

Bunbury City Council

Meeting Minutes 3 November 2009



City of Bunbury
4 Stephen Street
Bunbury WA 6230
Western Australia

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GLOSSARY OF ABBREVIATED TERMS

Term	Explanation
1:100	Ratio of 'one in one hundred'
AD	Acceptable Development
ARI	Annual Recurrence Interval
AHD	Australian Height Datum
ANEF	Australian Noise Exposure Forecast
AWARE	All West Australians Reducing Emergencies (grant funding)
BCA	Building Code of Australia
BCCI	Bunbury Chamber of Commerce & Industries
BCRAB	Bunbury Community Recreation Association Board
BEAC	Built Environment Advisory Committee
BESAC	Bunbury Environment and Sustainability Advisory Committee
BHRC	Bunbury Harvey Regional Council
BPA	Bunbury Port Authority
BRAG	Bunbury Regional Art Galleries
BRAMB	Bunbury Regional Arts Management Board
BREC	Bunbury Regional Entertainment Centre
BSSC	Big Swamp Steering Committee
BWEA	Bunbury Wellington Economic Alliance
CALM	Department of Conservation and Land Management
CBD	Central Business District
CCAFF	Community Cultural and Arts Facilities Fund
CERM	Centre of Environmental and Recreation Management
CPI	Consumer Price Index
CSRFF	Community Sport and Recreation Facilities Fund
DADAAWA	Disability in the Arts Disadvantage in the Arts Australia, Western Australia
DAP	Detailed Area Plan (required by WA Planning Commission)
DCU	Development Coordinating Unit
DEC	Department of Environment and Conservation (formerly CALM)
DEWCP	Department for Environment, Water and Catchment Protection
DLI	Department of Land Information
DoE	Department of Environment
DOLA	Department of Land Administration
DoPI	Department of Primary Industry
DoW	Department of Water
DPI	Department for Planning and Infrastructure
DSR	Department of Sport and Recreation
DUP	Dual-use Path
ECT	Enforcement Computer Technology
EDAC	Economic Development Advisory Committee
EDWA	Education Department of Western Australia
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
ERMP	Environmental Review and Management Program
ESL	Emergency Services Levy
FESA	Fire and Emergency Services Authority
FFL	Finished Floor Level
GBPG	Greater Bunbury Progress Group
GBRP	Greater Bunbury Resource Plan report
GBRS	Greater Bunbury Region Scheme
GL	Gigalitres
GRV	Gross Rental Value
GST	Goods and Services Tax
HCWA	Heritage Council of Western Australia
ICLEI	International Council for Local Environmental Initiatives
ICT	Information and Communications Technology
IP	Internet Protocol
IT	Information Technology
ITC	In Town Centre
ITLC	Former In-Town Lunch Centre (now the "In Town Centre")
LAP	Local Action Plan
LCC	Leschenault Catchment Council

GLOSSARY OF ABBREVIATED TERMS

Term	Explanation
LEMC	Bunbury Local Emergency Management Committee
LIA	Light Industrial Area
LN (2000)	Liveable Neighbourhoods Policy (2000)
LSNA	Local Significant Natural Area
MHDG	Marlston Hill Design Guidelines
MRWA	Main Roads Western Australia
NDMP	National Disaster Mitigation Program
NEEDAC	Noongar Employment & Enterprise Development Aboriginal Corp.
NRM	Natural Resource Management
NRMO	Natural Resource Management Officer
ODP	Outline Development Plan
PAW	Public Access Way
PHCC	Peel-Harvey Catchment Council
PR	Plot Ratio
R-IC	Residential Inner City (Housing) - special density provisions
RDC	Residential Design Codes
RDG	Residential Design Guidelines
Residential R15	Town Planning Zone – up to 15 residential dwellings per hectare
Residential R20	Town Planning Zone – up to 20 residential dwellings per hectare
Residential R40	Town Planning Zone – up to 40 residential dwellings per hectare
Residential R60	Town Planning Zone – up to 60 residential dwellings per hectare
RFDS	Royal Flying Doctor Service
RMFFL	Recommended Minimum Finished Floor Levels
ROS	Regional Open Space
ROW	Right-of-Way
RSL	Returned Services League
SBCC	South Bunbury Cricket Club Inc.
SCADA	Supervisory Control and Data Acquisition
SGDC	Sportsgrounds Development Committee
SW	South West
SWACC	South Western Area Consultative Committee
SWAMS	South West Aboriginal Medical Service
SWBP	South West Biodiversity Project
SWCC	South West Catchments Council
SWDC	South West Development Commission
SWDRP	South West Dolphin Research Program
SWEL	South West Electronic Library
SWSC	South West Sports Centre
TME	Thompson McRobert Edgeloe
TPS	Town Planning Scheme
USBA	Union Bank of Switzerland Australia
VGO	Valuer General's Office
VOIP	Voice-Over Internet Protocol
WALGA	Western Australian Local Government Association
WAPC	Western Australian Planning Commission
WAPRES	Western Australian Plantation Resources
WAWA	Water Authority of Western Australia
WC	Water Corporation
WML	WML Consultants
WRC	Waters and Rivers Commission

Bunbury City Council

Minutes of an Ordinary Meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday 3 November 2009.

Minutes

3 November 2009

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

1. Declaration of Opening by the Mayor

His worship the Mayor, Mr David Smith, declared the meeting open at 6.00pm

2. Record of Attendance, Apologies and Leave of Absence

PRESENT

Council Committee Members	
Presiding Member:	His Worship the Mayor, Mr D Smith
Deputy Presiding Member:	Deputy Mayor, Councillor B Kelly
Members:	Councillor J Jones
	Councillor S Craddock
	Councillor W Major (<i>arrived 6.01pm during item 5</i>)
	Councillor N Whittle
	Councillor R Slater
	Councillor M Steck
	Councillor A Leigh
	Councillor J Harrop
	Councillor D Spencer
	Councillor H Punch
Councillor Rooney	
Executive Management Team (Non-Voting)	
Chief Executive Officer:	Mr G Trevaskis
Executive Manager - Corporate Services:	Mr K Weary
Executive Manager - City Services:	Mr M Scott
Executive Manager - City Development:	Mr G Klem
Executive Manager - City Life:	Mr D Marzano
Council Officers (Non-Voting):	
Community Recreation Liaison Officer	Mr C Hatchman
Manager Bunbury Visitor Centre	Ms F Anderson
Administration Officer	Ms D Ryan
Administration Officer	Ms N Hribar

PRESENT (continued)

Others (Non-Voting):	
Members of the Public:	8
Members of the Press:	1

APOLOGIES:

Nil

3. Responses to Public Questions Taken 'On Notice' at the Previous Council Meeting

Nil.

4. Public Question Time

Nil

5. Questions on Notice from Council Members (No Discussion Permitted)

Nil.

Cr Major arrived at this point in the proceedings

6. Confirmation of Previous Minutes

The minutes of the Council Meeting held 29 September 2009, have been circulated.

A motion to confirm the minutes was moved by Cr Leigh seconded Cr Spence and adopted to become the Council's decision.

7. Disclosures of Interest Under the Local Government Act 1995

Cr Leigh disclosed a financial interest in the item titled '*Tender for Replacement of Rathmines Pump Station*' as the company he works for does business with one of the tenderers. He will not be voting on the issue.

8. Announcements by the Mayor (No Discussion Permitted)

The Mayor advised the meeting, that the City was currently hosting a visiting Delegation of school children from our sister city, Setagaya. If you see them about anywhere please make them most welcome.

The Mayor invited Felicity Anderson, Manager Bunbury Visitor Centre, to formally present to the Council. Felicity presented the Council with three (3) framed certificates for Bunbury winning the GWN Top Tourism Town for 2009. The certificates were for winning the 2009 Top Tourism Town (large framed certificate), being a finalist in the 2009 Top Tourism Town and joint winner of 2009 Top Tourism Town – Management and Staff Training Category. Bunbury was joint winners with Margaret River. As well as winning the title it also came with \$25,000 worth of GWN air time to promote Bunbury. The Mayor thanked Ms Anderson and all her staff at the Visitor Centre for all the hard work that they have done. He also thanked Executive Manager City Life for the support provided to promote Bunbury.

The Mayor made mention of a visit from the Board of Land Corp who also met with the Bunbury Chamber of Commerce, the Boards of the Bunbury Port Authority, South West Development Commission and Council representatives. The Mayor invited members of the Council to question him after the meeting as to the result of the meetings.

9. Chief Executive Officer Reports/Discussion Topics

Nil

10. Reception of Formal Petitions and Memorials

11. Reception of Reports and Recommendations from the Council (Standing) Committee Meeting held 27 October 2009

Pursuant to Standing Order 16.1.1, the Council adopted 'en bloc' (i.e. without discussion) those recommendations listed for items 11.1, 11.2, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.11, 11.12, 11.13 and 11.14 of the meeting agenda.

Item 11.3 of the meeting agenda was then discussed and voted on separately.

Please note that the items listed in this section of the meeting minutes have been re-arranged (and re-numbered) so that they appear in the order that they were discussed at the meeting. The items voted on 'en bloc' are listed first.

11.1 Petition - Ince Road Traffic Management Plan

File Ref:	R00227
Applicant/Proponent:	Petition Originator: Elizabeth Wright, 50A Ince Rd, Bunbury
Author:	Ms Elizabeth Wright
Executive:	<i>If petition adopted by Council refer to:</i> Michael Scott, Executive Manager City Services

The Executive Manager City Services tabled a petition received from residents in the vicinity of Ince Road in Glen Iris. The petition contains over 260 signatures with the introduction stating:

"We the undersigned would like to register our support for option 1 on the Ince Road Traffic Management Plan (City of Bunbury Ref:R00227-03). Attention: - Jason Gick (City Engineer)"

A copy of the petition is **attached** at Appendix 8.

The Mayor advised that he is prepared to accept the petition on behalf of the committee.

Committee Recommendation

Pursuant to clause 9.4 of the City of Bunbury Standing Orders, the petition from 260 signatories regarding Road Traffic Management Plan issues in Ince Road, Glen Iris, be accepted.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

(Full Council decision over leaf)

Council Decision 201/09

Pursuant to clause 9.4 of the City of Bunbury Standing Orders, the petition from 260 signatories regarding Road Traffic Management Plan issues in Ince Road, Glen Iris, be accepted.

CARRIED

13 Votes "For" / Nil Votes "Against"

11.2 Request for Leave of Absence - Councillor Helen Punch

File Ref:	A00215
Applicant/Proponent:	Councillor Helen Punch
Author:	Greg Trevaskis, Chief Executive Officer
Executive:	Greg Trevaskis, Chief Executive Officer

Summary/Background

Councillor Punch requests leave of absence from all Council-related business from Monday, 26 October to Thursday, 5 November 2009 (inclusive). It was not possible for Cr Punch to put this request to Council prior to her departure on 26 October as she did not receive confirmation of her registration at the ICTC Conference in Melbourne until after the last Council Meeting had taken place.

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

Recommendation

Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Helen Punch is granted leave of absence from all Council-related business from 26 October to 5 November 2009 (inclusive).

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Slater, seconded Cr Leigh.

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Helen Punch is granted leave of absence from all Council-related business from 26 October to 5 November 2009 (inclusive).

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

(Full Council decision over leaf)

Council Decision 202/09

Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Helen Punch is granted leave of absence from all Council-related business from 26 October to 5 November 2009 (inclusive).

CARRIED

13 Votes "For" / Nil Votes "Against"

11.3 College Grove Subdivision (North of Somerville Drive) – Audited Financial Statements for the Year Ended 30 June 2009 *(was listed as Item 11.4 on the meeting agenda)*

File Ref:	A00084-06
Applicant/Proponent:	Internal Report
Author:	David Ransom, City Accountant
Executive:	Ken Weary, Executive Manager Corporate Services

The College Grove Subdivision (North of Somerville Drive) Audited Financial Statements for the financial year ended 30 June 2009 are **attached** at Appendix 1.

The Financial Statements have been prepared for the City of Bunbury and Department for Planning and Infrastructure to fulfil Council's financial reporting requirements under the agreement with Department for Planning and Infrastructure for the College Grove Subdivision. The City of Bunbury is the appointed manager of the subdivision for the north side of Somerville Drive, with Landcorp managers for the development of any subdivisional works south of Somerville Drive.

There is no ongoing development in this north of Somerville Drive subdivision. Lot 70 Winthrop Avenue remains available and will be considered for sale or development following determination of traffic management and upgrading of roads adjoining the site.

The Financial Statements include an Income Statement, Balance Sheet, Notes to the Statements and an independent Audit Report.

Review by Audit Committee

The Audit Committee reviewed the Auditors Report and the Audited Financial Statements at its meeting 29 September 2009 and has referred these reports to Council for endorsement.

Recommendation

The Audit Report and the Audited Financial Statements for the College Grove Subdivision (North of Somerville Drive) for the financial year ended 30 June 2009, be accepted.

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Craddock, seconded Cr Leigh.

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

The Audit Report and the Audited Financial Statements for the College Grove Subdivision (North of Somerville Drive) for the financial year ended 30 June 2009 be accepted.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 203/09

The Audit Report and the Audited Financial Statements for the College Grove Subdivision (North of Somerville Drive) for the financial year ended 30 June 2009 be accepted.

CARRIED

13 Votes "For" / Nil Votes "Against"

11.4 City of Bunbury Auditors Report and Audited Financial Statements for the Year Ended 30 June 2009 *(was listed as Item 11.5 on the meeting agenda)*

File Ref:	A00084-06
Applicant/Proponent:	Internal Report
Author:	David Ransom, City Accountant
Executive:	Ken Weary, Executive Manager Corporate Services

As required under the Local Government Act 1995, the Auditors Report and Audited Financial Statements of the City of Bunbury for the financial year ended 30 June 2009 have been received and are issued for the information of councillors **under separate cover.**

Executive Overview

Council's management and internal control systems are sound. In addition to being monitored internally on a daily and monthly basis they are also strengthened by an independent assessment each year on the City's financial management systems and external audit reporting. The independent assessment reviews Council's financial position, financial management practices and compliance with the requirements of the Local Government Act, the Local Government (Financial Management) Regulations, and Accounting Standards.

The audited Annual Financial Report for the year ended 30 June 2009 key financial figures include:

<u>Income Statement:</u>		<u>2009</u>	<u>2008</u>
Operating Revenue		\$43,238,070	\$46,923,838
Operating Expenses		\$36,878,149	\$33,478,706
Net Profit (utilised for capital works) (Note 1)		\$ 6,359,921	\$13,445,132

<u>Balance Sheet:</u>			
Current Assets		\$20,889,721	\$23,040,606
Current Liabilities		\$ 6,635,884	\$ 8,533,439
Current Assets over Current Liabilities		\$14,253,837	\$14,507,167
Non Current Assets		\$192,720,448	\$186,990,811
Non Current Liabilities		\$ 7,218,456	\$ 8,102,070
Total Equity		\$199,755,829	\$193,395,908

Financial Information by Ratio: 2009 2008 2007 2006 2005

Current Ratio 115% 101% 94% 106% 110%

Current Assets as a percentage of Current Liabilities (Measure of short term liquidity, i.e. the ability of Council to meet its liabilities when they fall due. A ratio of greater than 100% indicates Council has more current assets than current liabilities. Council's 5 Year Financial Plan Target is > 100%)

(Financial Information by Ratio: (Cont.) 2009 2008 2007 2006 2005)

Operational Funds to Trade Creditors **333%** **182%** **136%** **135%** **115%**
(Note 2)

Operational Funds as a percentage of unpaid trade creditors (Indicates the amount of operational funds the Council has in excess of immediate obligations to creditors. The greater the percentage is over 100% denotes the % of cash that is in excess of these Trade Creditor obligations.)

Debt Ratio **6.5%** **7.9%** **8.8%** **10.8%** **10.7%**

Total Liabilities as a percentage of Total Assets (Council's Debt Ratio denotes a strong Total Liabilities to Total Assets position. Council's 5 Year Financial Plan Target is < 10%)

Debt Service Ratio **7.5%** **6.9%** **7.4%** **9.5%** **8.3%**

The cost of principal and interest payments from loan borrowing paid during the year as a percentage of operating revenue (This percentage represents the Council's ability to service debt. The 7.5% result denotes a sound Debt Service Ratio. Council's 5 Year Financial Plan Target is 4% - 8%)

Gross Debt to Revenue **23%** **26%** **31%** **43%** **49%**

Gross debt as a percentage of revenue (The percentage illustrates Council's ability to cover its debt with its revenue in any given year. Council's outstanding debt is \$8.2M and operating revenue is \$35.5M.)

Gross Debt to Economically Realisable Assets **11%** **13%** **17%** **19%** **21%**

Gross debt as a percentage of all assets other than infrastructure assets (The percentage illustrates Council's debt as a proportion of assets which would be committed to retire debt. Council is in a strong Gross Debt to Economically Realisable Assets position.)

Rate Coverage Ratio **52%** **50%** **52%** **52%** **48%**

Rate revenue as a percentage of operating revenue (This measures Council's capacity to fund operations from rate revenue. The higher the ratio the higher the capacity and less dependency on government grants. The higher the percentage of the Rate Coverage Ratio the

easier it is to cope with unforeseen funding requirements and allows more flexible budget options. Council's 5 Year Financial Plan Target is > 50%)

<i>(Financial Information by Ratio: (cont'd)</i>	2009	2008	2007	2006	2005)
Outstanding Rates Ratio	3.7%	6.4%	2.9%	2.9%	2.5%

*Rates outstanding at the end of the year as a percentage of total rates collectable
(This ratio helps to determine the effectiveness of Council's rate collection procedures. Council's 5 Year Financial Plan Target is < 3%)*

Change in Equity Ratio	3.3%	7.5%	5.3%	1.5%	4.4%
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*The change in Total Equity (i.e. total assets less total liabilities) expressed as a percentage
(Indicates the net change in the total value of the Council at the end of each financial year.
Council's Total Equity is \$199.7M)*

Note 1: Average Net Profit over the last 10 years is \$5.3M. The reduction in Net Profit in 2009 to \$6M compared to 2008 was due to the increase of revenues received in 2008 for the sale of land to Aqwest and grants received for the Bunbury Coastal Enhancement project. Expenditure in 2009 increased due to growth and greater operational expenses.

Note 2: Operational Funds as a percentage of Trade Creditors increased in 2009 to 333% from 182% (as at June 2008) due to the amount of creditors unpaid at 30 June 2009 reducing from \$4.7M to \$3M, while the amount of operational funds remained stable at \$4.3M.

Review by Audit Committee

The Audit Committee reviewed the Auditors Report and the Audited Financial Statements at its meeting 29 September 2009 and have referred these reports to Council for endorsement.

Recommendation

The Auditors Report and the Audited Annual Financial Statements for the City of Bunbury for the financial year ended 30 June 2009, be accepted

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Craddock, seconded Cr Steck.

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

The Auditors Report and the Audited Annual Financial Statements for the City of Bunbury for the financial year ended 30 June 2009, be accepted

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 204/09

The Auditors Report and the Audited Annual Financial Statements for the City of Bunbury for the financial year ended 30 June 2009, be accepted

CARRIED

13 Votes "For" / Nil Votes "Against"

11.5 Annual Meeting of Electors and Annual Report 2008/2009 *(was listed as Item 11.6 on the meeting agenda)*

File Ref:	A00221
Applicant/Proponent:	Internal Report
Author:	Jack Dyson, Senior Administration Officer
Executive:	Ken Weary, Executive Manager Corporate Services

Summary

Council is required to accept its Annual Report for the 2008/2009 financial year and confirm a date for the General (i.e., Annual) Meeting of Electors.

Background

Pursuant to Section 5.27(1) of the Local Government Act 1995, a general meeting of electors of a district is to be held once every financial year.

The 2008/2009 Draft Annual Report (copy issued under separate cover) includes an abridged version of the Annual Financial Statements and Audit Report.

Council is now in a position to accept the report, arrange printing of the document and set a date for the General Meeting of Electors. The Minutes for the meeting will be:

- To receive the Annual Report of the City of Bunbury for the year ended 30 June 2009, and;
- General Business

Strategic and/or Regional Outcomes

To accept the Annual Report and conduct the General Meeting of Electors in compliance with the provisions of the Local Government Act 1995.

Community Consultation

Public Notice of the General Meeting of Electors will be advertised, giving the statutory fourteen (14) days notice of the meeting and advising that the draft Annual Report is available for inspection at the Council Office.

Once the date for the meeting is confirmed by Council, a further advertising feature will be implemented in an attempt to stimulate public interest.

Councillor/Officer Consultation

Councillors are advised (through this report) that a draft copy of the Annual Report is available. All managers and officers have assisted in the preparation of the report.

Analysis of Financial and Budget Implications

The preparation and printing of the Annual Report has been catered for in the current Council Budget.

Economic, Social, Environmental and Heritage Issues

There are no economic, social, environmental or heritage issues associated with the acceptance of the Annual Report.

Council Policy Compliance

There are no Council Policies that impact on this matter.

Legislative Compliance

By accepting the Annual Report and confirming a date for the conduct of the General Meeting of Electors, the Council complies with the provisions of Section 5.27 of the Local Government Act 1995.

Delegation of Authority

Acceptance of the Annual Report is not a process able to be delegated.

Relevant Precedents

Council has complied with legislative requirements to conduct the General Meeting of Electors in order to meet statutory compliance.

The last General Meeting of Electors was held on Thursday 27 November 2008.

Options

Option 1

Per the recommendation listed in this report.

Option 2

Council is required, under the provisions of Section 5.27 of the Local Government Act 1995, to hold a General Meeting of Electors. Should Council not agree with Option 1, it will need to determine an alternative date for the meeting.

Conclusion

It is necessary for Council to accept the Annual Report and confirm a date on which to conduct the General Meeting of Electors in order to meet statutory requirements.

Recommendation

1. The 2008/2009 Annual Report be accepted.
2. The General Meeting of Electors be conducted on Thursday 26 November 2009, commencing at 7.00pm in the Function Room of the Council Chambers, 4 Stephen Street, Bunbury.

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Craddock, seconded Cr Leigh to become the motion under discussion.

Members queried the location of certain information in the report and requested that the report be updated (and re-issued) with the following inclusions:

- The feasibility study for the Bunbury Regional Art Galleries and Bunbury Museum.
- Exemptions from rates (in dollar terms) in the Rating Section of the report.

The mover and seconder agreed to amend their motion to include these issues.

The motion (as amended) was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

1. The 2008/2009 Annual Report be accepted subject to the following changes:
 - 1.1 The feasibility study for the Bunbury Regional Art Galleries and for the Bunbury Museum be added to the Annual Report
 - 1.2 Add exemptions from rates (in dollar terms) to the Rating Section of the report.
2. The General Meeting of Electors be conducted on Thursday 26 November 2009, commencing at 7.00pm in the Function Room of the Council Chambers, 4 Stephen Street, Bunbury

NOTE: The 2008/2009 Draft Annual Report (now with inclusions per the committee recommendation above) has been re-issued to members under separate cover.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

(Full Council decision over leaf)

Council Decision 205/09

1. *The 2008/2009 Annual Report be accepted subject to the following changes:*
 - 1.1 *The feasibility study for the Bunbury Regional Art Galleries and for the Bunbury Museum be added to the Annual Report*
 - 1.2 *Add exemptions from rates (in dollar terms) to the Rating Section of the report.*
2. *The General Meeting of Electors be conducted on Thursday 26 November 2009, commencing at 7.00pm in the Function Room of the Council Chambers, 4 Stephen Street, Bunbury*

CARRIED

13 Votes "For" / Nil Votes "Against"

11.6 Tender for Replacement of Rathmines Pump Station (RFT 2009/2010-04) (was listed as Item 11.7 on the meeting agenda)

File Ref:	A03812
Applicant/Proponent:	Internal Report
Author:	Mark Robson, Contracts Coordinator
Executive:	Michael Scott, Executive Manager City Services

Summary

Council has invited suitably experienced contractors to tender on the replacement of the Rathmines Pump Station located at Lot 710 Austral Parade, Bunbury. This project is scheduled to commence after winter 2009 and be completed before winter 2010. The current pump station has come to the end of its serviceable life and replacement is now required.

Background

Tender documents were prepared and advertised in *The West Australian* on 19 August 2009 and in the *South Western Times* on 20 August 2009. Tenders closed at 3:00pm on Thursday, 17 September. The City's Contract Co-ordinator, Customer Service Officer and the Parks Co-ordinator opened the tender box.

A total of 25 interested companies had requested the tender documents. By closing, three tenders had been received, as follows.

1. Watercon – 6 Juna Drive, Malaga WA
2. Civilcon – 6 Wimbridge Road, Picton WA
3. Smith Constructions – 1/32 Halifax Drive, Bunbury WA

An evaluation panel comprising the City Engineer, Contract Coordinator, and the Operations Manager assessed the responses on 22 and 25 September 2009. The tenders were evaluated using the following criteria:

- Compliance
- Qualitative
- Price

Compliance Criteria

The following compliance criteria were used to assess the tender:

- | | |
|---|--------|
| a) Compliance with the Specification contained in this request? | Yes/No |
| b) Compliance with the Conditions of Tendering in this request? | Yes/No |
| c) Compliance with the Quality Assurance requirements for this request? | Yes/No |
| d) Compliance with the delivery date? | Yes/No |
| e) Compliance with and completion of the price schedule and schedule of quantities? | Yes/No |
| f) Compliance with the WA Builders Registration Act | Yes/No |

Qualitative Criteria

The following Qualitative Criteria were used to assess the tender:

	Weighting
a) Relevant experience.	5
b) Key personnel, skills and experience.	5
c) Tenders resources	5
d) Demonstrated understanding	5

Price

Evaluation of the tender prices (and ranking) has been assessed but because the results are "commercial in confidence" details are listed in a Confidential Report that has been circulated to members **under separate cover**.

Strategic and/or Regional Outcomes

Acceptance of the recommendation listed in this report is consistent with the City of Bunbury Strategic Plan 2007-2012, in continuing to maintain and service its buildings, assets and infrastructure.

Community Consultation

Community consultation was not carried out during this process.

Councillor/Officer Consultation

The tender specifications were developed in consultation with council staff including the City Engineer, the City Operations Manager and an independent consultancy firm.

Analysis of Financial and Budget Implications

Funding for this project is provided from Councils Capital Works Program. All tendered prices exceeded Council's budget of \$635,000 for this item, however the additional costs will be addressed at the Council's December 2009 budget review.

The market has been tested and there is no advantage in deferring the project for another year as the condition of the existing station is critical.

Life-cycle Maintenance Costs (Capital Works Projects Only)

The allocated maintenance budget will continue to be implemented for the new pump station.

Economic, Social, Environmental and Heritage Issues

Local purchasing will assist the local economy.

Council Policy Compliance

The tender process complies with the requirements of the City's Work Procedure WP4.12 "Tender Procedure and Associated Legislation",

Council's CD2 "Purchasing - Local Preference Policy" was applied during evaluation of the tender but has not affected the outcome.

Legislative Compliance

Advertising and processing of tenders was conducted in accordance with the Local Government (Function and General) Regulations 1996, Part 4 "Tenders for Providing Goods or Services".

Delegation of Authority

The total costs of this contract exceeds \$100,000. Therefore, it has been dealt with in accordance with Local Government (Functions and General) Regulations 1996 (Part 4 - Tenders for Providing Goods or Services).

Relevant Precedents

Council has dealt with all tenders previously called.

Options

Option 1

Per the recommendation listed in this report.

Option 2

Reject all tenders

Comment: This is NOT supported by the Tender Evaluation Panel.

Conclusion

Based on the panel's evaluation of the tender documents submitted by all respondents the recommended tenderer is Watercon (ABN 69 107 564 009) as this company provides the City with competitive prices, demonstrated ability to provide quality products and services and its tender is considered to be the most advantageous tender to the City.

Recommendation

With respect to Tender RFT 2009/2010-04 for the construction of the Rathmines Pump Station, the Council resolves to:

1. Accept the tendered lump sum fee submitted by Watercon (ABN 69 107 564 009).
2. Record details of the successful tender in the City of Bunbury Tender Register.

Outcome – Council Committee Meeting 27 October 2009

Cr Leigh disclosed a financial interest in this item as the company he works for does business with one of the tenderers. He left the chamber for the duration of discussion and the vote on this item.

The recommendation (as printed) was moved Cr Slater, seconded Cr Spencer.

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

With respect to Tender RFT 2009/2010-04 for the construction of the Rathmines Pump Station, the Council resolves to:

1. Accept the tendered lump sum fee submitted by Watercon (ABN 69 107 564 009).
2. Record details of the successful tender in the City of Bunbury Tender Register.

Outcome – Council Meeting 3 November 2009

Cr Leigh disclosed a financial interest in this item as the company he works for does business with one of the tenderers. As the matter was considered 'en bloc' and no discussion was entered into, the Mayor noted Cr Leigh's declared interest and if discussion was to be considered, he would leave the chamber.

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

(Full Council decision over leaf)

Council Decision 206/09

With respect to Tender RFT 2009/2010-04 for the construction of the Rathmines Pump Station, the Council resolves to:

1. *Accept the tendered lump sum fee submitted by Watercon (ABN 69 107 564 009).*
2. *Record details of the successful tender in the City of Bunbury Tender Register.*

CARRIED

12 Votes "For" / Nil Votes "Against"

11.7 Council Endorsement - Name for the Road Connecting Australind Bypass to Willinge Drive (Port Access Road) *(was listed as Item 11.8 on the meeting agenda)*

File Ref:	R00804
Applicant/Proponent:	Main Roads Western Australia
Author:	Jason Gick, City Engineer
Executive:	Michael Scott, Executive Manager City Services

Summary

Main Roads WA (MRWA) contacted the City of Bunbury on 1 July 2009 (refer to document **attached** at Appendix 2) advising it did not propose to name the short section of road that will connect Australind Bypass with Willinge Drive the "Port Access Road" - refer to document **attached** at Appendix 3. The MRWA supports formally naming the road if the City considers it appropriate.

The benefit to providing a name for the road would be for safety or incident management purposes and useful for emergency services to be able to identify where an incident was.

Background

In correspondence dated 12 August 2009, the Council requested the State Government's Geographic Names Section (GNS) to extend the name Alyxia Drive to the said road. GNS via an email dated 20 August 2009 (a copy is **attached** at Appendix 4) advised it would not support the name Alyxia because the street numbering starts at Australind Bypass and runs toward Jubilee Road. If there was development adjoining the new road, street numbering would be impossible. GNS requested the Council consider giving the road a new name altogether.

The following four (4) names were considered:

- Delphinium – wildflower theme name taken from “Western Australian Plant Names and their Meanings” by FA Sharr.
- Hibbertia – Australian Native Flora.
- Styx – Rivers, creeks and Brooks from the South West.
- Thomson – Colin Raymond Thomson 1942 – 2009 highly respected, long serving employee of the City of Bunbury.

Strategic and/or Regional Outcomes

Nil

Community Consultation

Nil

Councillor/Officer Consultation

Four options have been considered.

Analysis of Financial and Budget Implications

This proposal will not impact on the Council's financial and budgetary implications.

Economic, Social, Environmental and Heritage Issues

This proposal does not have any economic, social, environmental or heritage issues that will need to be considered by the Council.

Council Policy Compliance

There is no existing Council policy relevant to this issue.

Legislative Compliance

In order for the GNS to endorse an official road name, Local Government endorsement is required.

Delegation of Authority

No delegated authority applies.

Relevant Precedents

Council Decision 195/07 endorsed the name Willinge Drive for the new Bunbury Port Access Road.

Options

Option 1

Per the recommendation as listed in this report.

Option 2

Council does NOT support the request from Main Roads WA to rename the road linking Australind Bypass to Willinge Drive (Port Access Road).

Conclusion

A Council decision is required on a nominated name for the road linking the Australind Bypass to Willinge Road.

Recommendation

Council endorses the name "Thomson" for the road which will link the Australind Bypass to Willinge Drive (the Port Access Road).

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Slater, seconded Cr Steck (pro forma).

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Cr Steck requested that her vote "against" the recommendation, be recorded.

Committee Recommendation

Council endorses the name "Thomson" for the road which will link the Australind Bypass to Willinge Drive (the Port Access Road).

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 207/09

Council endorses the name "Thomson" for the road which will link the Australind Bypass to Willinge Drive (the Port Access Road).

CARRIED

13 Votes "For" / Nil Votes "Against"

11.8 Financial Statements for September 2009 *(was listed as Item 11.9 on the meeting agenda)*

File Ref:	A02838
Applicant/Proponent:	Internal Report
Author:	David Ransom, City Accountant
Executive:	Ken Weary, Executive Manager Corporate Services

Summary/Background

Financial Statements for September 2009 have been circulated to members **under separate cover**. The statements include the following:

- Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Financial Activity
- Statement of General Purpose Income
- Statement of Rating Information

The Financial Statements also contain a number of explanatory notes covering the following topics:

- Significant Accounting Policies
- Description of Programmes
- Net Current Assets
- Trade and Other Receivables
- Other Current Assets
- Trade and Other Payables
- Provisions
- Trust Funds
- Capital Expenditure
- Key Operating Expenditure & Income
- Loan Funds
- Reserve Funds
- Bunbury Timber Jetty
- Investment Funds

Recommendation

The Financial Statements for September 2009 be received.

Outcome – Council Committee Meeting 27 October 2009

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

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

The Financial Statements for September 2009 be received.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 208/09

The Financial Statements for September 2009 be received.

CARRIED

13 Votes "For" / Nil Votes "Against"

11.9 Community Sport and Recreation Facilities Funds (CSRFF) – South West Sports Centre Forward Planning Grant *(was listed as Item 11.10 on the meeting agenda)*

File Ref:	F00175
Applicant/Proponent:	Internal Report
Author:	Cameron Woods, Manager South West Sports Centre David Ransom, City Accountant & Callan Hatchman, Recreation Liaison Officer
Executive:	Ken Weary, Executive Manager Corporate Services

Summary

Council has received one (1) Community Sport and Recreation Facilities Fund (CSRFF) Forward Planning grant application from the City of Bunbury South West Sports Centre requiring Council support. This project is for the installation of a Genersy Solar Pool Heating System.

The contract gas pricing is currently \$12.15 per GJ and this will increase by 60% as of the 1 February 2011. The centre in 2008/09 spent \$206,000 on gas primarily to heat 3 million litres of water.

By adding in other efficiency measures such as pool blankets we are expecting to save 20% in gas costs by 2011. The 2011/12 cost estimate for gas consumption is therefore \$290,000 per annum.

The Genersy Solar Heating System will reduce the Centres gas consumption by 80%; saving @ \$230,000 per annum and an estimated 712 tonnes of Green House Gas emissions annually.

Background

The Department of Sport and Recreation (DSR) administers the CSRFF grant funding program for small, annual and forward-planning grants. Priority is given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability.

Preliminary discussions with the DSR's Regional Manager have indicated this application meets the criteria for CSRFF Funding.

The maximum CSRFF grant approved by the State Government will be no greater than one-third of the total estimated cost of the applicant's project. However, a development bonus can be requested by applicants who meet certain criteria which enable CSRFF grants to cover up to 50% of the total project costs.

This project meets the CSRFF criteria to increase the grant to a possible 50%. The criteria include the project being in a regional and growing local government, and demonstrates sustainability initiatives by reducing energy consumption and Co2 emissions.

CSRFF applications for the 2009/2010 financial year close at the end of September 2009 with Local Government Authorities required to assess applications, allocate priorities and rank applications prior to making submissions to the DSR South West Regional Manager by November 5th 2009. Successful applicants are expected to be advised in February/ March 2010.

The table below identifies the cost (excluding GST) of the project together with Council required contribution:

City of Bunbury (SWSC) Genersy Solar Pool Heating System

Total Cost of Project		\$1,100,000
CSRFF Grant Requested	\$366,667	
Development Bonus Requested	\$183,333	\$550,000
Plus Council Contribution		\$550,000
TOTAL FUNDING		\$1,100,000

The South West Sports Centre is currently experiencing 490,000 annual visitations with a projected 5% annual growth in attendances.

Energy consumption is the second largest operational cost of the facility (15%) and the fixed gas price contract is set to increase by 60% commencing 2011. This will add a further \$130,000 per annum to the Centre's energy consumption.

The Genersy Solar Heating System has a 25 year guarantee and a 35 year life cycle and can reduce the SWSC gas consumption by an estimated 80%; this has the potential to save @ \$14.7 million and 21,360 tonnes of Green House Gas emissions over a 30 year period.

Strategic and/or Regional Outcomes

The proposed improvement of facilities at the South West Sports Centre is consistent with Council's Recreation Plan and Recreation Implementation Plan 2007-12 and will facilitate the provision of a wide range of active and passive recreational opportunities for the benefit and well being of the community and the environment.

Community Consultation

Council is not required to undertake community consultation associated with developments proposed under the CSRFF Program.

Consultation has been undertaken with the Manager of Department of Sport and Recreation Bunbury, outlining the importance of the project, sustainability initiatives, confirmation that the project meets CSRFF Funding criteria and the projects overall benefit of servicing a population base in excess of 40,000 people.

Councillor/Officer Consultation

There has been considerable consultation at Manager and Executive level reviewing the cost initiatives and economic and environmental benefits in comparison to the notified increase in the cost of gas in future years.

Analysis of Financial and Budget Implications

The financial analysis demonstrates sound economic reasons to consider this proposal.

From the year 2011, the total energy cost to heat water at the South West Sports Centre with the gas boiler will be an average of \$690(K) per annum and will be \$6.9(M) over the next 10 years. This \$6.9(M) consists of Gas 55%; Electricity 42%; and Annual Maintenance 3%. Should Council decide to change to solar heating the cost reduces to an average of \$540(K) per annum and \$5.4(M), (including loan repayments) over 10 years, a saving of \$1.5(M) will be generated. The amount of saving further increases if Council is successful in obtaining grant funding from the CSRFF for the \$1.1(M) investment to purchase and install the solar heating system. A 33% grant reduces the cost over 10 years to \$4.8(M) a saving of \$2.1(M); or if a 50% grant is received the cost over 10 years is \$4.6(M) a saving of \$2.3(M).

An analysis of water heating costs for the centre is shown below which includes the additional option of geothermal heating for information only.

Capital Outlay:

Gas	Nil	(current method of water heating)
Geothermal	\$1.65(M)	
Solar	\$1.10(M)	

EXAMPLE 1		No Grant Received		
	Capital Outlay	Accumulative Costs		
		Year 1	Year 10	Year 30
Gas	Nil	\$546(K)	\$6.9(M)	\$36.5(M)
Geothermal	\$1.65(M)	\$520(K)	\$5.9(M)	\$21.2(M)
Solar	\$1.10(M)	\$459(K)	\$5.4(M)	\$21.8(M)
		Savings Over Gas (Incl. Loan Repayments)		
		Year 1	Year 10	Year 30
Geothermal		\$26(K)	\$1.0(M)	\$15.3(M)
Solar		\$87(K)	\$1.5(M)	\$14.7(M)

EXAMPLE 2		33% Grant Received		
	Capital Outlay	Accumulative Costs		
		Year 1	Year 10	Year 30
Gas	Nil	\$546(K)	\$6.9(M)	\$36.5(M)
Geothermal	\$1.10(M)	\$443(K)	\$5.1(M)	\$20.5(M)
Solar	\$733(K)	\$407(K)	\$4.8(M)	\$21.3(M)

	<u>Savings Over Gas (Incl. Loan Repayments)</u>		
	<u>Year 1</u>	<u>Year 10</u>	<u>Year 30</u>
	Geothermal	\$103(K)	\$1.8(M)
Solar	\$139(K)	\$2.1(M)	\$15.2(M)

EXAMPLE 3 50% Grant Received				
	<u>Capital Outlay</u>	<u>Accumulative Costs</u>		
		<u>Year 1</u>	<u>Year 10</u>	<u>Year 30</u>
Gas	Nil	\$546(K)	\$6.9(M)	\$36.5(M)
Geothermal	\$825(K)	\$404(K)	\$4.8(M)	\$20.1(M)
Solar	\$550(K)	\$382(K)	\$4.6(M)	\$21.1(M)
		<u>Savings Over Gas (Incl. Loan Repayments)</u>		
		<u>Year 1</u>	<u>Year 10</u>	<u>Year 30</u>
Geothermal		\$142(K)	\$2.1(M)	\$16.4(M)
Solar		\$164(K)	\$2.3(M)	\$15.4(M)

In addition to the cost savings of solar heating there is also savings in the amount of greenhouse gases produced. Solar heating produces 7,120 tonnes less greenhouse gases than gas heating over a 10 year period as shown below.

Greenhouse Gas Comparison (Tonnes)				
	<u>Accumulative Greenhouse Gas</u>			
	<u>Year 1</u>	<u>Year 10</u>	<u>Year 30</u>	
Gas	890	8,900	26,700	
Geothermal	45	450	1,350	
Solar	178	1,780	5,340	
		<u>Savings Over Gas (Tonnes)</u>		
		<u>Year 1</u>	<u>Year 10</u>	<u>Year 30</u>
Geothermal		845	8,450	25,350
Solar		712	7,120	21,360

Loan borrowing required of \$550(K) to support the CSRFF grant for the installation of the Genersy Solar Pool Heating System at the South West Sports Centre will be included in the 5 Year Financial Plan 2010/2015. The loan repayments of \$77(K) per annum will be self funded from the net savings in gas usage estimated at an average of \$230(K) per annum during the term of the loan.

Life-cycle Maintenance Costs (Capital Works Projects Only)

The annual maintenance of solar heating is \$11,500 and for geothermal heating is \$40,000. These annual maintenance costs have been included in the financial model.

Economic, Social, Environmental and Heritage Issues

There are significant economic and environmental benefits with cost savings in excess of \$2M and a reduction in greenhouse gases in excess of 7,000 tonnes over 10 years.

Council Policy Compliance

There are no Council policies applicable to CSRFF applications.

Legislative Compliance

The proposal does not contravene any legislative requirements.

Delegation of Authority

Council officers do not have delegated authority to finalise the processing of CSRFF grant applications

Relevant Precedents

Council has previously made application for CSRFF Funding for South West Sports Centre and Community projects.

Options

Option 1

Per the recommendation listed in this report.

Option 2

Council elects NOT to support the CSRFF Forward Planning Grant application submitted by the City of Bunbury South West Sports Centre.

Conclusion

The South West Sports Centre is an aquatic centre of regional significance. Funding for the installation of the Genersy Solar Heating System will lead to significant energy cost and greenhouse gas emission savings. Implementation of this project will lead to \$230,000 in energy cost savings and approximately 712 tonnes of Co2 savings per annum.

Council's contribution to the cost of this project will be offset in 3 years through savings achieved through a dramatic reduction in energy costs. The implementation

of this project will showcase the SWSC as an industry leader in energy efficient and environmentally friendly operations.

Recommendation

1. Council approves the CSRFF Application from the City of Bunbury South West Sports Centre for the installation of a Genersy Solar Heating system as an alternative to the current gas heating system of heating recreation pool water at the South West Sports Centre based on the economic and environmental benefits outlined.
2. Council include loan borrowings in the 2010/2015 Five Year Finance Plan to fund Council's contribution to the installation of the Genersy Solar Heating system at the South West Sports Centre.
3. Council ranks the City of Bunbury proposal to implement Energy Audit recommendations of installing a Genersy Solar Heating system at the South West Sports Centre as project priority 1.

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Steck, seconded Cr Leigh (pro forma).

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

1. Council approves the CSRFF Application from the City of Bunbury South West Sports Centre for the installation of a Genersy Solar Heating system as an alternative to the current gas heating system of heating recreation pool water at the South West Sports Centre based on the economic and environmental benefits outlined.
2. Council include loan borrowings in the 2010/2015 Five Year Finance Plan to fund Council's contribution to the installation of the Genersy Solar Heating system at the South West Sports Centre.
3. Council ranks the City of Bunbury proposal to implement Energy Audit recommendations of installing a Genersy Solar Heating system at the South West Sports Centre as project priority 1.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

(Full Council decision over leaf)

Council Decision 209/09

1. *Council approves the CSRFF Application from the City of Bunbury South West Sports Centre for the installation of a Genersy Solar Heating system as an alternative to the current gas heating system of heating recreation pool water at the South West Sports Centre based on the economic and environmental benefits outlined.*
2. *Council include loan borrowings in the 2010/2015 Five Year Finance Plan to fund Council's contribution to the installation of the Genersy Solar Heating system at the South West Sports Centre.*
3. *Council ranks the City of Bunbury proposal to implement Energy Audit recommendations of installing a Genersy Solar Heating system at the South West Sports Centre as project priority 1.*

CARRIED

13 Votes "For" / Nil Votes "Against"

11.10 Community Sport and Recreation Facilities Fund (CSRFF) Annual Grant Applications – South West Sports Centre and Bunbury Rowing Club Inc. *(was listed as Item 11.11 on the meeting agenda)*

File Ref:	F00175
Applicant/Proponent:	Internal Report
Author (Project 1):	Cameron Woods, Manager South West Sports Centre & David Ransom, City Accountant
Executive:	Ken Weary, Executive Manager Corporate Services
Author (Project 2):	Callan Hatchman, Recreation Liaison Officer
Executive:	Domenic Marzano, Executive Manager City Life

Summary

Council has received two (2) Community Sport and Recreation Facilities Fund (CSRFF) annual grant applications. The City of Bunbury South West Sports Centre and the Bunbury Rowing Club Inc. applications both require Council support.

Project 1 - South West Sports Centre

Implementation of Energy Audit recommendations.

- Building Management System Upgrade
- Variable Speed Drive conversion to supply air units
- Chlorine Gas conversion/Replace existing liquid chlorine disinfection system.

Project 2 - Bunbury Rowing Club

Upgrade of Bunbury Rowing Club facilities damaged by fire in 2005.

Background

The Department of Sport and Recreation (DSR) administers the CSRFF grant funding program for small, annual and forward-planning grants. Priority is given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability.

The CSRFF Program operates on a reimbursement system. Grantees are required to demonstrate that the project is complete and they have expended the funds equivalent to the full cost of the project before CSRFF grants can be paid in full. CSRFF grants are paid to the grantee only. Applicants will need to ensure they are able to carry the full cost of the project for the period between project completion and CSRFF grant payment.

The maximum CSRFF grant approved by the State Government will be no greater than one-third of the total estimated cost of the applicant's project and must be matched by the applicant's own cash or in-kind contribution. Furthermore the balances of one-third funds required are to be sourced by the applicant. A

development bonus can be requested by applicants who meet certain criteria which enable CSRFF grants to cover up to 50% of the total project costs.

Applicants must be either a local government authority, not for profit sport, recreation or community organisation and incorporated under the WA Associations Incorporation Act 1987. Clubs must demonstrate equitable access to the public on a short-term and casual basis.

The types of projects which will be considered for funding include:

- Upgrade and addition to existing facilities where they will lead to an increase in physical activity or more rational use of facilities.
- Construction of new facilities to meet sport and recreation needs.
- New or replacement (not resurfacing) of synthetic surfaces. Where an application is made for a new or synthetic surface, evidence of long-term planning for all nearby facilities is required.

It is a requirement that applicants first discuss their proposal with the DSR's Regional Manager to be able to receive the formal application CSRFF form. The DSR will also identify any shortcomings and offer assistance to bring an application up to an acceptable standard.

CSRFF applications for the 2009/2010 financial year close at the end of September 2009 with Local Government Authorities required to assess applications, allocate priorities and rank applications prior to making submissions to the DSR South West Regional Manager by November 5th 2009. Successful applicants are expected to be advised in February/ March 2010.

The table below identifies the cost (excluding GST) of each project together with Council required contribution:

PROJECT 1: City of Bunbury (SWSC Building Management System Upgrade, Variable Speed Drive conversion and Chlorine Gas Conversion)

Total Cost of Project		\$180,000
CSRFF Grant Requested	\$60,000	
Development Bonus Requested	\$8,333	\$68,333
Plus Council Contribution		\$111,667
TOTAL FUNDING		\$180,000

PROJECT 2: Bunbury Rowing Club Inc.

Total Cost of Project		\$500,000
CSRFF Grant Requested		\$150,000
Plus Rowing Club Contribution		\$350,000

TOTAL FUNDING	\$500,000
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The Department of Sport and Recreation requires projects to be rated and ranked by Council using the following criteria:

Project Rating

- Well planned and needed by the municipality
- Well planned and needed by the applicant
- Needed by the municipality - more planning required
- Needed by the applicant – more planning required
- Idea has merit – more preliminary work needed
- Not recommended

Priority Ranking

Each proposal is to be listed as a 1, 2 or 3 priority.

A summary of the applications received together with the proposed project rating and priority ranking is provided in the next table.

Council has the opportunity to amend the project rating and re-prioritise the proposed ranking.

Applicant	Project Summary	Council Funds Required	Proposed Project Rating	Proposed Priority Ranking
City of Bunbury	<p>The SWSC currently has an energy consumption of \$435,000 pa. The Centre commissioned a energy audit and is looking to implement the following recommendations prior to the energy increase in 2011:</p> <p>1. Building Management System Upgrade – Co2 savings of 8.9 tonnes pa. Annual Cost saving - \$15,000</p> <p>2. Variable Speed Drive conversion to the supply air units – Co2 savings</p>	Yes – Loan Funds of \$111,667	Well planned and needed by the municipality and supported by an independent energy audit.	1

	27.8 tonnes pa. Annual cost saving - \$6,000			
	3. Chlorine gas Conversion – Saving \$35,000 in chemical and energy costs pa.			
Bunbury Rowing Club	The older section of the Bunbury Rowing Clubs facilities was extensively damaged by fire in 2005. This project will deliver a total upgrade of the damaged and current facilities at the Bunbury Rowing Club.	No – The Bunbury Rowing Club has raised two thirds of the funds required and are seeking the remaining one third through the CSRFF process.	Well planned, is in accordance with the recommendations of the City of Bunbury Recreation Plan and Recreation Implementation Plan 2007-12 and it is needed by the municipality.	2

Project 1 South West Sports Centre

The South West Sports Centre is currently experiencing 490,000 annual visitations and has an energy consumption of \$435,000 per annum at current tariff rates.

Energy consumption is the second largest operational cost of the facility (15%) and the fixed gas price contract is set to increase by 60% commencing 2011. This will add a further \$130,000 to the centres energy consumption.

The South West Sports Centres Energy Audit 2008/9 made a number of immediate and longer term implementation recommendations in an effort to reduce energy consumption and reduce greenhouse gas emissions. These are outlined in the Financial Analysis section of this report.

In addition to these energy audit recommendations the Centre has investigated the merits of altering our disinfection system from liquid chlorine to chlorine gas.

Chlorine gas is a far more effective steriliser of the water and will save on annual chemical and energy costs of approximately \$35,000 per annum, thereby ensuring a payback period of approx four years. The savings after the fourth year can assist in the development of programmes aimed at increasing community participation.

Project 2 Bunbury Rowing Club

The Bunbury Rowing Club was extensively damaged by fire on the 22nd October 2005. Since then the Bunbury Rowing Club has run a successful youth development program which is now being restricted due to lack of facilities and boat storage

space. The redevelopment of the fire damaged facility will alleviate this problem and allow the Rowing Club to further develop its youth program.

The damaged building in its current form is also an ongoing fire hazard and detracts from the main Rowing Club venue in a prime location within Bunbury. The club has raised two thirds of the funds required for this project and are seeking to fund the last on third through the CSRFF process. This will allow for the development of a new gymnasium and the extension of the boat storage area into the gym.

It is proposed that:

- Council approve the CSRFF application by the City of Bunbury South West Sports Centre for implementation of the energy audit findings in order to reduce energy costs and green house emissions.
- Council approve the CSRFF application by the Bunbury Rowing Club.

Strategic and/or Regional Outcomes

The proposed improvement of facilities at the South West Sports Centre and Bunbury Rowing Club is consistent with Council's Recreation Plan and Recreation Implementation Plan 2007-12 and will facilitate the provision of a wide range of active and passive recreational opportunities for the benefit and well being of the community and the environment.

Community Consultation

Council is not required to undertake community consultation associated with developments proposed under the CSRFF Program.

Councillor/Officer Consultation

Project 1 South West Sports Centre

Consultation has been undertaken with the Manager of Department of Sport and Recreation Bunbury, outlining the importance of the project, sustainability initiatives, confirmation that the project meets CSRFF Funding criteria and the projects overall benefit of servicing a population base in excess of 40,000 people.

Project 2 Bunbury Rowing Club

The Bunbury Rowing Club has had extensive consultation with the City of Bunbury Sport and Recreation Liaison Officer as well as the Manager of the Southwest Department of Sport and Recreation regional office in putting together their CSRFF application.

Analysis of Financial and Budget Implications

Project 1 South West Sports Centre

The financial analysis demonstrates sound economic reasons to consider this proposal.

The total cost to provide an upgrade to the Building Management System, convert the supply air units to variable speed drive and change the water disinfection system from liquid chlorine to chlorine gas is \$180,000. Of this \$68,000 will be provided by a CSRFF grant leaving a balance of \$112,000 to be funded by a Council loan.

Loan borrowing required of \$112,000 to support the CSRFF grant will be included in the 5 Year Financial Plan 2010/2015. The loan repayments of \$22,000 per annum will be self funded from the net savings in chemical and gas usage estimated at an average of \$56,000 per annum during the term of the loan (over 6 years).

The following table is a summary of the total cost of the South West Sport Centre improvements as recommended in the energy audit to reduce energy consumption and reduce greenhouse emissions.

Item	Total Cost (Ex. GST)	Council Funds	CSRFF Grant	SWSC Savings p.a.	Co2 Savings p.a. (Tonnes)
Building Management System Upgrade	\$30,000	\$15,000	\$15,000	\$15,000	8.9
Variable Speed Drive Conversion to Supply Air Units	\$20,000	\$10,000	\$10,000	\$6,000	27.8
Chlorine Gas Conversion	\$130,000	\$86,667	\$43,333	\$35,000	-
TOTAL	\$180,000	\$111,667	\$68,333	\$56,000	36.7 (T)

In addition to the above cost savings there will also be a savings of 36.7 tonnes in the amount of greenhouse gases produced by the South West Sports Centre.

Project 2 Bunbury Rowing Club

The Bunbury Rowing Club are not seeking a Council Contribution to their project.

Life-cycle Maintenance Costs (Capital Works Projects Only)

As part of the CSRFF annual grants application clubs are required to provide evidence of management planning and how they will support ongoing maintenance costs. These have been provided within the SWSC and Bunbury Rowing Club's CSRFF applications.

Economic, Social, Environmental and Heritage Issues

The economic and environmental positive impacts have been outlined in this report.

No heritage issues have been identified.

Council Policy Compliance

There are no Council policies applicable to CSRFF applications.

Legislative Compliance

The proposal does not contravene any legislative requirements.

Delegation of Authority

Council officers do not have delegated authority to finalise the processing of CSRFF grant applications.

Relevant Precedents

Council has previously made application for CSRFF Funding for South West Sports Centre and Community projects.

Options

Option 1

Per the recommendation listed in this report.

Option 2

Council elect not to support the CSRFF annual grant applications submitted by the City of Bunbury South West Sports Centre and Bunbury Rowing Club

Conclusion

Project 1 South West Sports Centre

The South West Sports Centre is an aquatic centre of regional significance. Funding to implement the Centres energy audit findings including Building Management System upgrade, Variable Speed Drive conversion to the supply air units and a Chlorine Gas conversion will lead to significant energy cost and greenhouse gas emission savings. Implementation of these projects will lead to \$56,000 in energy cost saving and approximately 36.7 tonnes of Co2 savings per annum.

These cost and green house gas saving initiatives are considered to be economical, social and environmental priorities.

Project 2 Bunbury Rowing Club

The Bunbury Rowing Club has been strong supporters of the City of Bunbury's Sports Club Development Scheme by attending numerous workshops and seeking out help and information through the scheme to improve the capacity of their clubs and has produced a string of elite athletes through their youth program.

Recommendation

Part A - City of Bunbury Energy Audit Implementation

1. Council approves the CSRFF application from the City of Bunbury South West Sports Centre.
2. Council ranks the City of Bunbury proposal to implement Energy Audit recommendations Project Priority 1.

Part B - Bunbury Rowing Club Inc.

1. Council approves the CSRFF application from the Bunbury Rowing Club.
2. Council ranks the Bunbury Rowing Club proposal to redevelop facilities Project Priority 2.

Outcome – Council Committee Meeting 27 October 2009

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

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

Part A - City of Bunbury Energy Audit Implementation

1. Council approves the CSRFF application from the City of Bunbury South West Sports Centre.
2. Council ranks the City of Bunbury proposal to implement Energy Audit recommendations Project Priority 1.

Part B - Bunbury Rowing Club Inc.

1. Council approves the CSRFF application from the Bunbury Rowing Club.
2. Council ranks the Bunbury Rowing Club proposal to redevelop facilities Project Priority 2.

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 210/09

Part A - City of Bunbury Energy Audit Implementation

1. Council approves the CSRFF application from the City of Bunbury South West Sports Centre.
2. Council ranks the City of Bunbury proposal to implement Energy Audit recommendations Project Priority 1.

Part B - Bunbury Rowing Club Inc.

1. Council approves the CSRFF application from the Bunbury Rowing Club.
2. Council ranks the Bunbury Rowing Club proposal to redevelop facilities Project Priority 2.

CARRIED

13 Votes "For" / Nil Votes "Against"

11.11 Advisory Committee and/or Project Control Group Minutes to be Noted at the Council Committee Meeting *(was listed as Item 11.12 on the meeting agenda)*

File Ref:	Various
Applicant/Proponent:	Internal Report
Author:	Various
Executive:	Various

Committee Members to refer to the report circulated under separate cover.

Recommendation

The following Advisory Committee Meeting Minutes listed in the report circulated under separate cover, are noted for information only:

1. Title: Minutes - Community Access Committee (25/09/2009)
Author: Adam Johnson, Community Development Officer
File: A01145
2. Title: Minutes - Audit Committee (29/09/2009)
Author: David Ransom, City Accountant
File: A02733
3. Title: Minutes - Land Rationalisation & Acquisitions Committee (10/09/2009)
Author: Paul Davies, Town Planner
File: A03518
4. Title: Minutes - Bunbury Airport Advisory Committee (13/08/2009)
Author: Nigel Archibald, Airport Reporting Officer
File: A00080
5. Title: Minutes – Bunbury Environmental and Sustainability Advisory Committee (01/10/2009)
Author: Ben Deeley, Environmental Officer
File: A02445

Outcome – Council Committee Meeting 27 October 2009

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

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

The following Advisory Committee Meeting Minutes listed in the report circulated under separate cover, are noted for information only:

1. Title: Minutes - Community Access Committee (25/09/2009)
Author: Adam Johnson, Community Development Officer
File: A01145
2. Title: Minutes - Audit Committee (29/09/2009)
Author: David Ransom, City Accountant
File: A02733
3. Title: Minutes - Land Rationalisation & Acquisitions Committee (10/09/2009)
Author: Paul Davies, Town Planner
File: A03518
4. Title: Minutes - Bunbury Airport Advisory Committee (13/08/2009)
Author: Nigel Archibald, Airport Reporting Officer
File: A00080
5. Title: Minutes - Bunbury Environmental and Sustainability Advisory Committee (01/10/2009)
Author: Ben Deeley, Environmental Officer
File: A02445

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 211/09

The following Advisory Committee Meeting Minutes listed in the report circulated under separate cover, are noted for information only:

1. Title: Minutes - Community Access Committee (25/09/2009)
Author: Adam Johnson, Community Development Officer
File: A01145
2. Title: Minutes - Audit Committee (29/09/2009)
Author: David Ransom, City Accountant
File: A02733
3. Title: Minutes - Land Rationalisation & Acquisitions Committee (10/09/2009)
Author: Paul Davies, Town Planner
File: A03518

(Council decision continued overleaf)

4. *Title: Minutes - Bunbury Airport Advisory Committee (13/08/2009)*
Author: Nigel Archibald, Airport Reporting Officer
File: A00080

 5. *Title: Minutes – Bunbury Environmental and Sustainability Advisory Committee (01/10/2009)*
Author: Ben Deeley, Environmental Officer
File: A02445
- CARRIED
13 Votes "For" / Nil Votes "Against"

11.12 Funding- Regional and Local Community Infrastructure Program *(was listed as Item 11.13 on the meeting agenda)*

File Ref:	A00964-23
Applicant/Proponent:	Federal Government
Author:	Greg Trevaskis, Chief Executive Officer
Executive:	Greg Trevaskis, Chief Executive Officer

Summary

For Council to decide on what projects to submit for funding under the Regional and Local Community Infrastructure Program (RLCIP). The City of Bunbury is eligible to receive \$216,000 under Round Two of the RLCIP \$100 million.

Background

In the 25 June 2009, the Australian Government announced an additional \$220 million for Round Two of the RCLIP in 2009/2010.

A component of this funding totalling \$100m will be provided to Council by way of a non-competitive allocation but subject to certain criteria. Council is required to complete the following steps to obtain this funding:

1. All local government must submit project proposals which are consistent with the new Guidelines for Round Two of the RCLIP (\$100 million).
2. All project proposals must be submitted online using the eGrants.com service.
3. All project proposals must be submitted by 9:00pm Friday, 20 November 2009.
4. Projects must be ready to proceed and for construction to begin within 3 months of signing the Funding Agreement (contract).
(Please note this advice was received by email on Friday, 9 October 2009 at 5:44pm).

A further \$120m has been allocated for major strategic projects of \$1m or more. However, final completed applications will be received for this funding up to 1:00pm on 15th January 2010. It is therefore proposed that eligible projects for funding under this category will be discussed at Council Briefing Sessions over the next few weeks.

Strategic and/or Regional Outcomes

Receipt of this funding will assist Council in meeting the expected outcomes of Strategic Objective 3 "Deliver Major Capital Projects on Time and on Budget".

Community Consultation

Media information relating to the availability of these funding packages has been released via the Federal Government's announcement. Community groups have

made submissions seeking assistance from Council in accessing funding through this package. A list of potential projects for funding under RCLIP and Royalties for Regions Program has been referred previously to all elected members and will be considered again at the next Councillor briefing session to be held later this month – refer to document **attached** at Appendix 5

Councillor/Officer Consultation

A presentation in relation to expected funding opportunities was provided to councillors at the Briefing Session held on 25th August 2009. Feedback has since been received and a list of projects has been prepared for potential funding under both Federal and State programs – refer to document **attached** at Appendix 5.

Analysis of Financial and Budget Implications

It is expected that the projects identified to receive funding from this package will not have any impact on Council's current 2009/10 budget other than to increase the revenue received for additional projects approved.

Economic, Social, Environmental and Heritage Issues

The proposed projects will have positive environmental, social and economic outcomes for the City. In particular they have been selected to provide shade to a popular children's playground; improve the tourism appeal of the City as well as support the City's existing and extensive walk/ride path network; and improve facilities at the regional airport for emergency services, patient transfer and fire fighting control.

Council Policy Compliance

No existing Council Policy relating to this proposal.

Legislative Compliance

The funding needs to be expended on projects that fit within the guidelines established to qualify. Once all conditions are met and the projects are completed, all legislative requirements will have been met and compliance achieved. A copy of the RCLIP Guidelines is **attached** to this report at Appendix 6.

Delegation of Authority

The Chief Executive Officer does not have delegated authority to identify expenditure of funding of this nature.

Relevant Precedents

Council participated in Round 1 of funding of the RCLIP program in 2008/09 for non-contestable projects amounting to \$487,000 (Council meeting 16 December 2008).

Proposed Projects

For available non-contestable funding of \$216,000 under the RCLIP program:

1.	Airport Taxi Extensions	\$130,000
2.	Jetty Baths Shade Sails	\$ 56,000
3.	BPA Pathway	<u>\$ 30,000</u>
	TOTAL	<u>\$216,000</u>

Further information on each of the proposed projects has been prepared – refer to document **attached** at Appendix 7.

Options

Option 1

Approve the projects as proposed (as above).

Option 2

Council to select one or more projects amounting to a total of \$216,000 for funding under the RCLIP program

Recommendation

Council provide the following projects for its \$216,000 non-contestable allocation under the RCLIP program of funding to be submitted no later than the due date of 20 November 2009 - should any submitted projects be not supported by the funding providers, the Chief Executive Officer will liaise with councillors to provide suitable replacements of any rejected projects for funding:

Airport Taxi Extension	\$130,000
Jetty Baths Shade Sails	\$ 56,000
BPA Pathway	<u>\$ 30,000</u>
	<u>\$216,000</u>

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as amended) was moved Cr Craddock, seconded Cr Leigh (pro forma).

Cr Craddock would like to see \$16,000 be taken from the Jetty Baths Shade Sails and put towards upgrading the Withers Crescent Footpaths. He handed fellow councillors photographs of the conditions of the existing pathway – **attached** at Appendix 10.

The mover and seconder agreed to amend their motion accordingly. The motion (as amended) was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

Council provide the following projects for its \$216,000 non-contestable allocation under the RCLIP program of funding to be submitted no later than the due date of 20 November 2009 - should any submitted projects be not supported by the funding providers, the Chief Executive Officer will liaise with councillors to provide suitable replacements of any rejected projects for funding:

Airport Taxi Extension	\$130,000
Jetty Baths Shade Sails	\$ 40,000
BPA Pathway	\$ 30,000
Withers Crescent Footpath	<u>\$ 16,000</u>
	<u>\$216,000</u>

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 212/09

Council provide the following projects for its \$216,000 non-contestable allocation under the RCLIP program of funding to be submitted no later than the due date of 20 November 2009 - should any submitted projects be not supported by the funding providers, the Chief Executive Officer will liaise with councillors to provide suitable replacements of any rejected projects for funding:

<i>Airport Taxi Extension</i>	<i>\$130,000</i>
<i>Jetty Baths Shade Sails</i>	<i>\$ 40,000</i>
<i>BPA Pathway</i>	<i>\$ 30,000</i>
<i>Withers Crescent Footpath</i>	<i><u>\$ 16,000</u></i>
	<i><u>\$216,000</u></i>

CARRIED

13 Votes "For" / Nil Votes "Against"

11.13 Motion on Notice - Prepare Royalties for Regions Submission (Public Toilet Facilities for the Bunbury CBD Entertainment Precinct) *(was listed as Item 11.14 on the meeting agenda)*

File Ref:	A03667
Applicant/Proponent:	Councillor Craddock
Author:	Councillor Craddock
Executive:	<i>If adopted by Council refer to:</i> Michael Scott, Executive Manager City Services

Cr Craddock submitted the following motion for the Council Committee Meeting on 27 October 2009:

"Council's executive staff be requested to prepare a submission for consideration for the next round of the 'Royalties for Regions' submissions for the supply and installation of 'Exeloo' toilet facilities at an appropriate site within Bunbury's Entertainment District - the submission to include a suggested location and estimated costing."

Comments - Cr Craddock

In support of his motion, Cr Craddock states that, *"At present there are no public toilet facilities in Bunbury's entertainment and restaurant precinct."*

The current public toilet facilities in the CBD are located in the following areas:

- *Old Railway Station – closed after hours*
- *The corner of Stephen and Victoria Streets – at least 800 metres from the nightclub district*
- *The Paisley Centre Building – also closed after hours.*

Once patrons have left the nightclubs late at night there are no public conveniences available within easy walking distance. All toilets in the immediate area are located within private premises. The results are obvious, especially to business owners in the area. Even during business hours, customers are entirely reliant on the toilet facilities of business owners. Long before this precinct became a popular entertainment district, there was a block of toilets located next to the corner of Symmons and Victoria Streets outside what is now Bill Brown's Furniture Store. These were demolished in the 1970's and never replaced.

Potential locations for these new public conveniences would include:

- *Eliot Street – soon to be streetscaped*
- *Bunbury Regional Entertainment Centre – (at the rear) possibly as part of the plan to expand the car park*

The City's Executive Management may be able to recommend other potentially suitable locations. If Bunbury is to achieve its full potential as the region's entertainment capital I believe we should be attending to the lack of basic facilities like these."

Executive Comments

Automated public conveniences have proved to be successful for the City. Maintenance costs are cheaper than conventional public toilets and additional purchase costs are recouped.

The provision of additional facilities in the entertainment precinct would be welcomed by businesses and their patrons.

If Council supports Councillor Craddock's proposal, the Engineering Services Section can investigate and provide a cost report and location recommendation for its consideration.

Cr Craddock's Motion

The City's Officers to prepare a submission for consideration during the next round of the 'Royalties for Regions' submissions, for supply and installation of 'Exeloo' toilet facilities at an appropriate site in the Bunbury CBD Entertainment District - the submission to include a suggested location and estimated costing.

Outcome – Council Committee Meeting 27 October 2009

The recommendation (as printed) was moved Cr Craddock, seconded Cr Slater to become the motion under discussion.

During discussion of the amendment, the Executive Manager City Services advised members that the Exeloo facilities have been recommended for this project as during the life of their operation they saved the City considerably on maintenance and cleaning costs. They also seem to deter vandalism better than other toilet facilities e.g., Paisley Centre.

The motion was put to the vote and adopted to become the committee's recommendation on this issue.

Committee Recommendation

The City's Officers to prepare a submission for consideration during the next round of the 'Royalties for Regions' submissions, for supply and installation of 'Exeloo' toilet facilities at an appropriate site in the Bunbury CBD Entertainment District - the submission to include a suggested location and estimated costing

Outcome – Council Meeting 3 November 2009

Pursuant to Standing Order 16.1.1 the recommendation as printed was moved Cr Steck, seconded Cr Major and adopted ('en bloc') to become the Council's decision on this matter:

Council Decision 213/09

The City's Officers to prepare a submission for consideration during the next round of the 'Royalties for Regions' submissions, for supply and installation of 'Exeloo' toilet facilities at an appropriate site in the Bunbury CBD Entertainment District - the submission to include a suggested location and estimated costing

CARRIED

13 Votes "For" / Nil Votes "Against"

11.14 Ince Road & Claughton Way – Local Area Traffic Management *(was listed as Item 11.3 on the meeting agenda)*

File Ref:	R00227
Applicant/Proponent:	Mrs Lisa Engstrom (Claughton Way) and Mrs Elizabeth Wright (Ince Road)
Author:	Jason Gick, City Engineer
Executive:	Michael Scott, Executive Manager City Services

Summary

It is recommended that Council investigate the installation of Closed Circuit Television (CCTV) in Claughton Way near the Shell Gateway path to address anti-social behaviour and allocate \$35,000 to this project.

It is recommended that Council accept a petition supporting a preferred Local Area Traffic Management (LATM) treatment for the curve in Ince Road and allocate \$80,000 to this project.

Background

Claughton Way provides pedestrian access to the Shell Gateway Service Station. This is the only convenience store in Glen Iris and is open 24 hours per day. The pedestrian access way (PAW) attracts people at all times of the day, including late at night and people often park on the verge and walk to the Service Station.

During site investigations and through written feedback, it has been reported that this area attracts a lot of antisocial behaviour including hooning, theft, smashing bottles on the street, swearing, intimidation and littering. Recently, an out of control vehicle crashed into Mrs Engstrom's house and caused serious property damage. The residents of that house have also been affected.

Mrs Engstrom and other residents of Claughton Way have requested the Council to address this issue and suggested that the PAW be permanently closed.

Mrs Elizabeth Wright lives at Ince Road, Glen Iris. In late July 2009 Mrs Wright's property was hit by two out of control vehicles in the space of 6 days. The property damage resulted in the house being uninhabitable and unsafe. Mrs Wright has been living in alternative accommodation since.

The City immediately undertook a Road Safety Audit of Ince Road which identified as its primary finding the need to reduce vehicle speeds approaching the curve.

Strategic and/or Regional Outcomes

This recommendation is consistent with Strategy 3.2: Have well-planned, developed and maintained City Infrastructure and Strategy 6.4: Community Safety of the City's Strategic Plan.

Community Consultation

City officers met with Mrs Wright on Friday, 31 July (the day of the second crash) and met with several nearby residents who had gathered in the area.

City officers again met with a gathering of nearby residents on Wednesday 5 August during the evening assessment of the Road Safety Audit.

City officers have spoken to Mrs Wright's son, Mr Lee Wright on several occasions to update him of the projects progress.

The City Engineer met with Mrs Elizabeth Wright on the day she presented the petition (late September) and discussed the project and traffic management along Ince Road.

City officers have met with Mrs Engstrom on site twice and spoken to her several times about the issue at Claughton Way.

City officers have spoken to Mr Kevin Harvey of Claughton Way to explain the decision making process and recommended treatments.

The City Engineer met with the Police to discuss these hoon driving locations.

Each project was also subject to a letter drop requesting feedback. In both cases about 1000 letters were sent to addresses in Glen Iris. 119 letters were returned from addresses with no dwellings.

For Ince Road, the City received 46 direct responses indicating their preferences. The City also received a 260 signature petition organised by Mrs Wright supporting Option 1. There are 98 signatories who do not live in Glen Iris (or even the City of Bunbury) and have not been considered in the assessment. There are 5 signatories who also responded directly to the survey for comment and have not been duplicated.

The petition significantly affects the overall preferences for Ince Road as follows:

Option 1	Crash barrier on median island	170	84%
Option 2	Tighten road geometry and install speed cushions	15	7%
Option 3	New traffic island east of curve	18	9%

Some people suggested that Ince Road should be closed to through traffic, however, the Road Safety Audit also identified this section of Ince Road as an important local distributor road servicing the Glen Iris suburb, the Child Care Centre on Claughton Way and public and school busses. Due to these factors it was decided not to pursue the option of closing the road to through traffic.

For Claughton Way, the City received 58 direct responses indicating their preferences as follows:

Option 1	Do nothing	5	9%
Option 2	Close PAW	8	14%

Option 3	Restrict verge parking but retain PAW	18	31%
Option 4	Formalise verge parking and retain PAW	25	43%
Comments offered but no preferences given		2	3%

74% of respondents indicated a strong desire to keep the PAW open, however, many people indicated that the issue was more than just hooning, and that there is a significant element of anti-social behaviour from people using this path, particularly late at night. Discussions with several residents on Claughton Way support this observation, who advised that they have also witnessed smashing bottles on the street, swearing, littering and burnouts on nearby lawns. In some cases residents have confronted people exhibiting anti-social behaviour to then be themselves subject to abuse, swearing and intimidation.

Consultation with the Police has indicated that they are often called out too late to witness any offences or cannot attend due to other priorities. The Police have advised that they require at least two corroborating witness accounts to prosecute offenders. This situation then relies on witnesses who are willing to make formal statements and relies on the quality of the witness statements.

The manager of the Shell Gateway was consulted who expressed a strong desire to retain the pathway open to Claughton Way. Coincidentally the manager also lives on Claughton Way.

Councillor/Officer Consultation

The City Engineer has held discussions with several officers including the Manager Community Law and Safety, who lives nearby, to discuss the development proposals.

A project update for Ince Road was forwarded to Councillors on 14 September 2009.

Analysis of Financial and Budget Implications

It is estimated that the construction of a crash barrier and median separation at Ince Road will cost approximately \$80,000. This project is not funded in the 2009/10 Budget.

It is estimated that the installation of a CCTV camera and associated infrastructure will cost approximately \$35,000. This proposal is not funded in the 2009/10 Budget.

Economic, Social, Environmental and Heritage Issues

Mrs Wright has been the subject of three very serious crashes when cars lose control on Ince Road and crash into her house. She has indicated that she is in a fragile disposition and unable to re-enter the property until the crash risk has been ameliorated.

Similarly, Mrs Engstrom's daughter has received counselling for the trauma of the crash at Claughton Way. Mrs Engstrom and her neighbours have expressed concern over intimidating behaviour and threats made by some people using the PAW.

There is a broader community concern with hoon driving behaviour in the Glen Iris suburb. Many responses to these surveys commented on the increased occurrence of hoon driving over the last few years.

Council Policy Compliance

There is no Council Policy relative to this proposal.

Legislative Compliance

There is no legislation applicable to this proposal.

Delegation of Authority

Not applicable.

Relevant Precedents

The Council considered the Ince Road issue in 2007. Council decision 150/07 is recorded as:

PART A

The petition requesting installation of traffic calming in Ince Road, Bunbury be accepted.

PART B

- 1. The City's engineering officers (in consultation with the residents in the immediate vicinity of Ince Road) assess the best type of traffic calming device to install*
- 2. The project to be undertaken within the next four months.*

These works were implemented in consultation with Main Roads WA, but the severity of the recent crashes demonstrates the existing treatment does not offer the level of protection required at Mrs Wright's property.

Options

Option 1

Per the recommendation listed in this report.

Option 2

Council does not support the recommendation listed in this report.

Conclusion

Extensive consultation and conversations with residents of Claughton Way indicates a strong need to address occasional but serious hoon driving. Survey feedback,

anecdotal evidence and observations suggest that the hoon driving is part of a broader anti-social behaviour problem, particularly late at night.

The suggested use of CCTV in Claughton Way is a useful step in addressing anti-social behaviour. Although this suggestion was not included in the initial consultation framework, the overwhelming support to retain the PAW suggests that an alternative approach needs to be considered.

Should the use of CCTV not adequately address anti-social behaviour in this area, the Council can still escalate its level of intervention to include Local Area Traffic Management, parking restrictions and even full closure of the pathway.

The preferred Local Area Traffic Management treatment for Ince Road (crash barrier and median separation) will look bulky in the road formation and may indeed be hit by other out of control vehicles, but is the only solution of three options that offers physical protection of the residence at 50A Ince Road.

There is nothing preventing the Council escalating the LATM intervention to include raised plateau's on each of the approaches should there still be demand in the future.

Recommendation

To improve road safety in Claughton Way, Glen Iris, the City's officers be instructed to:

1. Acknowledge the petition organised by Mrs Elizabeth Wright and thank her for her efforts.
2. Immediately proceed with the design of the preferred Local Area Traffic Management Treatment at the curve in Ince Road near No. 50A.
3. Include \$80,000 in the 2010/11 Council Budget to construct the proposed Ince Road Local Area Traffic Management Treatment.
4. Investigate the cost for installation of CCTV at the Claughton Way Public accessway for future budget consideration.
5. Work with Bunbury police to increase police presence at Claughton Way and Glen Iris.

Outcome – Council Committee Meeting 27 October 2009

At the invitation of the Presiding Member Mrs Lisa Engstrom and Mr Steve Harling addressed committee members on the matter of personal safety and security issues that have arisen in Claughton Way since completion of the Shell Gateway. They also responded to numerous questions from the committee.

At the conclusion of her talk Mrs Engstrom tabled a report on the kinds of activities the residents have had to endure – a copy is **attached** at Appendix 9. Mr Leigh Wright spoke on behalf of his mother, Mrs Elizabeth Wright, in regards to the road

safety issues in Ince Road and was available to answer questions from the committee.

An alternative to the printed recommendation was moved Cr Slater, seconded Cr Spencer, as follows:

Council undertake the following to improve road safety and security issues in Claughton Way and Ince Road, Glen Iris:

1. Acknowledge the petition organised by Mrs Elizabeth Wright and thank her for her efforts.
2. Immediately close the Claughton Way public accessway.
3. Immediately proceed with the design and construction of the preferred Local Area Traffic Management Treatment at the curve in Ince Road near No. 50A.
4. Council give immediate approval to the construction of a boundary retaining wall as an additional protective barrier around No. 50A Ince Road
5. Council to investigate an immediate source of funding for 2., 3. and 4. above.
6. Investigate closure of one end of Claughton Way.

During discussion, the following suggested amendments were agreed to by the mover and seconder:

- Amend point 2. so that the words *"initiate statutory procedures to"* appear following the word *"Immediately"* and before the word *"close"*, as this land is not directly under City of Bunbury control.
- Add the following as points 7, 8 and 9 and 10:
 - "7. The Executive Manager City Services provide the Council with a design and cost estimate in consultation with local residents for the extension of the existing wall and streetscaping in Claughton Way.*
 - 8. Enquiries be made to determine whether the project might qualify for Designing-out Crime funding and the likely extent of funding which may be available.*
 - 9. Once the above design, costing and grant enquiries have been made this matter be returned to Council for further consideration as part of the 2010/2011 budget.*
 - 10. Council officers to make recommendations on further traffic calming devices in Ince Road."*

At the conclusion of discussion, the motion (as amended) was put to the vote and adopted to become the committee's recommendation on this issue, as follows:

Committee Recommendation

Council undertake the following to improve road safety and security issues in Cloughton Way and Ince Road, Glen Iris:

1. Acknowledge the petition organised by Mrs Elizabeth Wright and thank her for her efforts.
2. Immediately initiate statutory procedures to close the Cloughton Way public accessway.
3. Immediately proceed with the design and construction of the preferred Local Area Traffic Management Treatment at the curve in Ince Road near No. 50A.
4. Council give immediate approval to the construction of a boundary retaining wall as an additional protective barrier around No. 50A Ince Road
5. Council to investigate an immediate source of funding for 2., 3. and 4. above.
6. Investigate closure of one end of Cloughton Way.
7. The Executive Manager City Services provide the Council with a design and cost estimate in consultation with local residents for the extension of the existing wall and streetscaping in Cloughton Way.
8. Enquiries be made to determine whether the project might qualify for Designing-out Crime funding and the likely extent of funding which may be available.
9. Once the above design, costing and grant enquiries have been made this matter be returned to Council for further consideration as part of the 2010/2011 budget.
10. Council officers to make recommendations on further traffic calming devices in Ince Road.

Outcome – Council Meeting 3 November 2009

The recommendation as printed was moved Cr Steck, seconded Cr Slater.

Cr Steck withdrew her Notice of Motion 12.2 (as appears later in the agenda) so that it could be included as an amendment to this recommendation as additional parts 11 and 12.

- '11. *Council to immediately erect a colour bond fence the entire width of the area directly behind the Shell Gateway service station which is not fenced on Cloughton Way.*
- 12 *Council place metal bollards at the southern end of Cloughton Way to restrict vehicle traffic.'*

Upon discussion the Mayor, Mr David Smith, advised that upon investigation from City of Bunbury staff, the accessway was never intended to be open to the public and that the Council needs to have a discussion with the owners of the property and also to seek legal advice as to the actions that the Council can take to close the accessway. He also advised that further investigations were to take place as he had only received the information late that afternoon.

Cr Steck moved, Cr Craddock seconded under section 15.9 of the Standing Orders *"That the Motion Lie on the Table"* which effectively if carried, would cause debate on the substantive motion and any amendment to cease immediately and the meeting to proceed to the next business.

The Mayor advised that the matter was too important for it not to be dealt with immediately and that if it were to "Lie on the Table" then it would not be dealt with for some time. The motion was subsequently withdrawn and was not put to the vote at the meeting.

At this point in proceeding Cr Steck withdrew her amendment on the basis that the original motion be amended to remove the word "public" from point 2 and that the Council obtain legal advice as to the closing of the accessway. The points of putting a colourbond fence behind the service station and placing bollards at one end of Claughton can be revisited at a later date when all points of the motion have been looked into. The seconder Cr Slater agreed to the withdrawal of the amendment.

Discussion then returned to the original motion that had been moved Cr Steck, seconded Cr Slater. The mover and seconder agreed to amend the motion by removing the word "public" from point 2 and to add in "subject to legal advice".

The motion (as amended) was put to the vote and it was adopted to become the Council's decision on this matter.

Council Decision 214/09

Council undertake the following to improve road safety and security issues in Claughton Way and Ince Road, Glen Iris:

- 1. Acknowledge the petition organised by Mrs Elizabeth Wright and thank her for her efforts.*
- 2. Immediately initiate statutory procedures to close the Claughton Way accessway subject to legal advice.*
- 3. Immediately proceed with the design and construction of the preferred Local Area Traffic Management Treatment at the curve in Ince Road near No. 50A.*
- 4. Council give immediate approval to the construction of a boundary retaining wall as an additional protective barrier around No. 50A Ince Road*
- 5. Council to investigate an immediate source of funding for 2., 3. and 4. above.*

(Council decision continued overleaf)

6. *Investigate closure of one end of Claughton Way.*
7. *The Executive Manager City Services provide the Council with a design and cost estimate in consultation with local residents for the extension of the existing wall and streetscaping in Claughton Way.*
8. *Enquiries be made to determine whether the project might qualify for Designing-out Crime funding and the likely extent of funding which may be available.*
9. *Once the above design, costing and grant enquiries have been made this matter be returned to Council for further consideration as part of the 2010/2011 budget.*
10. *Council officers to make recommendations on further traffic calming devices in Ince Road.*

CARRIED

13 Votes "For" / Nil Votes "Against"

12. Motions on Notice

12.1 Motion on Notice - Bunbury CBD Streetscape Interim Theme

File Ref:	R00551
Applicant/Proponent:	Councillor Whittle
Author:	Councillor Whittle
Executive:	<i>If adopted by Council refer to:</i> Michael Scott, Executive Manager City Services

Cr Whittle submitted the following motion prior to finalisation of the meeting Minutes:

- "1. *Council supports the City's Executive and the South West Development Commission in proceeding with the final detailed stage of the 'Wayfinding & Walkability Overview Audit' for the Bunbury CBD Area.*
2. *In relation to the theme to be used in CBD streetscape design:*
 - 2.1 *Cease the use of the angular or diagonal theme in the CBD streetscape design.*
 - 2.2 *The City is to continue with the existing theme which is predominately 'red' or terracotta pavers.*
 - 2.3 *Alternate paving themes to only be used on side streets to define discrete nodes or activity areas.*
3. *Priority is to be given to upgrading the worst areas of paving in the Bunbury CBD instead of introducing a new theme on Victoria Street."*

Comments - Cr Whittle

In support of his motion, Cr Whittle provides the following statement:

Discussion

The City is in the process of renewing footpath paving on both sides of Victoria Street between Stephen Street and Prinsep Street. Following that work several other degraded sections of Victoria Street paving are planned for pavement replacement through *Royalties for Regions* funding grants or annual capital works. Currently the paving theme for Victoria Street is based around paving bricks coloured red or terracotta. But it is obvious by now that the Stephen Street to Prinsep Street pavement replacement works have introduced a new theme of lightly coloured pavers of a different format and texture.

The CBD is compact enough to be defined through the use of a common streetscape theme and this has almost been accomplished. The risk of deviating from that theme is that the CBD will end up looking like a patchwork quilt. Arguably that process has already started with the recent works between Stephen Street and Prinsep Street.

Enquiries to City Officers suggest that this work has commenced without a specific streetscape policy in place.

Except for sections of paving which obviously need replacing, we need to be conscious of the consequences of arbitrarily changing the streetscape theme. It could be argued that we are committing to using much needed funds to rip up reasonably serviceable paving, engaging external designers to embellish the layout and then having to pay a premium rate to paving contractors to execute complicated themes throughout the new paving and kerbing work; whereas our priority should be to finish off the pavement replacement on the worst-case side-streets which badly need upgrading, such as the north side of Wellington street between the bus station and Victoria Street.

So if we want to adopt a strategic approach to spend funding we need to identify and prioritise the worst areas and the detailed final stage of the *Wayfinding & Walkability Audit* undertaken for the Bunbury CBD will provide that guidance.

Style Guide

Currently in progress is the creation of the '*City of Bunbury Streetscape Style Guide*' and this is being managed by the Senior Landscape Architect. However, we should not use this knowledge to defer a decision now as this document is only a style-guide and therefore not policy, is still in draft form, and may not necessarily provide the prescriptive measures needed, or be completed and endorsed by Council in an appropriate timeframe.

Paving Colour

Call it boring and conservative but the red or terracotta pavers are most suited to high traffic areas as the inevitable grime and discolouration is hidden better than lightly coloured pavers. Increased cleaning of lightly coloured pavers may be an increased burden to ratepayers. Some would say an unnecessary extra cost.

Angular or Diagonal Theme

Recent works in Stephen Street have highlighted an issue with the use of the angular or diagonal theme to define borders in the public space. Use of this theme without careful consideration of the needs of all pedestrian demographics has resulted in several areas which appear to require re-work to make them suitable, or even safe, for all pedestrians.

As a theme for public areas it could be argued that the angular or diagonal theme is:

- visually discordant in that it does not appeal to the eye as an inviting form;
- of brief novelty value in that it is not enduringly attractive;
- anti-ergonomic in that it creates areas that are uninviting, harsh;
- an extra expense to integrate into slab paths;

- the opposite of the smooth flowing lines that are required for pedestrian paths (or shared paths for bicycles) as it creates sharp corners and intrusions into paths that are difficult to negotiate with prams, wheelchairs, on foot, and on bicycles while remaining on the left side of a path, and;
- should only be used sparingly and not as a 'Bunbury Theme'.

Conclusion

The existing theme which is predominately 'red' or terracotta pavers is most suitable and almost complete for the majority of Victoria Street and side streets.

A contrasting streetscape theme has been introduced into the CBD without a specific streetscape policy in place.

The City of Bunbury should not introduce another theme into the CBD unless budgeting for an entire Victoria Street footpath re-paving.

The angular/diagonal theme adds expense and creates problems for the public, and, should only be used sparingly and not as a 'Bunbury Theme'.

The priority should be to refurbish and standardize the worst areas of public amenity in the CBD first.

Executive Comments

The Wayfinding & Walkability Overview Audit is an initiative of the South West Development Commission and the City of Bunbury as a City Life marketing exercise. While the audit makes some comments on path infrastructure, it primarily reports on way finding signage. A number of the CBD pavement items identified in John Grant's report have been fixed by recent paving works or will be remediated by planned paving works.

A survey of path infrastructure was recently completed by Engineering Services and a CD of the findings was provided for all Councillors. This survey will guide the decision making processes on priority ranking for treatment in the CBD.

Design, laying style and colour are matters of personal taste and opinion. Qualified landscape design professionals have advised city staff on suitable paving treatments. The Urban Stone paving material has been assessed by technical staff and the landscape architect for applicability, durability, ease of maintenance and supply availability.

The paving material will continue to be the recommended for CBD works and is consistent with the style used in all of the more recent streetscape upgrades such as Stirling Street, the Library precinct, the Civic precinct and the Marlston waterfront.

All paving work undertaken by the City of Bunbury is completed to applicable standards and with the intent of providing a durable, cost effective and improved amenity for users of the area. Technical assessment of the recommended Urban Stone pavers has show that the problems, particularly decay and trip hazards evident in the older style clay pavers, can be minimised.

Paving work in the CBD will be completed to an overall consistent theme however respect for the characteristics of activity nodes (like the cappuccino strip) and heritage precincts will continue to be observed.

Cr Whittle's Motion

1. Council supports the City's Executive and the South West Development Commission in proceeding with the final detailed stage of the 'Wayfinding & Walkability Overview Audit' for the Bunbury CBD Area.
2. In relation to the theme to be used in CBD streetscape design:
 - 2.1 Cease the use of the angular or diagonal theme in the CBD streetscape design.
 - 2.2 The City is to continue with the existing theme which is predominately 'red' or terracotta pavers.
 - 2.3 Alternative paving themes to only be used on side streets to define discrete nodes or activity areas.
3. Priority is to be given to upgrading the worst areas of paving in the Bunbury CBD instead of introducing a new theme on Victoria Street.

Outcome – Council Meeting 3 November 2009

The recommendation (as printed) was moved Cr Whittle, seconded Cr Leigh (Pro forma) to become the motion under discussion.

During the discussion Cr Harrop moved, Cr Craddock seconded an amendment to point 3 of the motion to remove "instead of introducing a new theme on Victoria Street" and to end at CBD. The amendment was put to the vote and it was CARRIED 11 votes "For" / 2 votes "Against"

Following some discussion during which the Executive Manager City Services advised that a draft Style Guide (Landscaping Paving) will be presented to a forthcoming briefing session, the Mayor put the motion to the vote in separate parts:

Point 1

CARRIED
13 Votes "For" / Nil Votes "Against"

Point 2.1

LOST
2 Votes "For" / 11 Votes "Against"

Point 2.2

CARRIED
7 Votes "For" / 6 Votes "Against"

Point 2.3

LOST
3 Votes "For" / 10 Votes "Against"

Point 3 (as amended)

CARRIED
13 Votes "For" / Nil Votes "Against"

At this point some members queried whether Councillors were fully aware of the implications of adopting point 2.2 of the motion. Pursuant to regulation 10 Local Government Regulations 1996, Cr Craddock moved, Cr Slater a motion that point 2.2 of the decision be revoked. This motion was put to the vote and was defeated 6 Votes "For" / 7 Votes "Against".

Council Decision 215/09

1. *Council supports the City's Executive and the South West Development Commission in proceeding with the final detailed stage of the 'Wayfinding & Walkability Overview Audit' for the Bunbury CBD Area.*
2. *In relation to the theme to be used in CBD streetscape design the City is to continue with the existing theme which is predominately 'red' or terracotta pavers.*
3. *Priority is to be given to upgrading the worst areas of paving in the Bunbury CBD.*

CARRIED

12.2 Motion on Notice - Installation of Fencing Around Rear of Shell Gateway Service Station Adjacent to Claughton Way, Glen Iris

File Ref:	R00227-03
Applicant/Proponent:	Councillor Michelle Steck
Author:	Councillor Michelle Steck
Executive:	<i>If adopted by Council refer to:</i> Michael Scott, Executive Manager City Services

Cr Steck submitted the following motion for the Council Meeting prior to close of the Minutes:

- " 1. Council to immediately erect a colour bond fence the entire width of the area directly behind the Shell Gateway service station which is not fenced on Claughton Way.

- 2 Council place metal bollards at the southern end of Claughton Way to restrict vehicle traffic."

Comments - Cr Steck

In support of her motion, Cr Steck states that, *"Residents in the bottom area of Claughton Way have been continually victimised from persons using the 24hr service station shop. A separate report will be tabled from the residents outlining the extent of problems they continue to face during Council Question Time. Some of the issues that will be outlined are:*

- *Every week from Thursday through Sunday residents suffer from non-stop traffic.*
- *The area is not a designated car park but cars use the back verge area to park.*
- *Use the area as a drag strip*
- *Residents have had cars smash into their houses*
- *Vandalising and symbols painted on roller doors of their houses*
- *During early hours residents receive threats, demands for money, smashing of security lights.*
- *Constant litter problem - that they pick up everyday*
- *Have yet to receive any support from police*
- *Residents are feeling intimidated by many others*
- *This access was never approved on the original design plans for Claughton Way, in fact it was meant to be a cul-de-sac."*

Executive Comments - City Engineer

Whilst the colour bond fence will provide some immediate separation it is likely to deteriorate over time and may itself be subject to vandalism. It is recommended that the Council continue to pursue a more permanent means of closure including earth bunding and masonry walls.

The idea to close Claughton Way to traffic is not supported as the traffic problems in Claughton Way are only related to the anti-social behaviour at the public accessway (PAW). Once the PAW is closed there is unlikely to be a traffic problem.

Cr Steck's Motion

1. Council to immediately erect a colour bond fence the entire width of the area directly behind the Shell Gateway service station which is not fenced on Claughton Way.
2. Council place metal bollards at the southern end of Claughton Way to restrict vehicle traffic.

Cr Steck withdrew her motion. Refer to Item 11.14 of the minutes.

13. Urgent Business (*With Approval of Majority of Members Present as Permitted Under Standing Order 5.1.13*)

14. Items to be Noted or Endorsed

There are no new items for noting.

15. Confidential Business as Stipulated Under Section 5.23(2) of the Local Government Act 1995

Cr Kelly moved, Cr Leigh seconded motion Pursuant to Standing Order 15.10, "The meeting exclude members of the public to permit Confidential Business (as defined by the Local Government Act 1995) to be discussed."

Motion was put to the vote and passed unanimously.

15.1 Annual Performance Appraisal - Chief Executive Officer

File Ref:	A01984
Applicant/Proponent:	CEO Annual Performance Appraisal Panel
Author:	Cr Brendan Kelly (Presiding Member - CEO Annual Performance Appraisal Panel)
Executive:	Greg Trevaskis, Chief Executive Officer

The CEO Annual Performance Review Panel has finalised its report to Council in relation to the annual performance appraisal for the Chief Executive Officer - elected members are to refer to the Confidential Report circulated under separate cover.

Recommendation

1. The report titled "*Annual Performance Review 2008/09 Chief Executive Officer - City of Bunbury*" dated 25 October 2009, prepared by Council's CEO Performance Review Committee, be received.
2. The recommendations contained within the report titled "*Annual Performance Review 2008/09 Chief Executive Officer - City of Bunbury*" with respect to the 2009/10 performance criteria for the Chief Executive Officer and proposed 2009/10 salary package, be approved.

Outcome – Council Meeting 3 November 2009

Cr Kelly moved, Cr Whittle seconded the committee recommendation as printed.

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

Council Decision 216/09

1. *The report titled "Annual Performance Review 2008/09 Chief Executive Officer - City of Bunbury" dated 25 October 2009, prepared by Council's CEO Performance Review Committee, be received.*
2. *The recommendations contained within the report titled "Annual Performance Review 2008/09 Chief Executive Officer - City of Bunbury" with respect to the 2009/10 performance criteria for the Chief Executive Officer and proposed 2009/10 salary package, be approved.*

CARRIED

13 Votes "For" / Nil Votes "Against"

Cr Major moved, Cr Leigh seconded that the meeting be reopened to the members of the public and press.

16. Close of Meeting

The meeting was declared closed at 8.00pm.