
541.FNEW.3280.0000	New project	Alpha Road	0	\$113,092	\$113,092
<b>Adjustment 3 – South West Catchments Council (SWCC) Grant</b>					
541.S0049.1215.0000	SWCC Grant	For GPT	0	-32,000	-32,000
421.10850.1239.0000	SWCC Grant	For WQ manual	-29,862	-12,000	-41,862
541.S0049.3280.0000	Gross Pollutant Trap (GPT) est.cost	Purchase GPT	0	\$32,000	\$32,000
421.10850.3260.0000	Water Quality (WQ) report	Consultant	0	\$12,000	\$12,000

**CARRIED 8/0**

Note: Subsequent to the Finance Committee Minutes being published, Officers have provided an alternate format in relation to the budget adjustment process that will be recommended for future use.

Type Description	Account	Description	Classification	Current Amended Budget	Proposed Amended Budget	Increase Decrease	Increase in Available Cash	Decrease in Available Cash	Reviewed Budget Running Balance	Comment
		Original Budgeted Opening Surplus				0	0	0	0	Actual
Operating Income	541.SNEW.1210.0000	Main Road Western Australia Grant	Capital Income	0.00	(50,000)	(50,000)	(50,000)	0	(50,000)	Additional Grant from MRWA
Operating Income	541.SNEW.3280.0000	Project Causeway Road Works	Capital Expenditure	0.00	75,000	75,000	0	75,000	25,000	New Project
Operating Income	Transfer from Reserve	Infrastructure Asset Renewal Reserve	Transfer from Reserve	(3,793,467.00)	(3,818,467)	(25,000)	(25,000)	0	0	City Contribution to Causeway Road works project
Operating Income	541.F0059.3280.0000	Brown Street	Capital Expenditure	58,788.00	0	(58,788)	(58,788)	0	(58,788)	Job Completed
Operating Income	541.F1008.3280.0000	Bypass Cycle Way	Capital Expenditure	54,304.00		(54,304)	(54,304)	0	(113,092)	Job Completed
Operating Income	541.FNEW.3280.0000	Alpha Road - New Project	Capital Expenditure	0.00	113,092	113,092	0	113,092	0	New Project
Operating Income	541.S0049.1215.0000	SWCC Grant for GPT	Capital Income	0.00	(32,000)	(32,000)	(32,000)	0	(32,000)	Grant funding
Operating Income	521.10850.1239.0000	SWCC Grant For WQ manual	Operating Income	(29,862.00)	(41,862)	(12,000)	(12,000)	0	(44,000)	Grant Funding
Operating Income	541.S0049.7723.0000	Purchase Gross Pollutant Trap (GPT)	Capital Expenditure	0.00	32,000	32,000	0	32,000	(12,000)	Purchase GBT
Operating Income	521.10850.3260.0000	Water Quality (WQ) report	Operating Expenditure	0.00	12,000	12,000	0	12,000	0	Consultant Fees
							(a)	(b)	(a) - (b)	
					Total Change	0	(232,092)	232,092	0	
					Current Surplus Position	0				
					Proposed Amended Budget Surplus	0				

## 11. PLANNING AND DEVELOPMENT SERVICES REPORT

- 11.1 AMENDMENT NO. 18 TO LOCAL PLANNING SCHEME NO. 21 - REZONE LOT 4 AND 318 LAYMAN ROAD, WONNERUP FROM 'AGRICULTURE' TO 'CONSERVATION' AND RESERVE FOR 'RECREATION' WITH ASSOCIATED STRUCTURE PLAN, CONSIDERATION FOR FINAL ADOPTION

<b>SUBJECT INDEX:</b>	Local Planning Scheme
<b>STRATEGIC OBJECTIVE:</b>	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
<b>BUSINESS UNIT:</b>	Strategic Planning and Development Services
<b>ACTIVITY UNIT:</b>	Strategic Planning and Development
<b>REPORTING OFFICER:</b>	Strategic Planner - Nick Edwards
<b>AUTHORISING OFFICER:</b>	Director, Planning and Development Services - Paul Needham
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Attachment A Location Plan⇒ Attachment B Aerial Photo of Subject Land⇒ Attachment C Proposed Planning Scheme Amendment 18 Map⇒ Attachment D Advertised Structure Plan⇒ Attachment E Schedule of Submissions⇒ Attachment F Schedule of Modifications⇒ Attachment G Increased Reserve Land Required for 'Proposed Zoning'⇒

DISCLOSURE OF INTEREST	
<b>Date</b>	26 October 2016
<b>Meeting</b>	Council
<b>Name/Position</b>	Gordon Bleechmore, Councillor
<b>Item No./Subject</b>	11.1 Amendment No. 18 to Local Planning Scheme No. 21 - Rezone Lot 4 and 318 Layman Road, Wonnerup from 'Agriculture' to 'Conservation' and Reserve for 'Recreation' with Associated Structure Plan, Consideration for Final Adoption
<b>Type of Interest</b>	Financial Interest - Proximity
<b>Nature of Interest</b>	A financial agreement with the owner of the neighbouring property at Membenup Road.

5.37 pm At this time Councillor Gordon Bleechmore left the meeting.

### PRÉCIS

The Council is requested to consider adopting for Final Approval Amendment No. 18 to the Local Planning Scheme No. 21 (LPS21) and the accompanying draft Structure Plan for Lot 4 and 318 Layman Road, Wonnerup (subject land) (Attachments A and B).

The Amendment seeks to rezone the subject land from 'Agriculture' to 'Conservation' and 'Reserve for Recreation' (Attachment C). This is considered to be a 'standard' Amendment for the purposes of Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The draft Structure Plan (Attachment D) shows the intended subdivision pattern of six new lots and two reserves, consistent with the Busselton Wetlands Conservation Strategy (BWCS).

Following adoption of a draft by Council at the 25 May 2016 meeting, the Amendment and Structure Plan were advertised between 21 July and 7 September 2016. In total, 11 submissions were received

(Attachment E), all from Government Agencies. Minor modifications to the draft Structure Plan are proposed in the Schedule of Modifications (Attachment F).

Officers recommend that Council adopts the Amendment and Structure Plan for Final Approval subject to the Schedule of Modifications.

## **BACKGROUND**

The subject land is located approximately 7km east of the Busselton City Centre and is approximately 142ha in area. It surrounds the historic Wonnerup House site and is bordered by rural residential lots to the northwest, Ramsar wetlands to the north/northeast, grazing land to the east and the Tuart Forest National Park to the south. Malbup Creek runs through the site northeast to southwest, linking the Vasse and Wonnerup Estuaries. Layman Road bisects the subject land north to south. Membenup Road borders the south eastern corner of the site for approximately 110 metres.

The majority of the subject land holding is comprised of Lot 4 which accommodates an ongoing agricultural enterprise (cattle grazing). Lot 318 is a narrow reserve traversing the subject property that was the original alignment of an early railway line which carried the 'Ballaarat' train.

The Amendment seeks to rezone Lot 4 and Lot 318 from 'Agriculture' to 'Conservation' and 'Reserve for Recreation' with the accompanying intent to increase the level of environmental protection of Malbup Creek and associated wetlands.

The draft Structure Plan outlines two reserves, six lots allowing for the clustered development of six residential housing sites within designated building envelopes and an unzoned reserve to contain a road linking Layman and Membenup Roads. Of the six lots, five are intended for rural residential type purposes only and range between 1.5 to 7 hectares. The sixth lot will be approximately 92.5ha and contain a residential building site and a 'balance of land' that could be used for ongoing agricultural purposes.

The two new reserves proposed for the site include a larger reserve of 31.7ha for environmental conservation to be vested in the Department of Parks and Wildlife (DPaW). This reserve is to extend over Malbup Creek and 30m of its riparian zone. The smaller reserve will be 1.6ha and located opposite the proposed entrance to the subdivision on Layman Road next to the historic school buildings. This reserve is designated for recreation and is to be vested in the City of Busselton.

The draft Structure Plan identifies that the existing Membenup Road is to be upgraded from the new road connection point to Tuart Drive to address the potential additional demand.

## **STATUTORY ENVIRONMENT**

The relevant legislation affecting this application includes:

- Planning and Development Act 2005 (P&D Act);
- Planning and Development (Local Planning Schemes) Regulations 2015 (*the Regulations*);
- City of Busselton Local Planning Scheme No. 21 (2014) (LPS21).

### *Planning and Development Act 2005*

The P&D Act outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this amendment.

### *Planning and Development (Local Planning Schemes) Regulations 2015*



The Regulations provide separate processes for the approval of scheme amendments and structure plans. This proposal was submitted to the City prior to the gazettal of the Regulations. Following consultation with the Department of Planning (DOP), the current Amendment/Structure Plan application was supported to be considered as part of the same process. Timeframes associated with assessing and determining the Amendment will necessarily apply to the related Structure Plan.

*City of Busselton Local Planning Scheme No. 21 (2014)*

The Amendment and draft Structure Plan follows the policies, objectives and provisions of the 'Conservation Zone' and the BWCS, which allows a subdivision potential of one lot per 20 hectares, especially where clustered residential development can be achieved and it is positioned away from scenic, environmentally sensitive and flood-prone areas.

## **RELEVANT PLANS AND POLICIES**

The policies affecting this proposal include:

- Draft State Planning Policy 2.5: Land Use Planning in Rural Areas (2015);
- State Planning Policy 3.7: Planning in Bushfire Prone Areas (2015);
- Busselton Wetlands Conservation Strategy 2005 (BWCS);
- Local Environmental Planning Strategy (2011).

*State Planning Policy 2.5: Land Use Planning in Rural Areas (2015)*

The application requires future ownership and land management objectives will be considered prior to the zoning of land for conservation purposes.

*State Planning Policy 3.7: Planning in Bushfire Prone Areas (2015)*

Most of this land identified for residential purposes is within a bushfire prone area. A Bushfire Management Plan has been submitted as part of the development application and the proposed road will provide two way access to the proposed lots.

*Busselton Wetlands Conservation Strategy (2005)*

The BWCS is the primary policy tool guiding the prospective subdivision and development on this site. This strategy identifies the subject land as a 'Rural and Wetland Amenity Area' that contains high visual amenity values, particularly along Layman Road.

*Local Environmental Planning Strategy (2011)*

This strategy provides policy support for the BWCS and additional guidance when managing biodiversity, wetlands and overall landscape qualities.

## **FINANCIAL IMPLICATIONS**

There are no significant financial implications arising from this proposal.

### **Long-term Financial Plan Implications**

There are no significant Long-term Financial Plan implications.

## **STRATEGIC COMMUNITY OBJECTIVES**

The Officer recommendation is consistent with community objective 5.2 of the City's Strategic Community Plan 2013, which is: *'Growth is managed sustainably and our environment is protected and enhanced as we develop'*.

## **RISK ASSESSMENT**

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken using the City's risk assessment framework. The implementation of the Officer Recommendation will involve adopting the Amendment and proposed modified Structure Plan for Final Approval. In this regard, there are no significant risks identified.

## **CONSULTATION**

Preliminary informal consultation with the Department of Planning (DoP) and the Department of Parks and Wildlife (DPaW) indicated that they were generally supportive of the current proposal. It was also agreed that the Amendment and Structure Plan proposals could be processed concurrently.

The Amendment and Structure Plan were advertised for 48 days and received 11 submissions all from Government agencies. There were no objections to the proposal although there were concerns raised about existing agricultural practices, nutrient loading and effects on water quality and management as well as proximity of an identified mineral resource. The heritage values on the subject site and the adjoining Wonnerup House site were also considered and discussed with the City's Heritage Advisor.

## **OFFICER COMMENT**

The Amendment and Structure Plan are generally in accordance with the objectives and requirements of the BWCS and can increase the levels of protection for the nearby wetlands. The draft Structure Plan proposes a consolidated, clustered development layout that will help preserve and protect environmental values.

The main issues raised following advertising included the ongoing management of farming activity on the site, placement of residential use close to a recognised potential mining resource and the significant heritage values that exist on and around the subject land.

Submissions from both the Department of Agriculture and the Department of Water discussed management of ongoing agricultural activity on the subject land. Within the Conservation Zone, agricultural land uses require planning approval but 'non-conforming use' rights will allow the continuing use of the land for grazing. Should agricultural activity be proposed to become more intense in the future a Nutrient Management Plan (NMP) would be required to be prepared and approved to control the impacts of nutrient regimes on the nearby wetlands and ensure compliance with Conservation Zone provisions.

DPaW has requested additional land and a rationalisation of boundaries (Attachment G) to include a Threatened Ecological Community of coastal samphires to the west and more land following the course of the Wonnerup Estuary to the north-east of the subject land. This will add these areas to the larger Recreation Reserve to be included in the Amendment Map and depicted on the final Structure Plan.

The Department of Mines and Petroleum (DMP) expressed concern about locating residential use within 500 m of a strategically important deposit of titanium-zircon within the Tuart Forest National Park. The DMP request that notification is placed on the titles of proposed Lots 1 and 2 and that the

building envelopes of proposed lot 1 is located outside of the 500 m separation area to the west. Construction on these two lots is already constrained by the Tuart Forest National Park, which restricts construction from within 100m of its boundary. Moving the building envelope further away from the National Park boundary would likely require existing Tuart trees on the proposed lots to be felled which is not supported. For these reasons, it is not proposed to place further restrictions on these lots, although notification is recommended to be included on future lot titles at the time of subdivision.

Concern was also raised by the DMP concerning the potential for 'karst' under proposed lots 3-6. 'Karst' is the underground dissolution of soluble rocks such as limestone and can contain sinkholes or other unstable rock formations. A Geotechnical Report will be required as part of any proposed development prior to the clearing of any subdivision conditions.

Following discussions with the applicant, it is proposed that Layman Road is widened by 5m on the eastern side to provide sufficient land in the future to accommodate a shared bike and pedestrian path in future. The proposed pathway is to connect with the existing shared pathway that runs along the Wonnerup foreshore and would then connect through to the disused railway alignment through the Tuart Forest to the south. The extension is an opportunity to link the town with the substantial heritage and natural values of this area and has been agreed to by the applicant.

## **CONCLUSION**

The management of the significant conservation, heritage, residential and commercial values in this area can be improved by a consolidated development pattern. By following the guidance provided by the BWCS and LPS21, the Amendment and draft Structure Plan will assist in environmental protection of riparian areas adjacent to the Ramsar Wetlands and their associated waterways. Officers recommend that the Council adopt the Amendment and Structure Plan proposals for Final Approval subject to the additional Reserve areas on the proposed Scheme mapping and the 'Schedule of Modifications' in relation to the Structure Plan.

## **OPTIONS**

Should the Council not support the Officer Recommendation the Council could instead resolve –

1. To recommend to the WAPC the refusal of the Amendment and draft Structure Plan and provide a reason for such a decision.
2. To seek further information before making a decision.
3. To adopt the Amendment and draft Structure Plan for final approval subject to further modification(s) as required.

Officer assessment has not revealed any substantive issue or reasonable grounds that would support any of these options.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The implementation of the Officer Recommendation will involve referral of the Amendment and Structure Plan to the Western Australian Planning Commission. This will occur within one month of the Council resolution.

### **Council Decision and Officer Recommendation**

**C1610/115**

Moved Councillor T Best, seconded Councillor R Reekie

That the Council:

1. Pursuant to Part V of the *Planning and Development Act 2005*, adopts Amendment No. 18 to the City of Busselton Local Planning Scheme No. 21 for final approval, for the purposes of:
  - a) Rezoning Lot 4 and Lot 318 Layman Road, Wonnerup from 'Agriculture' to 'Conservation' and 'Reserve for Recreation'.
  - b) Amend the Scheme Map accordingly.
2. Pursuant to r.53 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to endorse the Schedule of Submissions at Attachment E prepared in response to the public consultation undertaken in relation to Amendment No. 18.
3. Pursuant to r.50(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to support the modification to Amendment No.18 to include the additional 'Reserve for Recreation' areas and road reserve widening shown at Attachment G.
4. Pursuant to deemed provision 20(2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* recommends that the Western Australian Planning Commission adopts the draft Structure Plan subject to the 'Schedule of Modifications' shown at Attachment F, to address issues raised in submissions received in response to public consultation.
5. Pursuant to r.53 and r.55 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolves to forward Amendment No. 18 to the City of Busselton Local Planning Scheme No. 21 to the Western Australian Planning Commission with a request for the approval of the Hon. Minister for Planning.
6. Pursuant to r.56 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, should directions be given that modifications to Amendment No. 18 are required, those modifications being undertaken accordingly on behalf of the Council unless they are considered by Officers to be likely to significantly affect the purpose and intent of the draft Amendment, in which case the matter shall be formally referred back to the Council for assessment and determination.

**CARRIED 7/0**

5.38 pm At this time Councillor Gordon Bleechmore returned to the meeting.

**12. ENGINEERING AND WORKS SERVICES REPORT**

Nil

**13. COMMUNITY AND COMMERCIAL SERVICES REPORT**

Nil

**14. FINANCE AND CORPORATE SERVICES REPORT**

Nil

15.2 APPOINTMENT OF DELEGATE TO THE CENTRAL QUEENSLAND UNIVERSITY BUSSELTON REGIONAL ADVISORY GROUP

<b>SUBJECT INDEX:</b>	Councillor Appointments
<b>STRATEGIC OBJECTIVE:</b>	An organisation that is managed effectively and achieves positive outcomes for the community.
<b>BUSINESS UNIT:</b>	Governance Services
<b>ACTIVITY UNIT:</b>	Governance Services
<b>REPORTING OFFICER:</b>	Administration Officer - Governance - Hayley Barge
<b>AUTHORISING OFFICER:</b>	Chief Executive Officer - Mike Archer
<b>VOTING REQUIREMENT:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

### PRÉCIS

The purpose of this report is to appoint a Councillor as a delegate to the newly formed Central Queensland University (CQU) Busselton Regional Advisory Group.

### BACKGROUND

As an initiative of CapeROC, work of the the Capes Higher Education Taskforce has resulted in the attraction of the Central Queensland University recently establishing a study base at the Busselton Community Resource Centre. This initiative aims to enable higher education to be more accessible in the Capes region.

Various members of Council have been representatives on the Capes Higher Education Taskforce. It is a natural progression that a Councillor also be appointed to the CQU Busselton Regional Advisory Group, to assist with the future planning and development of the Busselton study base.

It has also been requested from the CQU that a Local Government representative be appointed.

### STATUTORY ENVIRONMENT

It is customary for the City to officially appoint City delegates as representatives to external groups in accordance with the general principles of good governance that applies under *Part 5 Division 2 of the Local Government Act 1995*.

### RELEVANT PLANS AND POLICIES

Nil

### FINANCIAL IMPLICATIONS

It is anticipated that the Elected Member may claim travel costs associated with the attendance of meetings in accordance with the Fees, Allowances and Expenses for Elected Members policy; this is not expected to exceed the current budget allocation.

### Long-term Financial Plan Implications

Nil

## **STRATEGIC COMMUNITY OBJECTIVES**

The subject of this report aligns with the City of Busselton's endorsed Strategic Community Plan 2013, principally with the following Community Objective:

Open and Collaborative Leadership

6.1 A Council that engages broadly and pro-actively with the community.

## **RISK ASSESSMENT**

No risks have been identified.

## **CONSULTATION**

Councillor Rob Bennett; as a delegate to the Capes Higher Education Taskforce has attended the first meeting of the recently formed CQU Busselton Regional Advisory Group and has expressed his interest in being appointed to the group.

## **OFFICER COMMENT**

To continue the development of higher education in Busselton and having members of Council appointed to the Capes Higher Education Taskforce it is seen as prudent to have representation at the CQU Busselton Regional Advisory Group for the continuation of its establishment and expansion in Busselton. The City's Economic Development Coordinator is also a member of the Regional Advisory Group as enhancing higher education is a key component is of the City's Strategic Community Plan and the draft economic development strategy.

## **CONCLUSION**

In order to foster growth and continue the valuable progress made to the availability of higher education in the City of Busselton it is recommended that an elected member of Council be appointed as a City delegate to the CQU Busselton Regional Advisory Group.

## **OPTIONS**

The Council could:

- 1) Approve the appointment of a Councillor to the advisory group in accordance with the Officer Recommendation.
- 2) Determine that the advisory group does not require a Councillor appointment.
- 3) Maintain representation to the advisory group at Officer level.

## **TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

Should the decision be made, the decision of the Council would be effective immediately.

### **Council Decision and Officer Recommendation**

**C1610/116** Moved Councillor R Reekie, seconded Councillor P Carter

That the Council nominates the following as a representative of Council:

1. Councillor Terry Best as a delegate to the Central Queensland University Busselton Regional Advisory Group.
2. Councillor Ross Paine as a deputy delegate to the Central Queensland University Busselton Regional Advisory Group.

**CARRIED 8/0**

**16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**17. CONFIDENTIAL REPORTS**

Nil

**18. QUESTIONS FROM MEMBERS**

Nil

**19. PUBLIC QUESTION TIME**

Nil

**20. NEXT MEETING DATE**

Wednesday, 9 November 2016

**21. CLOSURE**

The meeting closed at 5.39pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 32 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON WEDNESDAY, 9 NOVEMBER 2016.

DATE: \_\_\_\_\_

PRESIDING MEMBER: \_\_\_\_\_