

## **Committee Recommendation**

1. Pursuant to the *Planning and Development Act 2005* (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury Town Planning Scheme No. 7 for Schedule 1 – Dictionary of Defined Words and Expressions in accordance with Attachment 5 (Report Under Separate Cover to this report).
2. Pursuant to the *Planning and Development Act 2005* (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury Town Planning Scheme No. 7 for Lot 210 Holywell Street and Lot 211 Pental Street in accordance with Attachment 6 (Report Under Separate Cover to this report).
3. Pursuant to the *Planning and Development Act 2005* (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury Town Planning Scheme No. 7 for Lot 66 Ocean Drive in accordance with Attachment 7 (Report Under Separate Cover to this report).
4. A Business Plan outlining the proposed sale of Lot 210 Holywell Street and Lot 211 Pental Street and Lot 66 Ocean Drive is to be prepared and advertised pursuant to Section 3.59 of the *Local Government Act 1995* and the findings are to be reported back to Council.

## **AT THE COUNCIL MEETING**

The Manager Development Services tabled a memorandum advising that Lots 210 Holywell Street and 211 Pental Street had been incorrectly referred to throughout the document as Lots 210 and 211 Ocean Drive. Council was requested to allow the change of wording relating to the sites throughout the Scheme Amendment Report No. 17 to reflect the correct site details. A copy of the memorandum is **attached** at Appendix 20.

The committee recommendation, with an additional clause acknowledging the amendments outlined in the memorandum, was moved Cr Dillon, seconded Cr Leigh.

The Presiding Member put the motion to the vote and it was adopted to become a Council Decision.

## **COUNCIL DECISION 239/07**

1. Pursuant to the *Planning and Development Act 2005* (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury Town Planning Scheme No. 7 for Schedule 1 – Dictionary of Defined Words and Expressions in accordance with Attachment 5 (Report Under Separate Cover to this report).
2. Pursuant to the *Planning and Development Act 2005* (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury

*Town Planning Scheme No. 7 for Lot 210 Holywell Street and Lot 211 Pandal Street in accordance with Attachment 6 (Report Under Separate Cover to this report) subject to the following amendments:*

***i. Form 1C clause (a) as follows:***

*(a) modifying the ‘Special Use(s)’ and ‘Conditions’ of “Special Use Zone No. 7” under Schedule 2 – Special Use Zones of the Scheme Text for Lot 210 Holywell Street and Lot 211 Pandal Street; and*

***ii. Part 6 recommendations as follows:***

*‘The following recommendations are made in respect of progressing the proposed Scheme Amendment to Lot 66 Ocean Drive, Lot 210 Holywell Street and Lot 211 Pandal Street, Bunbury:*

- A. Council, in accordance with the Planning and Development Act 2005, initiate the proposed amendment to the City of Bunbury Town Planning Scheme No. 7 in accordance with Appendix 6 and 7 to this Local Planning Scheme Amendment Report.*
  - B. Subject to endorsement by the Environmental Protection Authority (EPA), the proposed amendment to the City of Bunbury Town Planning Scheme No. 7 is to be advertised for public comment with a submission period of no less than forty-two (42 days).*
  - C. Following public advertising of the proposed amendment to the City of Bunbury Town Planning Scheme No. 7, the proposal and any public submissions lodged with the City during the advertising period is to be returned to Council for further consideration.*
  - D. Subject to finalisation of the proposed Scheme Amendment, a Business Plan outlining the proposed sale of Lot 66 Ocean Drive, Lot 210 Holywell Street and Lot 211 Pandal Street is to be prepared and advertised pursuant to Section 3.59 of the Local Government Act 1995.’*
- 3. Pursuant to the Planning and Development Act 2005 (as amended), Council resolves to finally adopt Scheme Amendment No. 17 to the City of Bunbury Town Planning Scheme No. 7 for Lot 66 Ocean Drive in accordance with Attachment 7 (Report Under Separate Cover to this report) and amendments as detailed in (2) of this recommendation.*
  - 4. A Business Plan outlining the proposed sale of Lot 210 Holywell Street and Lot 211 Pandal Street and Lot 66 Ocean Drive is to be prepared and advertised pursuant to Section 3.59 of the Local Government Act 1995 and the findings are to be reported back to Council.*

**CARRIED**

**10 Votes “For”/2 Votes “Against”**

A request was made for the vote to be recorded.

For:	Mayor D Smith	Against:	Cr Worthington
	Cr Craddock		Cr Slater
	Cr Dillon		
	Cr Whittle		
	Cr Jones		
	Cr Slater		
	Cr Major		
	Cr Kelly		
	Cr Steck		
	Cr Leigh		