



Bunbury City Council

Minutes 18 April 2017



CITY OF BUNBURY
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Western Australia
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Nature of Council's Role in Decision Making

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Review:** When Council reviews decisions made by Officers.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Bunbury City Council Minutes

Minutes of the Ordinary Meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 18 April 2017 at 5.30pm.

Minutes

18 April 2017

Note: The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

1. Declaration of Opening / Announcements of Visitors

The Meeting was declared open by the Mayor Gary Brennan at 5.30pm.

2. Disclaimer

All persons present are advised that the proceedings of this meeting will be recorded for record keeping purposes and to ensure accuracy in the minute taking process, and will also be streamed live via the internet to the public.

3. Announcements from the Presiding Member

The Mayor acknowledged the Lishman Health Foundation Summer Concert Series that was held over the weekend and raised over \$860.00. The City of Bunbury received a Certificate of Appreciation for assisting and sponsoring the Motoring Extravaganza and Truck Pull.

The Mayor noted over 800 responses have been received for the CBD Revitalisation Survey which is about to close. The survey responses will now be compiled and analysed, and a report will then be presented to Council.

4. Attendance

Present:

Council Members:	
Presiding Member:	Mayor G Brennan
Deputy Presiding Member:	Deputy Mayor Councillor B Kelly
	Councillor S Morris
	Councillor J Jones
	Councillor B McCleary
	Councillor M Cook
	Councillor J Miguel
	Councillor K Steck
	Councillor W Giles
	Councillor J McGuinness
	Councillor M Warnock
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr A Brien
Acting Director Works and Services	Mr S Millen
Director Corporate and Community Services	Ms S Addison-Brown
Director Planning and Development Services	Mr M Osborne
Council Officers (Non-Voting)	
Media and Communications Officer	Mr J Tatham
Manager Information Communications and Technology	Mr M Roberts
Manager Governance	Mr G Golinski
Council Meeting Support Officer	Ms J Earl
Council Meeting Support Officer	Ms L Allan
Manager Major Projects and Property	Mrs F Anderson
Manager Finance	Mr D Ransom
Others (Non-Voting)	
Members of the Public	3
Members of the Press	2

4.1 Apologies

Cr Karen Steele was an apology to the meeting.

4.2 Approved Leave of Absence

Cr Hayward is on approved leave of absence from all Council-related business from 11 April 2017 to 23 April 2017 inclusive.

5. Declaration of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A: *“a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”*

Section 5.60B: *“a person has a **proximity interest** in a matter if the matter concerns –*

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality): *“**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”*

Cr Kelly declared an impartiality interest in the item titled “10.4.2 Proposed Structure Plan Lot 81 South Western Highway” as he is employed by the Department of Water who will assess the proposal. Cr Kelly will remain in the chamber for the duration of the discussion and vote on the matter.

Cr Giles declared a proximity interest in the item titled “15.1.1 Lot 5 Wellington Street” as she lives directly adjacent to the property. Cr Giles will leave the chamber for the duration of the discussion and the vote on the matter.

Cr Cook declared an impartiality interest in the item titled “12.1 ANZAC Day” as he is an affiliate member of the RSL. Cr Cook will remain in the chamber for the duration of the discussion and vote on the matter.

6. Public Question Time

In accordance with Reg. 7(4)(a) of the Local Government (Administration) Regulations 1996, members of the public in attendance at the meeting may stand, state aloud their name and address, and ask a question in relation to any matter over which the municipality of Bunbury has jurisdiction or involvement.

In accordance with Standing Order 6.7(3)(a) a person wishing to ask a question, must complete a question form which is provided in the trays at the back of the public gallery and on the City's website. The completed form must include your name and address and contain no more than three (3) questions. If your question requires research or cannot be answered at the meeting, it will be taken on notice and you will receive a written response and a summary of your question (and any responses provided) will be printed in the minutes of the meeting.

6.1 Public Question Time

6.2 Responses to Public Questions Taken 'On Notice'

Nil

7. Confirmation of Previous Minutes and other Meetings under Clause 19.1

7.1 Minutes

7.1.1 Minutes – Ordinary Council Meeting

The minutes of the Ordinary meeting of the Bunbury City Council held 4 April 2017 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the Bunbury City Council held 4 April 2017 be confirmed as a true and accurate record.

Outcome – Council Meeting 18 April 2017

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

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

Council Decision 139/17

The minutes of the Ordinary meeting of the Bunbury City Council held 4 April 2017 be confirmed as a true and accurate record.

CARRIED
11 votes “for” / Nil votes “against”

7.1.2 Minutes – Council Advisory Committees and Working/Project Groups

Nil

8. Petitions, Presentations, Deputations and Delegations

8.1 *Petitions*

Nil.

8.2 *Presentations*

Nil.

8.3 *Deputations*

Nil.

8.4 Council Delegate's Reports

8.4.1 Council Delegate's Report – Councillor Murray Cook – Integrated Strategic Planning Training 31 March 2017

Applicant/Proponent:	Internal Report
Author:	Councillor Murray Cook
Executive:	Andrew Brien, Chief Executive Officer
Attachments:	Appendix DEL-1: Report on Integrated Strategic Planning Training – WALGA, Bunbury, 31 March, 2017

Councillor Murray Cook represented the City of Bunbury at the Integrated Planning Training held by WALGA in Bunbury on 31 March 2017. Cr Cook's Report is **attached** at Appendix DEL-1

Cr Cook's Comments

This report relates to the training session held in Bunbury on Friday March 31. I would like to thank Royalties for Regions and the City's Ratepayers for facilitating and paying for this opportunity. The training session ran from 9am to 4:00pm and was competently facilitated by **Ingrid Bishop** - Alchemy Corporate Consulting.

Recommendation

The report from Cr Murray Cook on the Integrated Strategic Planning Training held 31 March 2017 be received and noted.

Outcome – Council Meeting 18 April 2017

The recommendation (as printed) was moved Cr Steck, seconded Cr Giles.
The Mayor put the motion to the vote and it was adopted to become the Council's decision on the matter.

Council Decision 140/17

The report from Cr Murray Cook on the Integrated Strategic Planning Training held 31 March 2017 be received and noted.

CARRIED
11 votes "for" / Nil votes "against"

8.5 Conference Delegates' Reports

Nil.

9. Method of Dealing with Agenda Business

All items were dealt with in the order they appeared on the Agenda.

10. Reports

10.1 Recommendations from Advisory Committees

Nil

10.2 Chief Executive Officer Reports

10.2.1 Australian Smart Communities Association Membership and Conference Attendance

Applicant/Proponent:	Internal Report
Responsible Officer:	Gavin Harris, Acting Chief Executive Officer
Responsible Manager:	Gavin Harris, Acting Chief Executive Officer
Executive:	Gavin Harris, Acting Chief Executive Officer
Attachments:	Appendix CEO-1: Australian Smart Communities Conference Registration Form

Summary

The Australian Smart Communities Association (ASCA) facilitates, promotes and advises on how communities can build liveable, sustainable, workable smart cities. The 2017 Conference is scheduled to be held in Adelaide from 29 to 31 May 2017 (inclusive).

The purpose of this report is for Council to consider whether it wishes to become a member of the Australian Smart Communities Association and delegate attendance at the May 2017 Conference.

Executive Recommendation

That Council:

1. Endorse the City becoming a member of the Australian Smart Communities Association.
2. Support the attendance of Cr _____ and the Chief Executive Officer or his nominated delegate at the 2017 Australian Smart Communities Conference to be held in Adelaide 29 to 31 May 2017 (inclusive).

Strategic Relevance

Key Priority Area 4 Regional Economy
Objectives 4.1, 4.2, 4.3 Noting the key elements to ensure the future sustainability of Bunbury are a strong economic base that reflects complete advantages and key emerging and developing industry sectors.

Key Priority Area 5 Corporate
Objective 5.6 Improve local, regional, state and national perception of Bunbury noting strategic relationship will form the basis for collaborations that deliver positive community benefits.

Background

ASCA is a collaborative coalition of local government, Regional Development Associations and Regional Organisations of Councils covering rapidly developing digital, sharing and interconnected communities and represents more than 150 local government authorities that collectively represent 8.1 million Australians – or one in three Australians.

By becoming a member of the ASCA, the City will gain the following benefits:

- * Access to all ASCA resources and participation in programs.
- * Listing on ASCA website (expanded profile and map listing in early 2017).
- * Free access to secure member zone.
- * Free access to all online and physical seminars.
- * Discounted access to annual conference.
- * Eligibility for ASCA Board subject to meeting commitment and capacity criteria.
- * Eligibility to lead local and state capital ASCA networks – through agreement.
- * Eligibility to have ASCA Industry & Business Board facilitated workshops - through agreement
- * Ability to contribute towards the development of national standards.
- * ASCA advocacy on behalf of other members.

In addition, by being an ASCA Member the City will:

- * Be part of the leading association rallying all levels of government to adopt frontier technology to drive Australia's future prosperity and productivity.
- * Play a part in an organisation that advises government on supportive policies.
- * Benefit from relationships forged with key strategic international organisations that will identify ASCA as their primary Australian partner.
- * Enjoy relationships with a diverse range of targeted Australian organisations.
- * Liaise with decision-making representatives in procurement, digital and industry development departments in many government bodies. These ASCA members operate in all states, and represent Federal and State Government bodies as well as larger councils.
- * Be able to reach out to remote area councils where connectivity is paramount to the agriculture, mining and resources industries.
- * Gain an introduction to ASCA's member universities and smart organisations.

Officer Comments

By becoming a member of ASCA, it is believed that this will assist with progressing the Smart City aspiration as well as link with the recently adopted Bunbury Geographe Growth Plan strategies.

It is considered that attendance at the conference will enable further insight on key matters that the City of Bunbury is considering or may face in the future. The Conference theme is "Creating Smarter Cities and Communities - through People, Planet, Profit and Partnerships" and will explore:

- * how to place people first through user oriented experience
- * adjust services to meet needs and benefit the planet
- * create new profit through the delivery of community benefit
- * operational savings and informed capital works programs
- * build communitywide partnerships to drive new investment; and
- * employment in the digital economy.

A full copy of the Conference program is **attached** at Appendix CEO-1. This is the second known Conference that covers the topic of Smart Cities/Communities for this year. The first was the Cities 4.0 Summit was held in Melbourne, Australia from 21 to 23 March 2017 wherein Cr McGuinness and the Director Planning and Development Services attended.

It is felt that further attendance at this workshop will allow for the attendees to knowledge-share on the topics and themes from the summits allowing further opportunity to gain insight on how to progress a number of topics when developing Bunbury as a Smart City.

Council Policy Compliance

Attendance at this conference will be facilitated through the provisions and conditions of Council Policy *“Conferences, Seminars, Training and Induction Courses – Attendance by Elected Members.”*

Analysis of Financial and Budget Implications

The ASCA charges varying fees based on the size of Population. The City of Bunbury falls within the category “Small cities” with a population of 20,000 to 50,000 which would see an annual members’ fee of \$544.50. This fee would be able to be absorbed in existing budgets.

In relation to attendance at the Conference, the estimated costs per attendee are as follows:

- * Registration is \$850 (member) or \$990 (non-member) incl. GST.
- * Flight expenses are approximately \$560 return
- * Accommodation from 28 May to 1 June 2017 approximately \$700.

Council’s 2016/17 Budget contains sufficient funding allocations to accommodate attendance at this conference.

Community Consultation

Not applicable

Councillor/Officer Consultation

Councillors were made aware of this conference in a previous agenda item where it was decided that Cr McGuinness attended the Cities 4.0 Summit *“Strategy, Technology and Design for Innovative Connected Smart Cities”* in March 2017.

This report serves to bring the matter of membership and endorsement of attendance at the conference to elected members information.

Outcome – Council Meeting 18 April 2017

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

Cr Jones moved and Cr Kelly seconded that Cr Miguel be nominated as Council's representative at this conference.

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

Council Decision 141/17

That Council:

- 1. Endorse the City becoming a member of the Australian Smart Communities Association.***
- 2. Support the attendance of Cr Miguel and the Chief Executive Officer or his nominated delegate at the 2017 Australian Smart Communities Conference to be held in Adelaide 29 to 31 May 2017 (inclusive).***

CARRIED

11 votes "for" / Nil votes "against"

10.3 Director Corporate and Community Services Reports

Nil

10.4 Director Planning and Development Services Reports

10.4.1 Proposed New Lease, Bunbury Airport Hangar 64, Lot 507 (DP74949) South Western Highway, Davenport on Certificate of Title Volume LR3163 Folio 11

File Ref:	L257
Applicant/Proponent:	Hodnett Nominees Pty Ltd as Trustee for the Hodnett Superannuation Fund
Responsible Officer:	Jane Dawson, Senior Property Officer
Responsible Manager:	Felicity Anderson, Manager Major Projects and Property
Executive:	Mal Osborne, Director Planning and Development Services
Attachments:	Appendix DPDS-1: 2016 Hangar Layout

Summary

The City of Bunbury airport expansion provided for an additional 19 new hanger sites. An application for one (1) of the sites has been requested being Hangar 64 for a term of twenty-one (21) years. A location plan is **attached** at Appendix DPDS-1.

Executive Recommendation

Council agrees to grant Hodnett Nominees Pty Ltd as Trustee for the Hodnett Superannuation Fund an Airport Hangar Lease for Hangar 64 at the Bunbury Airport located on Lot 507 (DP74949) South Western Highway, Davenport for a term of twenty one (21) years, subject to;

1. The lease being prepared including the standard terms and conditions;
2. The applicant agreeing to pay all costs associated with the lease application including document preparation.
3. Advertising for the disposal being undertaken in accordance with the provisions of Section 3.58 of the *Local Government Act 1995*.
4. Approval of the Minister for Lands for the lease being obtained.

Strategic Relevance

Key Priority Area 2 Transport and Infrastructure
Objective 2.1 Maintain transport infrastructure at levels consistent with community expectations

Background

It is envisaged that the new hangar lease will significantly contribute towards the financial viability of the Bunbury Airport while providing increased aviation services to the area such as light aeroplane and helicopter repairs. The new hangar sites will also provide increased capacity for larger twin engine aircraft.

The Bunbury Airport is comprised within Reserve 27686, Lot 507 (DP74949) South Western Highway, Davenport and is held by the City of Bunbury under Management Order 3040/1963

Crown Land Record Volume LR3163 Folio 11 for the purpose of “Airport” with the power to lease subject to the consent of the Minister for Lands.

Pursuant to Section 18 of the Land Administration Act 1997, “in principle” approval is required from the Office of the Minister for Lands subject for formal approval being granted on receipt of the Lease document.

New Lease Details

Commencement:	1 May 2017
Term:	Twenty One (21) years
Expiry Date:	30 April 2038
Lease Area:	300m ²
Rental @ \$5.00m ² :	\$1,500.00 per annum exclusive of GST plus CPI annually and outgoings
Rent Review:	Every Anniversary from the date of commencement, determined by CPI and market rental every 3 rd anniversary.
Outgoings:	Responsibility of the Lessee.
Insurance:	The Lessee to maintain Public Risk and General Insurance Policies over the premises with Public Liability to be set at \$10(M).
Special Conditions:	Lessee responsible for maintaining and upkeep of the demised premises. The applicant to pay all costs associated with the lease application including document preparation.

Council Policy Compliance

Not applicable

Legislative Compliance

Section 3.58 of the *Local Government Act 1995*.

Officer Comments

As a result of the recent expansion the City of Bunbury has had the opportunity to offer a significant number of new hangar leases which has attracted great interest. The new leases will increase the airport and will create a vibrant hub for light aircraft within the region.

The Applicant requested a secure 25 year lease in the first instance, that term being in keeping with the substantial initial investment that will be required in order to effect the necessary improvements to the hangar site. The new hangar construction to cost \$125k plus.

Crown Land Reserve 27686 for the purpose of Aerodrome under management order to the City can be leased for a term not exceeding 21 years, subject to the consent of the Minister for Lands.

The Applicant has been advised the standard lease term at the Bunbury Airport is 10+ 5 or 5+5 plus outgoings with annual lease rental being subject to annual CPI increases.

However given the request for a long term lease and the ability for the City to provide tenure for up to 21 years, Officers recommend a lease for the period of 21 years as permitted under the Management Order. The Officer advised the Applicant of the tenure that is available and the Applicant was acceptable to the 21 years proposed subject to Council and Ministerial approval.

In addition, the Applicant requested an indicative rent increase clause, this means consideration of the value of the hangar and the funds invested into the site. Indicative rent is not applied to any other lease nor is it part of the City's standard lease agreement.

It was explained to the Applicant that indicative rent is not an option and that the standard rent payable is \$5 per square metre, plus GST and CPI applied annually. The Applicant was agreeable to the fee based on this being \$1,500.00 per annum exclusive of GST plus CPI annually and outgoings.

Analysis of Financial and Budget Implications

The lease rental calculated is based upon a report provided by the Valuer General following the Valuer General's extensive review of similar airports throughout Western Australia.

Community Consultation

The proposed lease will be advertised in accordance with the provisions of Section 3.58 of the Local Government Act 1995.

Should no public submissions be received the Lease will proceed, upon receipt of public submissions the Item will go back to Council.

Councillor/Officer Consultation

The Team Leader Airport and Design has discussed the proposed Lease with the Applicant and requested that Major Projects and Property proceed with the preparation of the lease.

Outcome – Council Meeting 18 April 2017

The recommendation (as printed) was moved Cr Cook, seconded Cr Giles.

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

Council Decision 142/17

Council agrees to grant Hodnett Nominees Pty Ltd as Trustee for the Hodnett Superannuation Fund an Airport Hangar Lease for Hangar 64 at the Bunbury Airport located on Lot 507 (DP74949) South Western Highway, Davenport for a term of twenty one (21) years, subject to;

- 1. The lease being prepared including the standard terms and conditions;***
- 2. The applicant agreeing to pay all costs associated with the lease application including document preparation.***
- 3. Advertising for the disposal being undertaken in accordance with the provisions of Section 3.58 of the Local Government Act 1995.***
- 4. Approval of the Minister for Lands for the lease being obtained.***

CARRIED

11 votes "for" / Nil votes "against"

10.4.2 Proposed Structure Plan – Lot 81 South Western Highway, Davenport

File Ref:	P06911, 16/2016/3/1
Applicant/Proponent:	LB Planning on behalf of NBR Investments Pty Ltd
Responsible Officer:	Martin Hughes, Planning Officer
Responsible Manager:	Thor Farnworth, Manager Sustainability, Planning and Development
Executive:	Mal Osborne, Director Planning and Development Services
Attachments:	Appendix DPDS-2: Proposed Structure Plan Appendix DPDS-3: Schedule of Modifications Appendix DPDS-4: Location Plan Appendix DPDS-5: Endorsed Structure Plan (Planning Solutions, 2000) Appendix DPDS-6: Schedule of Submissions

Summary

The draft Lot 81 South Western Highway Structure Plan has been submitted by LB Planning on behalf of NBR Investments Pty Ltd and has been prepared to guide the subdivision and development of the subject site into six large industrial lots.

The proposed Structure Plan was advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and 9 submissions from government agencies were received. The draft Structure Plan is now returned to Council prior to its forwarding with recommendation to the Western Australian Planning Commission (WAPC) for endorsement.

The proposed Structure Plan report and supporting appendixes are attached at Appendix DPDS-2.

The proposed Structure Plan is consistent with state and local planning frameworks and approval is recommended to the WAPC, subject to the proposed modifications **attached** at Appendix DPDS-3.

Executive Recommendation

That Council, in accordance with Schedule 2, Part 4, clause 20(2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

1. Recommend to the Western Australian Planning Commission that the proposed Structure Plan be approved subject to the modifications **attached** at Appendix DPDS-2.
2. Recommend to the Commission that the Local Water Management Strategy (LWMS) be completed and endorsed by the Department of Water and City of Bunbury prior to the final approval of the Structure Plan.
3. Provide a copy of the Council report (as the local government report) and appendices to the Commission; and

Strategic Relevance

Key Priority Area 3: Natural and Built Environment
Objective 3.4 Facilitate urban design, diversity of land uses, and enabling infrastructure

Key Priority Area 4: Regional Economy
Objective 4.3 Promote Bunbury as a place that supports commercial, residential and social development

Key Priority Area 5: Corporate
Objective 5.1 Facilitate community and stakeholder participation in decision-making

Background

A summary table of details relating to the subject site are as follows:

Property Address:	Lot 81 South Western Highway, Davenport
Zoning:	Development Zone - Industrial
Existing Land Use:	Vacant Land
Lot Area:	41.83 hectares

The site is bordered by the South Western Highway to the west, a portion of the Bunbury Outer Ring Road to the south, an airport expansion area to the north and the Preston River to the east.

Surrounding land uses include the Bunbury Speedway, Bunbury Airport, Motorcycle Club, Go-Kart Club, Bunbury Regional Prison to the west and various rural land uses. Land further north is already developed for industrial purposes (i.e. Bunbury Business Park, Halifax and Picton) and areas to the east and south are either strategically identified or proposed as future industrial land.

A location plan showing the subject site and its surrounds is **attached** at Appendix DPDS-4.

A previous Structure Plan in relation to the site was adopted by Council and endorsed by the WAPC in 2000. The previous structure plan encompassed both Lot 81 and Lot 80 (formerly Lot 15 as the parent lot) and provided significantly smaller lot sizes (1,000-2,000m² and 2,000-5,000m²).

The previous endorsed Structure Plan map is **attached** at Appendix DPDS-5.

Legislative and Council Policy Compliance

The following statutory planning instruments of the State Planning Framework and Local Planning Framework are applicable to the assessment of the proposed Structure Plan:

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Greater Bunbury Region Scheme (GBRS)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas
- WAPC Development Control Policy 4.1 – Industrial Subdivision
- City of Bunbury Town Planning Scheme No.7 (TPS7)
- Draft City of Bunbury Local Planning Strategy
- Draft City of Bunbury Local Planning Scheme No. 8 (LPS8).

In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*, the City of Bunbury is required to provide a recommendation to the WAPC on whether the proposed Structure Plan should be approved by the Commission, including a recommendation on any proposed modifications.

Officer Comments

Road Access

Main Roads WA advised within their submission that a future freeway planning study between Pinjarra Road and Sue's Road on the Forrest and Bussell Highways has been started to plan and review access arrangements over the study area. As part of this study, planning for the Bunbury Outer Ring Road (BORR), including the South Western Highway (SWH) intersection will be further progressed.

Main Roads WA has advised that there are a number of options proposed for the BORR-SWH intersection, including a full scale interchange or a realignment of the South West Highway from the south to align with the Bunbury Port Access Road. If the latter option is considered, the South West Highway could terminate at the BORR in both directions and a link road from the Bunbury Port Access Road across the Preston River to connect with the South West Highway to the north of the Bunbury Airport may be further explored.

It is considered inappropriate to effectively restrict vehicular access to the primary access point to the subject lot, or defer the approval of the proposed Structure Plan for an indefinite amount of time. Furthermore, a large amount of existing businesses that utilise that section of the South Western Highway would be constrained and would not have vehicular access, including the Bunbury Regional Prison, Bunbury Speedway, Motorcycle Club and Go-Kart Club.

The proposed South Western Highway road deviation is not currently reserved as a 'Primary Regional Roads' under the Greater Bunbury Region Scheme (GBRS). Furthermore, the proposed road bridging across the Preston River is not currently reserved as a 'Primary Regional Roads'.

Intersection Requirements

Main Roads WA has indicated the requirement for a left and right-turn intersection treatment for South West Highway. The Schedule of Modifications outlines the following additional Structure Plan provision '*The intersection requirements between the access road and South Western Highway will require a left and right-turn intersection treatment, to the satisfaction of Main Roads Western Australia*'. This provides clarity for future intersection upgrading requirements to avoid disputes at the subdivision stage and to alert prospective purchasers in this regard.

Sewerage Availability

WAPC Development Control Policy 4.1 – Industrial Subdivision Clause 3.7.2 relates to sewerage connection during industrial subdivision:

'Connection to a reticulated sewerage system is a normal requirement of industrial subdivision. However, where a reticulated sewerage connection is not available and is not in early prospect, this requirement may be dispensed with when the Commission:

- (a) Is satisfied that development will be limited to 'dry' industry, and*
- (b) Is advised by the relevant authorities that soil conditions allow for efficient on-site disposal of effluent on a long-term basis.'*

The subject site is not currently connected to reticulated sewer and the closest Water Corporation sewer infrastructure is located approximately 2km west of the site at Dodson Road. Water Corporation sewer planning for this area shows a future main Type 90 Waste Water Pumping Station (WWPS Bunbury 'G') to be located north of the Preston River, however, no planning or funding has been committed to at this stage. During the public consultation process, the Water Corporation has advised that sewerage connection will not be available for some time.

The applicant has also advised that a temporary waste water pumping station will not be approved, and that it would not be workable due to the 2km pumping distance with a small main, leading to problems with stale or septic discharge and paucity of flow needing topping up with scheme water for hydraulic reasons. Accordingly, it is proposed that the future industrial lots are serviced by Aerobic Treatment Units (ATU) and to only permit dry industry uses on the subject land, until such time reticulated sewer is made available. Land use controls to ensure this occurs are proposed using the Structure Plan provisions and details regarding the suitability for on-site effluent disposal are outlined in the Environmental Assessment contained in Appendix C of the Structure Plan report.

Discharge from ATUs should be in accordance with the Department of Health Code of Practice for the Design Manufacture Installation and Operation of ATUs (Department of Health, 2001). In this case, the irrigation areas will need to be comprised of pads of attenuating soil 500mm deep, with at least 2 metres separation distance above maximum groundwater level and located at least 100m from the Preston River. The applicant has noted that filling may be required with suitable granular material (sand with a PRI greater than 10) for lots north of the subdivision road, and locations along the southern boundaries of the lots south of the subdivisional road where the land is higher and depth to clay is suitable.

The City of Bunbury's Environmental Health team has requested to include the requirement for a geotechnical report to ensure that only land that is capable of disposing waste water in accordance with a the Department of Health's standards can be utilised as per 540 Litres per 2,000m². Furthermore, an additional Structure Plan provision has been included to require that a detailed geotechnical report (including details of the ATU system and a plan specifying treatment areas) be submitted as part of any application for development approval.

It is considered that Structure Plan provisions ensuring dry industry, and the provisions in relation to on-site effluent disposal will ensure that there are no adverse impacts on the environment or nearby wetlands and river systems.

Bushfire

A Bushfire Attack Level (BAL) contour assessment and associated report has been undertaken by Ecosystem Solutions to inform this proposal. In summary, the assessment concludes that the Structure Plan and its proposed layout, is acceptable provided future buildings are built outside the BAL-29 contour and appropriate separation distances from the Group G – Grassland vegetation are established and maintained.

The requested modifications to the proposed Structure Plan include that a Bushfire Management Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas is prepared and endorsed by the Department of Fire and Emergency Services (DFES) and in consultation with the Department of Parks and Wildlife (DPaW), prior to the lodgement of a subdivision application.

Analysis of Financial and Budget Implications

This proposed Structure Plan relates to private property, and therefore, the effect of the recommendation has no direct budgetary or financial implications for the City of Bunbury.

Community Consultation

The proposed Structure Plan was publicly advertised from 14 December 2016 to 11 January 2017. Public consultation measures included the following:

- letters sent to surrounding landowners and occupiers;
- letters sent to applicable service authorities;
- public notification signs erected on the subject lot;
- notice of proposal published in local newspaper (three consecutive editions);
- notice of proposal posted on the City of Bunbury's website; and
- copies of plans and supporting information made available at the City of Bunbury's customer service centre.

In total nine (9) submissions were received, with all of the submissions being from service authorities.

Refer to the Schedule of Submissions **attached** at Appendix DPDS-6.

Councillor/Officer Consultation

The proposal has been referred to the City of Bunbury's Development Coordination Unit (DCU) for professional advice and technical assessment prior to the finalisation of this report.

Consultation with the Applicant

The draft officer's recommendation, along with the Schedule of Submissions and the Schedule of Modifications, has been communicated with the applicant.

Outcome – Council Meeting 18 April 2017

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

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

Council Decision 143/17

That Council, in accordance with Schedule 2, Part 4, clause 20(2)(e) of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:

- 1. Recommend to the Western Australian Planning Commission that the proposed Structure Plan be approved subject to the modifications attached at Appendix DPDS-2.*
- 2. Recommend to the Commission that the Local Water Management Strategy (LWMS) be completed and endorsed by the Department of Water and City of Bunbury prior to the final approval of the Structure Plan.*
- 3. Provide a copy of the Council report (as the local government report) and appendices to the Commission; and*

CARRIED

11 votes "for" / Nil votes "against"

10.5 Director Works and Services Reports

Nil

11. Applications for Leave of Absence

11.1 Application for Leave of Absence – Councillor Kelly

Applicant/Proponent:	Cr Brendan Kelly
Author:	Gavin Harris, A/Chief Executive Officer
Executive:	Gavin Harris, A/Chief Executive Officer
Attachments:	Nil

Cr Kelly requests leave of absence from all Council-related business for the period 3 May 2017 to 15 May 2017 inclusive.

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 (6) consecutive ordinary meetings of the Council.

Executive Recommendation

Pursuant to Section 2.25 of the Local Government Act 1995, Cr Kelly is granted leave of absence from all Council-related business for the period 3 May 2017 to 15 May 2017 inclusive.

Outcome – Council Meeting 18 April 2017

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

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

Council Decision 144/17

Pursuant to Section 2.25 of the Local Government Act 1995, Cr Kelly is granted leave of absence from all Council related business for the period 3 May 2017 to 15 May 2017 inclusive.

CARRIED

11 votes “for” / Nil votes “against”

12. Motions on Notice

12.1 Motion on Notice – ANZAC Day

Author:	Councillor Michelle Steck
Executive:	Gavin Harris, A/Chief Executive Officer
Attachments:	Nil

Cr Steck has submitted the following motion for the Ordinary Council Meeting of 18 April 2017:

- 1. That the City of Bunbury increase the funding for the ANZAC DAY ceremonies being both dawn service and the main ceremony from 11am to a total financial funding commitment of \$ 20,000.*
- 2. That the City of Bunbury continues to provide in kind support for ANZAC Day ceremonies which has been provided in the past such as road closures.*

Comments – Cr Steck

Over the past several years the City of Bunbury has been funding the ANZAC DAY commemorations by internal support, road closures and \$ 4,600 in financial support.

The RSL Bunbury branch has traditionally fundraised for the event and many costs are associated with a major commemorative event such as ANZAC DAY.

Within the City there is two events held annually which is the dawn service and the main service at 11am. In fact these services are conducted around the country.

In the recent past this event has materialized in annual growth to well over 9,000 persons this year is no exception as the ceremony is expected to grow in numbers. This is why the cost of providing the event is increasing to the extent that the local RSL is finding funding the event extremely difficult.

The City of Bunbury commits over \$900,354 in events, events management and event marketing every year. In the recent past the City of Bunbury has increased community event funding, with a dedicated committee to grow events and establish an iconic event.

The City of Bunbury spends some \$160,551 on the annual Christmas Party and \$243,051 on Australia Day.

ANZAC Day is a dedicated event with entire community support and injects major economic support to the CBD and business community in Bunbury.

The Business community has traditionally supported the Bunbury RSL by offering donations in products and discounted prices for products such as sound and lighting, recording, big screen devices, water, Australian hand waving flags and program printing.

Without the generosity of the community the ANZAC Day event would not be growing and become as successful as it has been now for years.

Other equipment is also being needed to be replaced such as banners across the Graham Bricknell stadium, new street banners for Victoria Street and more equipment for the Centenary Celebrations next year.

Further, hiring of screens is required for the anticipated large number of crowds so they are able to participate in the ceremony.

Advertising for the parade and ceremonies has had to be reduced due to the tightening of budget constraints to deliver the main events.

The RSL Bunbury members also work tirelessly prior to any ANZAC Day as many of their members attend school assembly's to deliver key speeches in every school in Bunbury.

The local RSL also coordinates the transportation of all members who usually march in the parade to be collected from Nursing Homes and transported with the generosity of the local car clubs. All defense services participate in the parade including state services such as Police, Firemen, Emergency Rescue, Ambulance, all schools and all community groups such as scouts and other visiting RSL members.

ANZAC Day has always been a major significant event in this City and indeed an iconic event, this should surely have to qualify as a stand-alone event for annual funding from Council.

Both the dawn service and the main service at 11am are now well overdue from further assistance from council. Considering all the other events which occur in the city and the city funds ANZAC is spreading the message of peace, respect and remembrance, no other event achieves that.

The most exciting news for ANZAC Day this year is that HMAS Toowoomba along with 197 sailors are docking into the City for ANZAC Day. This is an economic and profile boost for the City. Commander Stuart Watters, Royal Australian Navy will be addressing the crowd he will also participate in the dawn service and the 11am service along with many of his crew.

I have provided the breakdown of events and events expenditure that the City of Bunbury provided last year with an estimate of this year taken directly from the draft financial plan.

THE BREAKDOWN OF EVENTS FUNDED WITHIN THE CITY ARE AS FOLLOWS:

	2016-17	2017-18
Conduct Australia Day Event	243,051	247,913
Conduct Christmas Carnival Event	160,551	163,942
Coordinate Event Booking for Community Facilities	60,551	61,573
Support and Market External Events	84,592	86,399
Conduct Destination Marketing Activities	229,397	233,826
Manage Department Tourism and Events	143,305	146,384
TOTALS	\$ 900,854	\$ 929,772

Below is the budget with the entire support from the community.

ANZAC DAY BUDGET ACTUALS

Sound & Visual Equipment	8781.79
Advertising	500.00
New Banners	4,400.00
Function License	40.00
Cleaning Function Room & Kitchen	1,000.00
Wreaths	320.00
St John Ambulance	577.50
Printing	1419.00
Postage	65.00
Gunfire Breakfast	600.00
Accommodation – Guest Speaker	270.00
Community Function (including 197 sailors)	5,940.41
Bar Staff	900.00
Advertising	400.00
Volunteer Support	150.00
	25,363.70

Executive Comment

The City conducts two events per year that are run in house - the Christmas Carnival and the Australia Day Event. The net budgeted cost to Council for these events are as follows:

Event	2016/17	2017/18
Conduct Christmas Carnival		
Income	9,045	5,545
Expenditure	160,551	163,942
Net Cost to Council	151,506	158,397
Conduct Australia Day Event		
Income	50,000	40,150
Expenditure	243,051	247,913
Net Cost to Council	193,051	207,763

The City of Bunbury has made contact with the Bunbury RSL in this regard, who have indicated that planning for the 2017 ANZAC day ceremonies are well-advanced.

With ANZAC Day 2017 being less than 7 days from the date of Cr Steck's motion being considered by Council, it is felt that an injection of funds into the planning of next week's ceremonies would have limited impact.

Should Council wish to provide an additional allocation of funds for ANZAC Day 2018, which will mark 100 years since the end of World War 1, this can be considered during 2017/18 budget deliberations.

Outcome – Council Meeting 18 April 2017

The motion (as printed) was moved Cr Steck, seconded Cr Cook.

The Mayor put the motion to the vote and it was lost 3 votes “for” / 8 votes “against”.

Cr Steck, Cr Cook and Cr Giles requested that their votes “for” be recorded. The Mayor and all other Councillors present voted against the motion.

No further decisions were made in this regard.

13. Questions on Notice

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

Nil

13.2 *Questions from Members*

Nil.

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

Nil.

15. Meeting Closed to Public

15.1 Matters for which the Meeting may be Closed

These reports are confidential in accordance with sections 5.23(2)(a) and (e) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

(a) *a matter affecting an employee or employees;*

(e) *a matter that if disclosed, would reveal —*

(i) *a trade secret; or*

(ii) *information that has a commercial value to a person; or*

(iii) *information about the business, professional, commercial or financial affairs of a person,*

where the trade secret or information is held by, or is about, a person other than the local government; and

Recommendation

In accordance with sections 5.23(2)(a) and (e) of the *Local Government Act 1995* and clause 6.2 of the City of Bunbury's Standing Orders Local Law 2012, Council resolves to close the meeting to members of the public to consider the items titled:

"15.1.1 Portion Lot 5 Wellington Street"

"15.1.2 Appointment of a new Chief Executive Officer"

Outcome – Council Meeting 18 April 2017

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

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

Council Decision 145/17

In accordance with sections 5.23 (a) and (e) of the Local Government Act 1995 and clause 6.2 of the City of Bunbury's Standing Orders Local Law 2012, Council resolves to close the meeting to members of the public to consider the items titled:

"15.1.1 Portion Lot 5 Wellington Street

15.1.2 Appointment of a new Chief Executive Officer

CARRIED

11 votes "for" / Nil votes "against"

The meeting was closed to all members of the public and press at 5.46pm.

15.1.1 Portion Lot 5 Wellington Street

Applicant/Proponent:	Internal Report
Responsible Officer:	Felicity Anderson, Manager Major Projects and Property
Responsible Manager:	Felicity Anderson, Manager Major Projects and Property
Executive:	Mal Osborne, Director Planning and Development Services
Attachments:	Confidential Report CRUSC-1: Portion Lot 5 Wellington Street

This report is confidential in accordance with section 5.23(2)(e) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

- (e) *a matter that if disclosed, would reveal—*
- (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government

A confidential report and recommendation has been circulated to members **under separate cover** (CRUSC-1). The report is not for circulation.

Outcome – Council Meeting 18 April 2017

Cr Giles declared a proximity interest in the item and left the chamber at 5.46pm for the duration of the discussion and the vote on the matter.

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

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

Council Decision 146/17

- 1. That Council note the request by Vue Group (Vue DC Pty Ltd) for the 18 month due diligence period to commence from the date of agreement.**
- 2. That Council not support this request and advise that the period will be a maximum 12 months in accordance to the draft Call Option Deed and Sales and Development Agreement.**
- 3. That Council approve the draft Call Option Deed and Sale and Development Agreement terms and authorise the CEO to make any amendments recommended by the City's solicitors that are acceptable to the CEO.**
- 4. That Council advise Vue Group (Vue DC Pty Ltd) that the current proposed draft Call Option Deed and Sales and Development Agreement must be signed on or before 30 May 2017.**

- 5. That Council agrees should the proposed draft Call Option Deed and Sales and Development Agreement not be signed by close of business on 30 May 2017 then negotiations and matters are at end.**
- 6. That Council note in the event that Vue Group (Vue DC Pty Ltd) decide not to continue with the project the original area proposed for the project be included in the overall planning for the Civic and Cultural Precinct.**

CARRIED

10 votes "for" / Nil votes "against"

Cr Giles returned to the chamber at 5.47pm.

15.1.2 Appointment of a New Chief Executive Officer

Whilst this report has been made public, discussion and debate regarding this topic is confidential in accordance with section 5.23(2)(a) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

(a) *a matter affecting an employee or employees;*

Applicant/Proponent:	Internal
Responsible Officer:	Gavin Harris, Acting Chief Executive Officer
Responsible Manager:	Gavin Harris, Acting Chief Executive Officer
Executive:	Gavin Harris, Acting Chief Executive Officer
Attachments:	Appendix CEO-2: Department of Local Government – Appointing a CEO guideline

Summary

On 28 March 2017, the Chief Executive Officer (CEO) Mr Andrew Brien tendered his resignation to the Mayor.

Mr Brien has provided 3 months' notice of his intention to resign, with his last day being 28 June 2017.

Executive Recommendation

1. That Council accepts the resignation of Mr Andrew Brien as Chief Executive Officer with his last day of employment being 28 June 2017.
2. That Council allocate \$50,000 in the 2017/18 financial year for the recruitment of a replacement Chief Executive Officer
3. That Council authorise the CEO Performance Review panel to prepare selection criteria and CEO Duty Statement for submission to Council for endorsement by no later than June 2017.
4. Upon the endorsement of Point 3 above, Council authorise the CEO Performance Review Panel to recommend to Council a preferred recruitment firm to assist in the recruitment of a new Chief Executive Officer
5. Upon appointment of the firm, Council authorises the advertising for the position of Chief Executive Officer, with the recruitment firm applicant shortlist to be bought back to Council following the 2017 October Elections.
6. That Council appoint _____ to the position of Acting Chief Executive Officer for the duration of the time between Mr Brien's departure and a permanent replacement commencing the duties of Chief Executive Officer.

Background

Following receipt of the CEO's resignation, it is proposed that the existing CEO Performance Review Panel approach suitable recruitment firms requesting quotes to assist the City in advertising, selection and appointment of a replacement CEO.

The appointment of a recruitment firm must comply with the Department of Local Government – Appointing a CEO guideline which is attached at Appendix CEO-2.

Officer Comments

The Mayor has provided the following comments in relation to this matter:

2017 is a Mayoral election year in addition to the retirement of 6 Elected Member positions. It is appropriate the elected Council following the 2017 election makes that appointment. This means Council will be required to appoint an Acting CEO position.

I requested the Acting CEO to discuss with his colleagues an option for each of the current Directors to consider rotating this role from the time Mr Brien departs until a permanent replacement commences duties. They have collectively considered this option and have responded with a recommendation that one Director be appointed Acting CEO for the duration of time between Mr Brien departing and a permanent replacement commencing duties. I applaud their professional consideration.

I am therefore recommending Council initiate a process for recruiting a new CEO based on the following.

A budget item Recruitment of CEO to be included in the 2017/18 annual budget. The amount to include estimated recruitment costs such as professional services, advertising and travel costs. It should also include a contingency for relocation costs of the successful candidate if required.

April to May 2017, Council requests the CEO Performance Panel to prepare selection criteria and CEO Duty Statement for submission to Council for endorsement.

Following that endorsement by June 2017 EOI to be invited through public advertising from suitably qualified and experienced recruitment firms to assist Council in the recruitment process including assisting with selection of a short list for interview by Council following the October 2017 elections. The appointment of a recommended firm is to be made by Council in July.

A representative from the successful recruitment agency would then meet with Council to finalise the recruitment process to ensure preparation of a short list and final interviews are conducted by Council soon after the 2017 Local Government elections.

Legislative Compliance

There are three sections of the Local Government Act 1995 that have direct application to the appointment of a CEO.

Section 5.36 of the Act requires a local government to employ a “Suitably qualified” person to fill the position of CEO. Section 5.39 contains the provision for the contracts of CEO’s and Section 5.40 requires that all employees are to be selected in accordance with the principles of merit and equity.

Analysis of Financial and Budget Implications

This proposal would see a budget item included in the 2017/18 financial budget of \$50,000. This would assist with the recruitment firm fees and charges and then any surplus funding may be utilised with any additional expenses such as re-location allowance etc for the successful candidate.

Community Consultation

Not Applicable.

Councillor/Officer Consultation

Councillors are aware of the resignation of Mr Andrew Brien from his position of Chief Executive Officer.

Outcome – Council Meeting 18 April 2017

All officers with the exception of the CEO left the chamber at 5.48pm.

The recommendation (as printed) was moved Cr Giles, seconded Cr Kelly.

The Mayor took each point of the motion individually and they were all carried unanimously with the exception of point 5 which was 8 votes “for” / 3 votes “against”.

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

Council Decision 147/17

- 1. That Council accepts the resignation of Mr Andrew Brien as Chief Executive Officer with his last day of employment being 28 June 2017.**
- 2. That Council allocate \$50,000 in the 2017/18 financial year for the recruitment of a replacement Chief Executive Officer**
- 3. That Council authorise the CEO Performance Review panel to prepare selection criteria and CEO Duty Statement for submission to Council for endorsement by no later than June 2017.**
- 4. Upon the endorsement of Point 3 above, Council authorise the CEO Performance Review Panel to recommend to Council a preferred recruitment firm to assist in the recruitment of a new Chief Executive Officer**
- 5. Upon appointment of the firm, Council authorises the advertising for the position of Chief Executive Officer, with the recruitment firm applicant shortlist to be bought back to Council following the 2017 October Elections.**
- 6. That Council appoint Mr Mal Osborne to the position of Acting Chief Executive Officer for the duration of the time between Mr Brien’s departure and a permanent replacement commencing the duties of Chief Executive Officer.**

CARRIED

11 votes “for” / Nil votes “against”

15.2 Public Reading of Resolutions that may be made Public

Cr Cook moved Cr Jones seconded that the meeting be reopened to the public and press.

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

Council Decision 148/17

Council resolves that the meeting be reopened to Council Officers, Members of the public and the press.

CARRIED

11 votes "for" / Nil votes "against"

The meeting was re-opened to public and press at 5.53pm.

The Mayor read aloud Council Decision 146/17 for Item 15.1.1 "*Portion Lot 5 Wellington Street*".

That Council:

1. That Council note the request by Vue Group (Vue DC Pty Ltd) for the 18 month due diligence period to commence from the date of agreement.
2. That Council not support this request and advise that the period will be a maximum 12 months in accordance to the draft Call Option Deed and Sales and Development Agreement.
3. That Council approve the draft Call Option Deed and Sale and Development Agreement terms and authorise the CEO to make any amendments recommended by the City's solicitors that are acceptable to the CEO.
4. That Council advise Vue Group (Vue DC Pty Ltd) that the current proposed draft Call Option Deed and Sales and Development Agreement must be signed on or before 30 May 2017.
5. That Council agrees should the proposed draft Call Option Deed and Sales and Development Agreement not be signed by close of business on 30 May 2017 then negotiations and matters are at end.
6. That Council note in the event that Vue Group (Vue DC Pty Ltd) decide not to continue with the project the original area proposed for the project be included in the overall planning for the Civic and Cultural Precinct.

The Mayor read aloud Council Decision 147/17 for Item 15.1.2 "*Appointment of a new Chief Executive Officer*".

1. That Council accepts the resignation of Mr Andrew Brien as Chief Executive Officer with his last day of employment being 28 June 2017.
2. That Council allocate \$50,000 in the 2017/18 financial year for the recruitment of a replacement Chief Executive Officer
3. That Council authorise the CEO Performance Review panel to prepare selection criteria and CEO Duty Statement for submission to Council for endorsement by no later than June 2017.

4. Upon the endorsement of Point 3 above, Council authorise the CEO Performance Review Panel to recommend to Council a preferred recruitment firm to assist in the recruitment of a new Chief Executive Officer
5. Upon appointment of the firm, Council authorises the advertising for the position of Chief Executive Officer, with the recruitment firm applicant shortlist to be bought back to Council following the 2017 October Elections.
6. That Council appoint Mr Mal Osborne to the position of Acting Chief Executive Officer for the duration of the time between Mr Brien's departure and a permanent replacement commencing the duties of Chief Executive Officer.

16. Closure

The meeting was declared closed at 5.55pm.