

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

SHIRE OF BUSSELTON

MINUTES OF A MEETING OF THE BUSSELTON SHIRE COUNCIL
HELD ON 23 JULY 2008

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SHIRE OF BUSSELTON**MINUTES OF A MEETING OF THE BUSSELTON SHIRE COUNCIL HELD IN COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON WEDNESDAY, 23 JULY 2008 AT 5:30 PM**

The Presiding Member opened the meeting at 5.32 p.m.

1. ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE

Presiding Member: Cr Wes Hartley Shire President

Members:
Cr Bethwyn Hastie
Cr David Binks
Cr Ian Stubbs
Cr Ross Bromell
Cr Anne Ryan
Cr Tom Tuffin
Cr Rob Underdown
Cr Bev Clarke

Officers:
Mr Andrew Macnish Chief Executive Officer
Mr Nigel Bancroft Director, Lifestyle Development
Mr Oliver Darby Director, Community Infrastructure
Mr Matthew Smith Director, Community and Organisational Development
Miss Lynley Rich Governance Manager
Ms Jenny Mathies Admin. Officer - Governance

Apologies:

Leave of Absence: Cr Don Hanran-Smith
Cr John Triplett
Cr Rod Wheeler

Absent: Ms Cathryn Hutton Executive Manager, Systems and Information

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

Public: 10

2. OPENING PRAYER

The Opening Prayer was delivered by Councillor David Binks.

3. PUBLIC QUESTION TIME

Mr Mike Godsell had submitted a number of questions in writing prior to this evening's Council meeting, as follows:

3.1 **Mike Godsell:**

I make reference to my questions that were asked in the Chamber at the Council Meeting of 11 June 2008. Your answers have been taken from the Minutes of that meeting at Item 3 "Public Question Time". My question at 3(b) was: Which authority was responsible for maintaining these structures over a long period of time". Your answer was in part, "It is understood that maintenance of these structures has been progressively undertaken by the Shire of Busselton.....".

Was this the "usual level of maintenance" that would have to be carried out by the Shire at frequent intervals on such important structures as these rock and timber Jetty groynes and will this level of maintenance be applied in the future?

Response - Director, Community Infrastructure:

The original question taken on 11 June 2008, requested who was responsible for maintenance to which the answer was given. The question did not ask for levels of service/maintenance and subsequently no answers detailing this were provided 'usual' or otherwise. Therefore the question 'was this the usual level of service' cannot be answered as it is not in reference to any details provided.

However, structures were in the past maintained on an as-required basis and usually in response to storm damage or visual inspection by officers. The structures in question, as previously stated, have reached the end of their design life.

In the future, with the completion of the current survey of coastal protection structures, an asset management plan for the Shire's coastal protection structures will be developed. This plan will include capital and maintenance programs. The Shire of Busselton will be the custodian of these programs and will work with relevant State Departments to implement the programs.

3.2 **Mike Godsell:**

Am I correct in saying that these Groynes were all at least 100 feet long and made of rock and heavy duty timber?

Response - Director, Community Infrastructure:

The original groynes at Town Beach were 100 ft long and as indicated on the PWD (Public Works Department) drawings, made of timber.

3.3 Mike Godsell:

Am I also correct in saying that because of the appalling lack of maintenance by the Shire over the years, that these NINE rock and timber groynes were allowed to disintegrate and become completely ineffective?

Response - Director, Community Infrastructure:

Please refer to Question 1 and 2 above, and the previous answers provided on 11 June 2008, 'the structures are currently at the end of their design life'.

These structures are over 20 years old and of timber construction only - not rock and timber as stated in the question. The current contract is to replace five timber groynes and not nine rock and timber groynes as stated in the question.

3.4 Mike Godsell:

Am I now given to understand that our Town Beach is now going to be protected against erosion with a pile of "sand bags" that will carry out the same "function" as the original 100 foot long rock and timber groynes?

Response - Director, Community Infrastructure:

The geotextile sand containers (GSCs) are a specialised product for coastal applications and were the preferred option based on consideration of cost, design life, effectiveness and amenity. These types of structures have performed successfully in South Australia and on the east coast of Australia. They will carry out the same function as the timber groynes in stabilising the shoreline.

3.5 Mike Godsell:

We know that the rock and timber lasted for many years but what is the expected lifespan of these "sand bags" (not in age) but before they become "inefficient"

Response - Director, Community Infrastructure:

The design life of the structures is 25 years. These structures are replacing timber structures not rock and timber structures as stated.

3.6 Mike Godsell:

Will the "sand bags" be maintained to the same standard as the rock and timber were?

Response - Director, Community Infrastructure:

The Shire of Busselton will be developing a maintenance manual for the Geotextile Groynes during the construction of the groynes at the Town Beach. When the construction activities have been successfully completed, maintenance activities will be scheduled accordingly to ensure the integrity and the functionality of the groynes is maintained.

3.7 Mike Godsell:

On the colour plan released by the Shire, the "sand bags" do not reach the sea wall. Why is this?

Response - Director, Community Infrastructure:

The diagram released by the Shire provides a broad illustration of the groynes dimensions and construction activities to be performed. The groynes will extend to the seawall.

3.8 Mike Godsell:

You say that your preferred option for these "geotextile" sand containers (sand bags) was based on consideration of cost, design life, effectiveness and amenity. Can you please explain to me:

- (i) Cost
- (ii) Design Life
- (iii) Effectiveness
- (iv) Amenity

as I think the people of Busselton need to know on what information this decision was made.

Response - Director, Community Infrastructure:

The Preliminary Option Report (GHD 2007) considered a range of options to replace the damaged timber groynes and stabilise the beach. This report was made available for public comment in late 2007 and is available for viewing at the Shire Offices. This report provides definition and background to the decision making criteria of the individual options with respect to cost, design life, effectiveness and amenity.

3.9 Mike Godsell:

Are these "sand bags" as vandal proof as rock and timber?

Response - Director, Community Infrastructure:

"Sand Bags"; GSCs on the surface of the groynes will have vandal proof covering to substantially reduce any adverse actions of potential vandals.

3.10 Mike Godsell:

Does the Council admit that these "sand bags" are only a "band aid fix" to the "real problem" of erosion and a complete waste of ratepayers HARD earned money and do you really think that this heap of sand will hold back the rising ocean?

Response - Director, Community Infrastructure:

The question has been asked of Council. Without wishing to answer on behalf of Council, these GSC groynes are a long term solution to providing coastal protection and beach stabilisation to the Busselton Town beach Foreshore and associated infrastructure.

Ms Jackie Emery had submitted a number of questions in writing prior to this evening's Council meeting, as follows:

3.11 Ms Jackie Emery:

Has Busselton Council started this risk assessment of rising sea levels yet?

Response - Director, Lifestyle Development:

Council appointed Consultants LandinSights in conjunction with sub-consultants Damara WA Pty Ltd to complete a Local Environmental Planning Strategy (LEPS) early in 2008.

The LEPS requires (amongst other tasks) the completion of an assessment to identify the land use and infrastructure implications associated with climate change in the Shire. This includes:

- 1. Liaison with State and Commonwealth Government agencies and make an assessment of how the preliminary National Adaptation Framework should be applied to the Shire of Busselton.*
- 2. Work with a GIS modeler to undertake modeling of sea level rise and storm surge data, detailed risk assessment and adaptation strategies for the Shire.*
- 3. Investigation of potential mobile beach zones and areas subject to shoreline movement and instability by review of coastal geomorphology and significant land features through aerial photography.*
- 4. Consider tidal habitats and associated wetlands, estuaries and flats.*

5. *Determine the vulnerability of the Shire of Busselton coast to climate change impacts by defining areas that are low lying and possibly subject to sea level rise, storm surges and increased rainfall associated with climate change.*
6. *Identify potential long, medium and short term impacts forecast to occur with climate change.*
7. *Identify risks to foreshore reserves, infrastructure, coastal setbacks, sediment transport and identify mitigation measures such as: setbacks required for development, sediment transport strategies, public safety and access.*

The Shire sought further funding from the Local Adaption Pathways Program under the Department of Climate Change to do work at a more detailed level on potential impacts on Shire infrastructure, however we were not successful in the first round of funding and will apply again in the next round.

3.12 **Ms Jackie Emery:**

If Council has started the process, who has been given the task?

Response - Director, Lifestyle Development:

The Shire's Project Manager for the LEPS is Mersina Robinson, Project Planner, Scheme Review.

Damara WA Pty Ltd have been employed as a specialist consultancy to work with LandInsights in preparing the climate change component of the LEPS. The consultants at Damara Pty Ltd include: Matthew Eliot; Stuart Barr; and Ian Eliot.

Matthew Eliot – Project Coordinator & Coastal Engineer

Matt has more than fourteen years experience as a coastal engineer, with the WA Department of Transport, CMPS&F (later Egis Consulting) and Damara WA. He has extensive experience in the analysis of coastal processes and shoreline response to extreme or variable coastal conditions, completing studies at Como Foreshore, Alligator Rivers Region, Penguin Island, Rottnest Island, Coral Bay, the Gulf of Carpentaria, Swan River and Garden Island. In recent years, these projects have included specific assessment of the likely response to coastal climate change. He has particular interest in water level processes affecting the southwest of Western Australia and has presented the results of his research at national and regional marine science conferences.

Stuart Barr – Coastal Engineer

Stuart has over twelve years experience as a coastal engineer, working with Manly Hydraulics Laboratory and the WA Department for Planning & Infrastructure (DPI).

He has undertaken a wide range of marine projects, including assessment of environmental water flow requirements for the Daly River, management of the WA State Government maintenance dredging program and investigations and design for Carnarvon Surge Wall. During his tenure as the DPI Senior Coastal Engineer, Stuart was involved with the full spectrum of coastal projects across Western Australia, including coastal and marine developments, erosion studies, coastal protection works, dredging and bypassing studies.

Ian Eliot – Coastal Geomorphologist

Ian has more than 30 years experience as a coastal geomorphologist and has undertaken research and investigations across many parts of the WA coast including Geographe Bay, through the University of Western Australia, Ministry for Planning and Department for Environment and Conservation. He has been extensively involved in marine planning and the development of coastal science, including the first Australian assessments of coastal vulnerability to climate change (May, Waterman & Eliot 1990). He was one of Australia's first representatives on the Intergovernmental Panel on Climate Change.

3.13 Ms Jackie Emery:

What qualifications do these nominated people have to complete this task?

Response - Director, Lifestyle Development:

As above.

3.14 Ms Jackie Emery:

What is the timeline for this to be completed?

Response - Director, Lifestyle Development:

The climate change component of the LEPS will be completed in the next two months and available for assessment by Shire officers and the LEPS Technical Working Group and LEPS Community Reference Group. The draft LEPS will be available for Council consideration in late 2008.

3.15 Ms Jackie Emery:

If the process has not been commenced, why not? (There would appear to be some urgency in this e.g. the disappearing sea wall on the town beach).

Response - Director, Lifestyle Development:

The process has commenced.

3.16 Mr Andrew Bryce:

Is Council aware of the pending Coastcare submission to address erosion of the Norman Road groyne and is Council aware that it requires the CEO to write a letter of support tomorrow to allow lodgement of the grant application by the due date of 25 July 2008?

Response - Chief Executive Officer:

I think the question is a pertinent one, given that there will be a proposal later this evening to discuss this matter as an item of urgent business. In that respect, the question to Council is if they are aware and if they weren't, then they are now.

4. SUMMARY OF RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

A question was asked by Mr Peter Cole during Public Question Time at the Council Meeting on 9 July 2008, in relation to Lot 50 Eagle Crescent, Eagle Bay, as follows:

Mr Peter Cole:

We have been through the process of feedback about the proposed dam which I understand is now having community input on the revised dam. Can I find out how many responses there were to the first dam and how many from individuals and how many from groups along with a summary of responses?

Response - Director, Lifestyle Development:

Responses received to the advertising of the initial dam application for Lot 50 Eagle Crescent, Eagle Bay were:

- * 1 - Government Agency - DPI
- * 1 - Community Group - REBA
- * 15 - Individual Public Submissions.

A summary of these submissions as applicable to the revised application will be prepared when the application is assessed.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. CONFIRMATION OF MINUTES

6.1 Minutes of an Ordinary Meeting of Council held on 9 July 2008.

C0807/208 Moved Councillor Binks, seconded Councillor Clarke:

That the minutes of an Ordinary Meeting of Council held at 5.30 p.m. on Wednesday, 9 July 2008, be confirmed as a true and correct record, subject to the Mover and Seconder details in relation to Item 8.1, Southern Drive Footpath (Council Decision C0807/198) on page 9 being amended to read "Moved Councillor Ryan, seconded Councillor Tuffin".

CARRIED 9/0

6.2 Minutes of a Special Meeting of Council held on 16 July 2008.

C0807/209 Moved Councillor Bromell, seconded Councillor Hastie:

That the Minutes of a Special Meeting of Council held at 7.00 p.m. on Wednesday, 16 July 2008, be confirmed as a true and correct record.

CARRIED 9/0

7. ANNOUNCEMENTS by the Presiding Member without discussion

Nil

8. PETITIONS AND MEMORIALS

Nil

9. DECLARATION OF DUE CONSIDERATION

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

Declared Due Consideration	No Declaration
Councillor Wes Hartley	
Councillor Bethwyn Hastie	
Councillor David Binks	
Councillor Ian Stubbs	
Councillor Ross Bromell	
Councillor Anne Ryan	
Councillor Tom Tuffin	
Councillor Bev Clarke	
Councillor Rob Underdown	

10. DECLARATIONS OF INTERESTS

10.1

DECLARATION OF INTEREST	
Name / Position	Councillor Bethwyn Hastie
Item No. / Subject	Item 16.2, Occupation of the Old Library Building - Prince Street, Busselton
Type of Interest	Interest Affecting Impartiality

11. PRESENTATIONS BY PARTIES WITH AN INTEREST

Nil.

12. BUSINESS FROM PREVIOUS MEETING

Nil.

EN BLOC COUNCIL RESOLUTION

At this juncture Items 13.1, 13.2, 14.1, 14.2, 14.3, 15.1, 15.2, 16.1 and 16.3 were considered in accordance with Clause 11.1 of the Standing Orders via an En Bloc resolution of Council.

C0807/210 Moved Councillor Bromell, seconded Councillor Underdown:

That the Officer Recommendations for Items 13.1, 13.2, 14.1, 14.2, 14.3, 15.1, 15.2, 16.1 and 16.3 be adopted.

CARRIED 9/0

13.1 LOT 38, NO. 73 NUKKLGUP LOOP, YALLINGUP - REQUEST TO APPROVE VARIATION TO SWIMMING POOL ENCLOSURE

FILE NO: 11215
PROPOSAL: The owner of Lot 38 No 73 Nukklgup Loop Yallingup requests the Local Government to approve access from the dwelling to form part of the swimming pool enclosure.
POLICIES: Nil

PRÉCIS

A request has been received for an exemption to the requirement for a safety fence or barrier between the swimming pool and dwelling at Lot 38 No 73 Nukklgup Loop Yallingup. Building Regulations 1989 Part 10 Private Swimming Pools clause 38C, allows the Local Government not to require a fence or barrier between the pool and dwelling, if the Local Government believes the existence of a fence or barrier between the pool and dwelling would create a sufficient problem for a person with a disability.

It is recommended that Council approve the use of the door(s) from the dwelling to form part of the swimming pool safety barrier subject to the door and perimeter fencing complying with the requirements of Australian Standard AS 1926.1. It is also recommended that the latches be approved at a height of 1200mm instead of 1500mm.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/211 Councillor Bromell, Councillor Underdown (En Bloc):

That Council approve the use of the door(s) from the dwelling at Lot 38 No 73 Nukklgup Loop, Yallingup, to form part of the swimming pool safety barrier subject to:

- (a) the doors and perimeter fencing complying with the requirements of Australian Standard AS 1926.1.
- (b) the swimming pool safety barrier being upgraded to provide a fence and gates between the pool and dwelling if the premises is sold or circumstances change where the exemption is no longer required, with a caveat to be placed on the title of the lot to ensure that this is carried out.

CARRIED 9/0
EN BLOC

13.2 DRAFT TOWN PLANNING SCHEME AMENDMENT NO. 134 & DEVELOPMENT GUIDE PLAN - LOC. 4367 NUTTMAN ROAD, CHAPMAN HILL (CONSIDERATION FOR ADOPTION FOR COMMUNITY CONSULTATION)

FILE NO:	6718AMD
PROPOSAL:	Rezoning Loc. 4367 Nuttman Road, Chapman Hill from 'Agriculture' to 'Bushland Protection', and Development Guide Plan - consideration of adoption for advertising
LOT SIZE	87.5765 ha
ZONE:	Agriculture
POLICIES:	Local Rural Planning Strategy Biodiversity Incentive Strategy for Private Land in the Busselton Shire Shire of Busselton Municipal Heritage Inventory Planning for Bushfire Protection

PRÉCIS

The Council has been requested to initiate an amendment to the Shire of Busselton District Town Planning Scheme No. 20 ("the Scheme") to rezone Location 4367 Nuttman Road, Chapman Hill ("the subject land") from 'Agriculture' to 'Bushland Protection'. The primary intent of the rezoning is to facilitate subdivision of the subject land consistent with the voluntary subdivision incentive available under the Shire of Busselton Biodiversity Incentive Strategy (BIS).

A flora and vegetation survey has been undertaken which indicates the subject land meets the 'biodiversity value' criteria set out in the BIS. A draft Development Guide Plan (DGP) has been submitted for the subject land proposing the creation of four 'Bushland Protection' lots, ranging in size from 5.44 ha to 49.16 ha.

The draft DGP is considered to meet the operational guidelines of the BIS, and the provisions of the Scheme, subject to minor modifications to address issues such as fire management and dieback management. It is therefore recommended that the proposal be supported, and that Amendment No. 134 and the associated DGP be adopted for the purposes of community consultation, subject to the modifications being made.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/212

Councillor Bromell, Councillor Underdown (En Bloc):

1. That Council, in pursuance of Part V of the Planning and Development Act 2005, adopt draft Amendment No. 134 ("Amendment") to Shire of Busselton District Town Planning Scheme No. 20 for community consultation for the purposes of rezoning Loc. 4367 Chapman Hill Road, Chapman Hill from 'Agriculture' to 'Bushland Protection', subject to the modifications required to the draft Development Guide Plan and Fire Management Plan as per 2 below.

2. That Council adopt for community consultation the draft Development Guide Plan for Loc. 4012 Nuttman Road, Chapman Hill at Attachment C. pursuant to clause 25 of the Shire of Busselton District Town Planning Scheme No. 20 subject to the following modifications being undertaken prior to advertising:
 - a. Inclusion of the following planning policy statements on the Development Guide Plan:
 - i. A condition of subdivision will require the preparation and implementation of a weed and pest management plan to the satisfaction of the Shire of Busselton and Department of Environment and Conservation, to be satisfied prior to clearance of subdivision.
 - ii. A condition of subdivision shall require the submission of a Dieback Management Plan for works associated with the subdivision, including but not limited to construction and upgrading of access ways, earthworks, drainage and import of fill, to the specifications and satisfaction of the Shire of Busselton prior to the issue of clearances or commencement of any site works.
 - iii. Harvesting of the existing plantation is to be deemed an 'AA' use pursuant to the Scheme, which can be carried out with planning consent.
 - iv. Any development application for harvesting of the plantation shall be required to include dieback control measures for the proposed harvesting and transportation operations.
 - v. A condition of subdivision shall require the submission to the Shire of a detailed photographic record of remaining features, and an accurate recording of the location by GIS of the 'Chapman Hill Communication Station' (HCWA #2934; PN078), prior to clearance of subdivision.
 - vi. Any proposed relocation of building envelopes must have regard for the approved fire management plan, and the requirement for building protection zones and hazard separation zones to be contained within the boundaries of each proposed lot.
 - vii. Notifications are to be placed on the Titles of proposed Lots 2 and 3 advising of the requirement to comply with the approved fire management plan, and stipulating that construction of dwellings is required to meet the requirements of AS 3959 'Level 2 Construction'. This requirement derives from the fire management plan which proposes a reduced combined building protection zone and hazard separation zone for proposed Lots 2 and 3 which is acceptable on the basis of 'Level 2 Construction'.

- b. All access ways to be shown on the Development Guide Plan, located where possible on existing tracks to minimise the requirement to clear vegetation.
- c. Modification to the draft Fire Management Plan as follows:
 - i. A 20m building protection zone to be depicted for proposed Lots 2 and 3 as required by 'Planning for Bushfire Protection' (WAPC/FESA) with a 15m hazard separation zone depicted beyond that to achieve a combined 35m building protection zone and hazard separation zone. Note No. 3 on the fire management plan is to be revised to reflect this requirement.
 - ii. A note being included on the fire management plan stipulating that all fire management activities, including construction and upgrading of all firebreaks and passing bays must have regard for the approved Dieback Management Plan.
- 3. That as the draft Amendment is in the opinion of the Council consistent with Part 5 of the Act and regulations made pursuant to the Act, that upon modification of the draft Development Guide Plan and Fire Management Plan in accordance with 2 above, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part 5 of the Act and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Town Planning Regulations 1967.

CARRIED 9/0
EN BLOC

14.1 PROPOSED VASSE LEARNING AND INFORMATION CENTRE**FILE NO:** DEV5**PRÉCIS**

Community surveys conducted within the Shire of Busselton have consistently reported the value and importance the community places on its library services. In recognition of this, at its meeting of 14 March, 2007 the Council decided (C0703/051), to commission a feasibility study to investigate various elements of a vision for an innovative and enhanced public library service for the Shire. This decision was a consequence of a series of workshops previously held with Councillors, plus a direction from its strategic planning workshops in 2006. As an adjunct to this study, in 2007/08 the Corporate Plan included an initiative that developed a Library Services Plan (within the Framework of broader Local Government information provision).

In October 2007 the Shire of Busselton engaged CCS Strategic Management to undertake a Feasibility Study into the Development and Construction of a Learning and Information Facility at Vasse Newtown (QUO 02/06) in accordance with C0703/051. The findings and subsequent key development strategies encapsulated in this study were presented to elected members in a briefing on the 23rd April by the Consultant in April 2008. The final report from this Study (*see Attachment 1*) is now presented to the Council. This report seeks endorsement by the Council of the key strategies from the Feasibility Study, including the proposal to construct an enhanced Busselton Public Library as part of the Civic Precinct project.

Secondly, this report presents to the Council the subsequently developed Library Services Strategic Plan (see Attachment 2) for its consideration and permission to seek feedback from the public on the outcomes and recommendations encapsulated in this plan.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/213 Councillor Bromell, Councillor Underdown (En Bloc):

1. That the Council request the Chief Executive Officer to advertise the Shire of Busselton Library Services Strategic Plan for a period of six weeks and report the outcomes back to the Council.
2. That the Council receive the final report of the Feasibility Study into the Development and Construction of a Learning and Information Facility at Vasse Newtown and adopt in principal, depending on public feedback, the Key Development strategies from that Study being:
 - (a) Develop the Busselton Library with a floor space of at least 1,500m² as a focal point within the Shire's proposed Civic Precinct in the Busselton CBD with a view to opening in 2012.

- (b) Allocate to the Busselton Library development a floor space of at least 1,500m² which will enable accommodation of all central library services, both front of house and behind the scenes operations, in the CBD until the immediate catchment population exceeds 30,000, estimated to be around 2020.
 - (c) Expand the Busselton Library service customer interface operations in 2020 or as demanded by population growth by relocating the centralised behind the scenes/back of house functions to a new facility in Vasse.
 - (d) Expand the Busselton Library service again in 2030 or as demanded by population growth by removing the tenants from the future library space.
 - (e) Seek to immediately establish a Teleplace style operation at Vasse on land provided by the developer in the village centre or allocated to the Shire for civic purposes. This Teleplace outlet will function as a Shire customer service centre as well as providing on-line information access to the Shire of Busselton Library and State Library and Information databases. It is not envisaged that the Teleplace will carry any significant stock volumes. All hard copy items will be locally focused or ordered in from the Busselton or Dunsborough libraries.
 - (f) In 2019 or as demanded by population growth, construct a comprehensive warehousing, processing, archiving and data storage facility in Vasse on land provided by the developer. This facility is planned to provide all behind the scenes functions of the Shire of Busselton's Library operations as well a high profile Local Studies collection.
 - (g) In 2020 relocate the bulk of the Local Studies functions, the Shire's data storage, archiving, central processing and library governance functions from the central Library in Busselton to this purpose built facility in Vasse.
 - (h) With respect to outlets for Ambergate, Provence and other localities investigate the following options:
 - (i) Joint school community library;
 - (ii) Teleplace style outlets; and
 - (iii) Mobile deliveries to institutions and homebound clients.
3. That the Council refer the costs related to the above key development strategies to the Shire of Busselton's Five Year Financial Plan as predicated by the associated timeline.

CARRIED 9/0
EN BLOC

14.2 FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 MAY 2008**FILE NO:** FIN7**PRÉCIS**

A local government is to prepare, on a monthly basis, a statement of financial activity that reports on the sources and application of funds, as set out in the annual budget. The report is to include details of budget estimates, actual expenditures and revenues, and is to disclose any material variances.

This report has been compiled to fulfil the statutory reporting requirements of the Local Government Act and associated Regulations and also to provide Council with an overview of the Shire's financial performance on a year to date basis for the period ending 31 May 2008.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/214 Councillor Bromell, Councillor Underdown (En Bloc):

That the statutory financial reports for the period ending 31 May 2008 be received.

**CARRIED 9/0
EN BLOC**

14.3 LIST OF ACCOUNTS PAID - MAY 2008**FILE NO:** FIN1**PRÉCIS**

The purpose of this report is to provide details of cheques drawn and direct debit entries made to Council's bank accounts during the month to be noted by Council and formally recorded in its Minute Book.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/215 Councillor Bromell, Councillor Underdown (En Bloc):

That the voucher numbers M87715 - M88201, EFT6477 - EFT6772, T6362 - T6370, IP678 - IP686, R1523 - R1532 together totalling \$4,717,972.78 be noted.

**CARRIED 9/0
EN BLOC**

15.1 PERMANENT ROAD CLOSURE AMENDMENT - PORTION OF FOURSOMES ROAD, WEST BUSSELTON

FILE NO: FOU177 6315

PRÉCIS

In resolution C0608/217, the Council supported a proposal to close permanently a portion of Foursomes Rd. The proposal was accepted and part of the closed road was amalgamated with an adjoining lot to form Lot 250 on DP 59466.

At the request of the property owner ("the proponent") this item seeks the Council's support for an additional 93m² of Foursomes Rd to be closed. The proposal for road closure is as per the attached sketch and would be made pursuant to section 58 of the *Land Administration Act 1997*.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/216 Councillor Bromell, Councillor Underdown (En Bloc):

1. That the Council supports a proposal to close permanently an additional 93m² portion of Foursomes Rd for amalgamation with adjoining Lot 250 on DP 59466, as per the attached sketch.
2. That pursuant to section 58 of the *Land Administration Act 1997*, the Shire of Busselton makes a request to the Minister for Lands to close a portion of Foursomes Rd as per the attached sketch.
3. That prior to making the request to the Minister, the proponent indemnifies the Shire of Busselton against all costs and claims associated with the proposal.

CARRIED 9/0
EN BLOC

15.2 CHANGE OF RESERVE PURPOSE - CROWN RESERVE 44755

FILE NO: 13716

PRÉCIS

This item seeks the Council's support for a proposal to change the purpose of Crown Reserve 44755 from 'Public Recreation' to 'Public Recreation and Geodetic Infrastructure' and for the Management Order over the reserve to be placed jointly with the Shire of Busselton and Landgate.

The change of reserve purpose would allow Landgate to construct and maintain an EDM I calibration baseline on the reserve. This infrastructure consists of a number of pillars and would be used by surveyors to calibrate surveying equipment.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/217 Councillor Bromell, Councillor Underdown (En Bloc):

1. That the Council supports a proposal to change the purpose of Crown Reserve 44755 from 'Public Recreation' to 'Public Recreation and Geodetic Infrastructure' and for a joint management order over the reserve in the favour of the Shire of Busselton and Landgate.
2. That the Council support for the proposal is conditional on the following conditions:
 - (a) the Shire of Busselton is satisfied with the final placement of the EDM I calibration baseline;
 - (b) Landgate is responsible for the construction and maintenance of, and all costs associated with construction and maintenance of, the EDM I calibration baseline;
 - (c) Landgate ensures that disturbance of vegetation is kept to a minimum during construction and maintenance of the EDM I baseline;
 - (d) Landgate repairs any damage to infrastructure and vegetation on the reserve caused during the construction and maintenance of the EDM I calibration baseline;
 - (e) Landgate is responsible for all costs associated with construction of a vehicle access track from the parking area (off the Busselton Bypass) to the EDM I calibration baseline, and installation of a signage stating "Authorised vehicles only";
 - (f) Landgate agrees not to alter these conditions without written approval of the Shire of Busselton.

3. That on agreement by Landgate to the conditions, the Shire of Busselton makes a request to the Minister for Lands to change the reserve purpose and management order over Crown Reserve 44755 as per the proposal.

CARRIED 9/0
EN BLOC

16.1 SMALL LOCAL PROJECTS FUND 2008/09 - NO. 1**FILE NO:** GRT8

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

No	Councillor Making Request	Amount	Recipient	Purpose which funds will be used
1	Cr Ryan	\$2,000	Football South West	Assist to fund a trip for 10 children to travel to the UK.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/218 Councillor Bromell, Councillor Underdown (En Bloc):

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

No	Councillor Making Request	Amount	Recipient	Purpose which funds will be used
1	Cr Ryan	\$2,000	Football South West	Assist to fund a trip for 10 children to travel to the UK.

CARRIED 9/0
EN BLOC

16.3 BUSSELTON REGIONAL AIRPORT - HANGAR LEASES PUBLIC NOTICE**FILE NO:** AIR8**PRÉCIS**

This report provides the Council with the outcome of the required Public Notice regarding the proposal for the Shire to lease two additional hangar lots at the Busselton Regional Airport to private developers.

COUNCIL DECISION / OFFICER RECOMMENDATION

C0807/219 Councillor Bromell, Councillor Underdown (En Bloc):

That the Shire agrees to enter into leases of Hangar Lots 16 & 18 at the Busselton Regional Airport to the advertised applicants, at an annual rental of \$9,000 each subject to CPI and market reviews for terms of 10 years with a further 10 year option.

**CARRIED 9/0
EN BLOC**

ITEMS CONSIDERED BY SEPARATE RESOLUTION

At this juncture, in accordance with Clause 11.2 of the Standing Orders, those items requiring an Absolute Majority or in which Councillors had declared Financial, Proximity or Impartiality Interests, but that had not otherwise been identified for debate, were considered.

14.4 BUSSELTON CENTRAL BUSINESS DISTRICT (CBD) SPECIFIED AREA RATE - ADOPTION OF 2008/09 DRAFT BUDGET

FILE NO: RAT6

PRÉCIS

The Shire of Busselton ("the Shire") raises a specified area rate ("SAR") each year for the purposes of promotion and betterment of the Busselton Central Business District ("CBD"). The monies collected from the SAR are made available to the Busselton Chamber of Commerce Inc. ("the Chamber") for this purpose, pursuant to a Memorandum of Understanding ("MOU") between the Shire and the Chamber.

As detailed in Clause 4 of the MOU, each year the Chamber is to furnish the Shire with a programme of services (draft annual budget) that it proposes to provide within the prescribed area during the ensuing financial year. The Shire is required to consider the draft budget presented, and approve the budget, with or without amendment, and subject to the terms as outlined within Clause 4 of the MOU.

This report provides the Council with details of the draft annual budget proposed by the Chamber, and recommends that the Council endorses the Chamber's 2008/09 draft budget in relation to the CBD SAR.

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

C0807/220 Moved Councillor Clarke, seconded Councillor Bromell:

That the Council approves the 2008/09 draft annual budget as submitted by the Busselton Chamber of Commerce (Inc) in respect of the Busselton Central Business District Specified Area Rate.

**CARRIED 9/0
BY ABSOLUTE MAJORITY**

13. LIFESTYLE DEVELOPMENT REPORT**13.1 LOT 38, NO. 73 NUKKLGUP LOOP, YALLINGUP - REQUEST TO APPROVE VARIATION TO SWIMMING POOL ENCLOSURE**

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/211](#), page 11).

13.2 DRAFT TOWN PLANNING SCHEME AMENDMENT NO. 134 & DEVELOPMENT GUIDE PLAN - LOC. 4367 NUTTMAN ROAD, CHAPMAN HILL (CONSIDERATION FOR ADOPTION FOR COMMUNITY CONSULTATION)

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/212](#), pages 12 to 14 inclusive).

14. SYSTEMS AND INFORMATION REPORT**14.1 PROPOSED VASSE LEARNING AND INFORMATION CENTRE**

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/213](#), pages 15 and 16).

14.2 FINANCIAL ACTIVITY STATEMENTS - PERIOD ENDING 31 MAY 2008

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/214](#), page 17).

14.3 LIST OF ACCOUNTS PAID - MAY 2008

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/215](#), page 18).

14.4 BUSSELTON CENTRAL BUSINESS DISTRICT (CBD) SPECIFIED AREA RATE - ADOPTION OF 2008/09 DRAFT BUDGET

This Item was considered earlier in the Meeting as part of the Items Requiring Separate Resolutions Without Debate, due to the requirement for an Absolute Majority Decision of Council ([C0807/220](#), page 24).

15. COMMUNITY INFRASTRUCTURE REPORT**15.1 PERMANENT ROAD CLOSURE AMENDMENT - PORTION OF FOURSOMES ROAD, WEST BUSSELTON**

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/216](#), page 19).

15.2 CHANGE OF RESERVE PURPOSE - CROWN RESERVE 44755

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/217](#), pages 20 and 21).

16. COMMUNITY AND ORGANISATIONAL DEVELOPMENT REPORT**16.1 SMALL LOCAL PROJECTS FUND 2008/09 - NO. 1**

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/218](#), page 22).

16.2 OCCUPATION OF THE OLD LIBRARY BUILDING - PRINCE STREET, BUSSELTON

FILE NO: 12795

DECLARATION OF INTEREST	
Name / Position	Councillor Bethwyn Hastie
Item No. / Subject	Item 16.2, Occupation of the Old Library Building - Prince Street, Busselton
Type of Interest	Interest Affecting Impartiality
Declaration	"I have an association with the busselton-Dunsborough Environment centre through the Geographe Community Landcare Nursery."

PRÉCIS

In March 2008, the Council considered a report dealing with the Shire's ability to accommodate staff over the next four years. One option put to the Council was for the Shire to utilise the upper floor of the Old Library Building currently occupied by the Busselton School of Dance (BSOD). The purpose of this report is to inform the Council of the outcomes and recommendations following consultation with the Busselton Dunsborough Environment Centre (BDEC) and the BSOD.

OFFICER RECOMMENDATION

1. That the Busselton School of Dance be permitted to continue to occupy the first floor of the 'Old Library Building' at the current rate of \$715 per quarter for the balance of the 2008 calendar year. Thereafter the space will be available for hire to all groups including the Busselton School of Dance, at the same rate as a comparable Shire facility.
2. That the Busselton Dunsborough Environment Centre be offered a 12 month lease with two 12 month renewable option periods over the ground floor area of the 'Old Library Building' that they currently occupy, at \$150 per annum plus outgoings.

COUNCIL DECISION

C0807/221 Moved Councillor Hastie, seconded Councillor Binks:

1. That the Busselton School of Dance be offered a 12 month lease commencing on the date of this Council Resolution, with two 12 month renewable option periods to occupy the first floor of the 'Old Library Building' that they presently occupy, at the current rate of \$715 per quarter. The lease to be subject to:
 - (a) the Shire's usual terms and conditions including the requirement to seek the Shire's prior consent for subletting, and
 - (b) the rent to be reviewed annually with CPI increases.
2. That the Busselton Dunsborough Environment Centre be offered a 12 month lease commencing on the date of this Council Resolution, with two 12 month renewable option periods over the ground floor area of the 'Old Library Building' that they currently occupy, at \$150 per annum plus outgoings.
3. That the Shire advise all the lessees of the Old Library Building that a timeline of 2011 has been set for vacating the building and that the Shire will be considering other uses of the building or the site prior to the 2011 timeline.

CARRIED 9/0

Note: In accordance with Local Government Administration Regulation 11(da), reasons are required to be recorded for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration).

Councillor Bethwyn Hastie:

A timeline has been set that the building will be vacated in 2011 and until then, the Busselton School of Dance should be offered the same conditions as the ground floor tenants.

Councillor Wes Hartley:

Councillor Hastie's discussion with the affected parties demonstrated a genuine need worthy of Council support.

Councillor David Binks:

Councillor Hastie's motion is fair and reasonable and establishes an equitable scenario for all lessees.

Councillor Rob Underdown:

For the benefit of a community organisation.

Councillor Bev Clarke:

A win-win situation for both parties.

Councillor Ross Bromell:

In the interests of equity, I consider it desirable to treat all tenants of the Old Library Building equally, hence my support for Councillor Hastie's motion.

Councillor Anne Ryan:

I believe it was the right thing to do. We continue to upset our community groups, who form an integral part of communities such as ours and whose benefits cannot be measured by a monetary value. This dance company has been operating for many years and needs to be encouraged, not discouraged.

Councillor Tom Tuffin:

The Alternative Motion gave a better security of tenure for users and so a better deal for all involved.

Councillor Ian Stubbs:

Officer Recommendation treated Dance School too harshly. They deserved better treatment.

16.3 BUSSELTON REGIONAL AIRPORT - HANGAR LEASES PUBLIC NOTICE

This matter was considered earlier in the meeting, as part of the En Bloc resolution of Council ([C0807/219](#), page 23).

16.4 CONSIDERATION OF EXTRAORDINARY ELECTION REQUIREMENTS FOLLOWING RESIGNATION OF COUNCILLOR ALAN MACGREGOR

FILE NO: ELT4 and ELT1

PRÉCIS

Alan MacGregor has resigned from the office of Councillor, effective from 5 July, 2008. In order to comply with the electoral requirements of the *Local Government Act 1995* an extraordinary election date to fill the vacancy needs to be determined within one month of the resignation (to be held not later than four months from when the vacancy occurs), unless the Council resolves to seek the approval of the Electoral Commissioner to leave the vacancy unfilled.

Should the Council resolve to apply and the approval be given to leave the vacancy unfilled, the vacancy remains until the next ordinary or extraordinary election is held. The unfilled vacancy would therefore remain until October, 2009, or an earlier date if an extraordinary election was required due to (an)other vacancy/ies occurring.

OFFICER RECOMMENDATION**ABSOLUTE MAJORITY REQUIRED**

That the Council intends to leave the vacancy created by the resignation of Alan MacGregor unfilled at this juncture and seeks the approval of the Electoral Commissioner for this to occur in accordance with Section 4.17(3) of the *Local Government Act 1995*.

MOTION

Moved Councillor Ryan, seconded Councillor Tuffin:

That the Council fixes the day on which an Extraordinary Election is held as 16/10/2008.

FORESHADOWED MOTION

During debate on this matter, Councillor Clarke foreshadowed her intention to move the Officer Recommendation.

MOTION PUT

Moved Councillor Ryan, seconded Councillor Tuffin:

That the Council fixes the day on which an Extraordinary Election is held as 16/10/2008.

LOST 2/7

Dissenting Voters:

Councillor Bev Clarke

Councillor David Binks

Councillor Ian Stubbs

Councillor Wes Hartley

Councillor Rob Underdown

Councillor Ross Bromell

Councillor Bethwyn Hastie

Note: As the motion was lost, Councillor Clarke was able to move the Officer Recommendation that she had previously foreshadowed.

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

C0807/222 Moved Councillor Clarke, seconded Councillor Binks:

That the Council intends to leave the vacancy created by the resignation of Alan MacGregor unfilled at this juncture and seeks the approval of the Electoral Commissioner for this to occur in accordance with Section 4.17(3) of the *Local Government Act 1995*.

**CARRIED 9/0
BY ABSOLUTE MAJORITY**

17. CHIEF EXECUTIVE OFFICER'S REPORT

Nil

18. MOTIONS of which notice has been given

5.52 p.m. At this juncture the Presiding Member advised that Councillor Ryan had sought approval to table a Notice of Motion in relation to the Norman Road groyne for consideration by Council for acceptance as an Item of Urgent Business at this evening's meeting. The item is considered urgent as the grant application is required to be submitted by Friday, 25 July 2008.

The Presiding Member advised that in accordance with the provisions of Clause 4.2(b) of the Standing Orders, he had considered this request and was prepared to allow introduction of the matter for consideration by Council.

18.1 ITEM OF URGENT BUSINESS - NORMAN ROAD GROYPNE

NoM NO: 08/09: 07
FILE NO: NOR156

COUNCIL DECISION

C0807/223 Moved Councillor Ryan, seconded Councillor Hartley:

1. That the Council support the Friends of Broadwater Beach in their application for a Coastcare Grant for works on the Norman Road Groyne.
2. That the CEO immediately write a letter in support of the Coastcare Grant application by the Friends of Broadwater Beach on behalf of the Shire of Busselton and sign the Application approving access to Shire land.

CARRIED 9/0

19. CONFIDENTIAL REPORTS

Nil

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

20.1 Councillor David Binks advised that he had given notice of his intention to move a motion at the Council Meeting on 13 August 2008, relating to a proposed amendment to Clauses 4.2 (xvii) and 13.2 of the Standing Orders regarding Questions from Members Without Notice.

21. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Councillor Ian Stubbs had submitted a number of questions in writing prior to this evening's Council Meeting. The Presiding Member read the questions and responses aloud, as follows:

21.1 Councillor Ian Stubbs:

The Business Plan for the proposed Civic Centre Precinct reveals the current Administration Centre including the Council Chambers and the Civic Centre has a floor area of approximately 4,500m² but due to poor layout, the nett usable area is only approximately 1,950m².

(a) Does the 4,500m² include the building across the road?

Response - Presiding Member:

The total amount of 4,500m² is incorrect and should be 3,000m². It is 4,500m² of space we require in total. The figure of 4,500m² has only been used in background information and no calculations have been based upon it. The figure came from a report undertaken by a consultant in 2005/2006 entitled "Shire of Busselton – Briefing Notes – Feasibility Studies, Administration and Depot Facilities." The correction has been made in the business plan being advertised. In the current building, the house across the road and the Civic Hall there is 2,600m² of office floor space and only 1950m² net usable space across these three buildings.

(b) Has a study been carried out aimed at improving the net usable area and if so what were the findings and could I and any other interested Councillors receive a copy of the findings.

Response - Presiding Member:

Murray Johns (Architect) has confirmed that he investigated this issue to some degree when looking at options for the extension of the existing building. The additions proposed included a re-layout, new services and new fittings to the existing building. This was done based upon a calculation of floor area rather than a detailed design of the internals of the building as the investigation previously was based at a conceptual master planning stage.

- (c) If a study has not been carried out, could a study be carried out in sufficient time to enable the Council to consider the report when it considers submissions on the Civic Precinct business plan.

Response - Presiding Member:

If Council required a detailed redesign of the existing floor space this could be undertaken. Given that the cost of the redesign of the house across the road was \$21,000, it is expected a redesign of the interior of the building would cost at least \$50,000. This amount has not been budgeted for in the current financial year.

21.2 Councillor Ian Stubbs:

During the debate on the business plan for the Civic Precinct last Wednesday, Councillor Hastie stated that she thought that the Council had decided previously to demolish the present library building. My question is when and under what circumstances had the Council previously decided to demolish the current library building.

Response - Presiding Member:

Staff do not recall Councillor Hastie stating this at the meeting.

21.3 Councillor Ian Stubbs:

A business plan for the proposed sale of the Council-owned Ambergate land is currently being prepared and I assume a draft business plan will shortly be presented to Council for approval to advertise. My question is will a business plan be prepared for the proposed sale of the Spinnaker Boulevard land at Port Geographe for Council's consideration.

Response - Presiding Member:

The business plan has been prepared for the Civic Precinct addressing the selling of this and the other lots proposed which meets the requirements of the Local Government Act and therefore no further Business Plans will be required.

21.4 Councillor Ian Stubbs:

- (a) What process has been put in place to collate submissions received on the Civic Centre Precinct?

Response - Presiding Member:

The submissions will be forwarded to an independent consultant to review and collate into a report summarising the findings.

- (b) In what format will the submissions be presented to Council?

Response - Presiding Member:

The summary report of the submissions received will be presented to Councillors as part of the item. Similar to the Jetty project, a copy of all submissions made will be placed in a file(s) in the Councillors Office for review.

- (c) Will there be any specific weighting for petitions, duplicated letters and submissions from staff and families of staff?

Response - Presiding Member:

In reporting the submission results to the Council, we will identify the different categories of submissions received.

- (d) Will the outcome of the consultation be determined on numbers alone, if not, how will the outcome be determined?

Response - Presiding Member:

The Council will make its decision when considering the item and the summary report(s).

21.5 Councillor Ian Stubbs:

On 14 April, Councillors held a governance workshop facilitated by Ron Back. The Shire President on 25 June, in answer to a question from me, said he had received a copy. My questions are

- (a) Why is the release of Ron Back's report being held up?
(b) When is it expected that Councillors will receive a copy?

Response - Presiding Member:

Staff have not been involved in the Ron Back exercise.

I contacted Ron Back today and he has been under a degree of pressure involving other Shires that he is doing work for. As I indicated to Council on a previous occasion, due to various issues including a number of Councillors being on leave and a range of "big ticket" items currently coming before Council, including the Civic Precinct, the Jetty and the Budget, it has been agreed that it would be best to come back to this after the WALGA Conference.

In addition, Councillors would be aware that we have a separate consultancy to review the CEO's KPIs and once we have that report, we will get together with Ron Back and work out a framework for our next meeting with him sometime in August.

21.6 Councillor Ian Stubbs:

With reference to my previous question no. 3, does it follow that you will not be preparing a business plan for Spinnaker Boulevard, but we will still receive a business plan for Ambergate?

Response - Presiding Member:

This question will be taken on notice.

21.7 Councillor Tom Tuffin:

My question is to the CEO. Earlier this year you received a letter dated 20 February 2008 from the Parliamentary Standing Committee on Environment and Public Affairs asking for the Shire's reaction to the petition that was sent to the Legislative Council and signed by Mr Keith Rose. Your letter of reply was dated 13 March 2008. My question is not about this letter but about the attachments. When Keith Rose wrote to you and advised that your letter was contrary to the Council's position and that you had expressed personal opinions which were not requested, you said that the Committee did not specify that the comments were to be from the Council and that the letter in fact requested your comments. You said that you had included for information with your letter copies of previous Council Resolutions pursuant to community meeting outcomes.

My question has arisen from the fact that although the Committee has received over 30 pages of resolutions from you, they did not receive the most important resolution of them all - i.e. the one passed on 28 November last year stating that the "Council's preferred site for the proposed new Hospital is on the 12.3 hectares of state-owned land of the site of the existing Busselton Hospital, Health Centre and Hospice, between Mill Road and Craig Street and between Bussell Highway and Geographe Bay (Reserve No. 32278 - Busselton Lot 406)".

Are you aware that the Parliamentary Standing Committee did not receive a copy of that resolution, but received 30 pages of others, including one that was passed on the same night?

At the present moment, given the content of your letter and given that there was no copy of that resolution, the Standing Committee is probably labouring under the misapprehension that the Council is indifferent about the position of the hospital.

Response - Chief Executive Officer:

I was not aware. I left the task of collation of the Council resolutions to administrative staff and I wrote the covering letter. We can certainly check and if the decision you refer to was not provided, a copy will be sent under separate cover.

21.8 **Councillor Tom Tuffin:**

Would you be prepared to correct this by sending the resolution?

Response - Chief Executive Officer:

Yes, as I have just indicated, I will.

22. **NEXT MEETING**

22.1 The next Ordinary Meeting of Council will be held on Wednesday, 13 August 2008, commencing at 5.30 p.m.

22.2 A Special Meeting of Council to adopt the Shire of Busselton's 2008/09 Budget will be held on Wednesday, 13 August 2008, commencing at 7.00 p.m.

23. **CLOSURE**

The meeting closed at 6.08 p.m.

THESE MINUTES CONSISTING OF PAGES 1 TO 36 WERE CONFIRMED AS A TRUE

AND CORRECT RECORD ON _____

DATE: _____

PRESIDING MEMBER: _____