



Council Agenda

11 April 2018

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city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 11 APRIL 2018

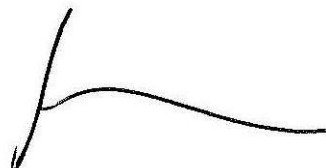
TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Council will be held in the Council Chambers, Administration Building, Southern Drive, Busselton on Wednesday, 11 April 2018, commencing at 5.30pm.

Your attendance is respectfully requested.

Disclaimer

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.



PAUL NEEDHAM

A/CHIEF EXECUTIVE OFFICER

29 March 2018

CITY OF BUSSELTON

AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 11 APRIL 2018

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1. **DECLARATION OF OPENING/ ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT OF VISITORS**

2. **ATTENDANCE**

Apologies

Approved Leave of Absence

3. **PRAYER**

4. **PUBLIC QUESTION TIME**

Response to Previous Questions Taken on Notice

Public Question Time

5. **ANNOUNCEMENTS WITHOUT DISCUSSION**

Announcements by the Presiding Member

Announcements by other Members at the invitation of the Presiding Member

6. **APPLICATION FOR LEAVE OF ABSENCE**

7. **PETITIONS AND PRESENTATIONS**

8. **DISCLOSURE OF INTERESTS**

9. **CONFIRMATION AND RECEIPT OF MINUTES**

Previous Council Meetings

9.1 **Minutes of the Council Meeting held 28 March 2018**

RECOMMENDATION

That the Minutes of the Council Meeting held 28 March 2018 be confirmed as a true and correct record.

Committee Meetings

10. **REPORTS OF COMMITTEE**

Nil

11. **PLANNING AND DEVELOPMENT SERVICES REPORT**

Nil

12. ENGINEERING AND WORKS SERVICES REPORT

12.1 RFT24/17 PROVISION OF TRAFFIC MANAGEMENT SERVICES

SUBJECT INDEX:	RFT24/17 Provision of Traffic Management Services
STRATEGIC OBJECTIVE:	Assets are well maintained and responsibly managed.
BUSINESS UNIT:	Operation and Works Services
ACTIVITY UNIT:	Maintenance & Construction
REPORTING OFFICER:	Maintenance and Construction Coordinator - Matthew Twyman
AUTHORISING OFFICER:	Director, Engineering and Works Services - Oliver Darby
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

Attachment A is confidential under Section 5.23 - 2(c) of the Local Government Act 1995 in that it deals with “a contract entered into or which may be entered into, by the local government”. Copies have been provided to Councillors, the Chief Executive Officer and Directors Only.

PRÉCIS

The Council is requested to consider the tenders received in response to Request for Tender RFT24/17 – Provision of Traffic Management Services. The purpose of this report is to obtain the Council’s consensus to award Tender – RFT24/17 in accordance with the Tender Evaluation panel recommendation.

BACKGROUND

A suitably qualified supplier is required for the provision of traffic management services to the City of Busselton.

The RFT specified the requirements of the City of Busselton and invited suitably qualified and experienced respondents to submit bids to enter into a Contract for the provision of traffic management services within the City of Busselton in accordance with the specification.

Subject to the City’s right to early termination the initial term is for a period of three years from date of award. The City may negotiate two additional terms each with a period of twelve months.

Seven submissions were received in response to the Request for Tender. Submissions were received from:

- TMSW Pty Ltd
- Quality Traffic Management Pty Ltd
- Busselton Civil Pty Ltd
- Jag Traffic Pty Ltd
- CB Traffic Solutions
- Taborda Contracting Pty Ltd
- AW Roadworks Pty Ltd

The review process of submissions for RFT24/17 has been completed by the Tender Evaluation Panel comprised of the following:

- Manager, Operations Services (Acting)
- Engineering Technical Officer
- Contract and Tendering Officer

STATUTORY ENVIRONMENT

In terms of Section 3.57 of the *Local Government Act 1995 (Act)* a local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and service.

Part 4 of the *Local Government (Functions and General) Regulations 1996 (Tender Regulations)*:

- requires that tenders be publicly invited for such contracts where the estimated cost of providing the required goods and/or service exceeds \$150,000; and
- under Regulations 11, 14, 18, 20 and 21A provides the statutory framework for inviting and assessing tenders and awarding contracts pursuant to this process.

RELEVANT PLANS AND POLICIES

The following Council policies have relevance to the Tender process.

Policy 239 – Purchasing:

The procurement process complies with this policy.

Policy 049/1 –Regional Price Preference:

The Regional Price Preference was applied to this tender.

Policy 031 – Tender Selection Criteria:

The procurement process complies with this policy.

FINANCIAL IMPLICATIONS

Application of appropriate selection criteria to the tender has contributed to ensuring that tenderers are offering the "best value" with respect to the supply of services.

In order to evaluate the pricing component of the tender a representative annual supply scenario for traffic management services was applied to the tendered rates. This demonstrated a five (5) percent decrease in the recommended Tenderer's rates, when compared against the City's existing tender rates, last adjusted in 2016.

In comparison the Consumer Price Index for Perth (all groups) has increased by two (2) percent between March 2016 and December 2017.

Based on the previous three years it is estimated that expenditure relating to this tender will be approximately \$1.9 million over the full term, including all extension options (five years in total, three years plus two one year extensions if applied). This equates to approximately \$390,000 per annum. These are estimates only and are subject to annual operational and capital budgets.

The cost of services within this tender are provided for in capital works and operational budgets for each financial year. Purchasing under this contract will be in accordance with these adopted budgets.

STRATEGIC COMMUNITY OBJECTIVES

The Officer's recommendation aligns to achievement of the following Key Goal Area and Community Objective of the City's Strategic Community Plan 2017:

Key Goal Area 6:	Leadership
Community Objective 6.4:	Assets are well maintained and responsibly managed.

RISK ASSESSMENT

The recommended tenderer has suitable supply contingency measures in place to fulfil the requirements of the tender.

The recommended tenderer provides traffic management services to the private sector as well as local and state governments within Western Australia.

The risk of poor service or the tenderer going out of business is considered low and there are no other risks of a medium or greater level identified.

CONSULTATION

Nil

OFFICER COMMENT

As part of the tender evaluation an initial compliance check was conducted to identify submissions that were non-conforming with the immediate requirements of the Request for Tender (RFT). This included compliance with contractual requirements and provision of requested information.

Tender submissions were found to be compliant with the specified requirements.

The assessments of the tenders were based on the following Qualitative Criteria as included in the Request for Tender Document:

- (a) Relevant Experience: 15%;
- (b) Key Personnel Skills & Experience: 15%
- (c) Tenderers Resources: 10%
- (d) Demonstrated Understanding: 20%

The tendered price was given the following weighting and has been assessed in conjunction with the Qualitative Criteria.

- Tendered Price: 40%

Regional Price preference was applicable to the tender submissions from AW Roadworks Pty Ltd, Busselton Civil Pty Ltd, Quality Traffic Management Pty Ltd and TMSW Pty Ltd.

The importance of the qualitative criteria, as demonstrated by its 60% overall weighting, is reflective of the important safety function that traffic management plays in carrying out works. It is vital to ensure that the selected tenderer has the relevant experience and the staff qualified and capable of carrying out the required services.

The Evaluation panel members individually assessed the compliance and qualitative criteria and then applied an average to provide a final rating.

The scores were then added together to indicate the rankings for the tender. The Confidential report attached provides further detail in relation to the relative merits of each of the individual tenderers. Following this evaluation, TMSW Pty Ltd, is the preferred tenderer for the reasons outlined in the confidential report.

CONCLUSION

This report seeks the Council's endorsement of the officer's recommendation to award all requirements of the Contract RFT24/17 – Provision of Traffic Management Services to TMSW Pty Ltd. The submission received from TMSW Pty Ltd represents the best value for money option for the City of Busselton and demonstrates the company's ability to complete the contract requirements to the standard required and within the time frames required at a competitive price.

OPTIONS

The Council may consider the following options:

1. The Council choose not to accept the officer's recommendation and award the Tender to an alternate tenderer. In the view of the officers this could result in a Tender being awarded to a tenderer that has not presented the "best value" for money offer.
2. Further to the recent briefing presented to Council on the subject of this report, the Council may choose not to award the Tender and to instead request the CEO to engage a panel of Pre-Qualified Suppliers to provide traffic management services, in accordance with the Local Government (Functions and General) Regulations 1996.

A panel would consist of up to a maximum of three qualified traffic management providers engaged through a process similar to that of a tender, with respondents assessed using qualitative and quantitative (price) criteria and then ranked for selection to the panel. The panel would be operated using a ranking and / or quotation basis where, for instance traffic management services below a certain value (e.g. \$20,000) could be awarded to the traffic management service provider ranked number one, with works in excess of that value engaged via a best value for money quotation basis, where all providers on the panel are requested to provide quotations.

This would provide opportunity for more than one contractor to deliver traffic management services and could result in more competitive pricing for those jobs where quotes are sought. The disadvantage being that none of the suppliers on the panel would be guaranteed a set level of work, which may in turn impact on their pricing, and suppliers who have tendered through this process will need to re-submit a response to be considered for the panel and then submit quotes as requested. The operation of a panel may also result in some operational impacts as compared to engaging with one supplier.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The award of the tender to the successful tenderer can be announced immediately after the Council has endorsed the officers' recommendation. The successful Tenderer will receive formal written notification within seven (7) days of the decision being handed down. The unsuccessful tenderers will also be notified in this time.

OFFICER RECOMMENDATION

That the Council :

1. Endorses the outcomes of the evaluation panel's assessment in relation to Tender RFT24/17 – Provision of Traffic Management Services which has resulted in the tender submitted by TMSW Pty Ltd, being ranked as the best value for money.
2. Delegate authority to the CEO to award the contract resulting from RFT24/17 – Provision of Traffic Management Services to TMSW Pty Ltd, to run for a period of three (3) years with an option of two (2), one (1) year extensions, under the same terms and conditions as the initial period, to be exercised at the Principal's discretion, in accordance with the terms and conditions contained within the RFT document.

13. COMMUNITY AND COMMERCIAL SERVICES REPORT

Nil

14. FINANCE AND CORPORATE SERVICES REPORT

14.1 LEASE TO SPINWAY CYCLES - BUSSELTON FORESHORE

SUBJECT INDEX:	Agreements/Contracts
STRATEGIC OBJECTIVE:	Cycle ways that connect our communities and provide alternative transport choices.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Property Services
REPORTING OFFICER:	Property Management Coordinator - Sharon Woodford-Jones
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Attachment A Lease Area Attachment B Example of Existing Bike Stand

PRÉCIS

A proposal has been put to the City by an organisation trading as Spinway WA (Spinway) for an automated bike hire system on the Busselton Foreshore. The proposal requires the provision of a concrete hard stand on which to place a bike stand and solar powered unit for electronic credit card processing. The purpose of this report is to recommend that Council authorise the CEO to enter into a lease with Spinway for the land on which this would stand.

This report also contains recommendations in relation to the use of a pre-existing market valuation for the purpose of carrying out the statutory process under section 3.58 of the Local Government Act 1995.

BACKGROUND

The proponent has been operating a bike hire service from the Busselton Foreshore for some time called Gecko Bike Hire. This is operated with the assistance of the Margaret River Busselton Tourism Association (MRBTA) whereby MRBTA place the Gecko Bikes in the existing bike racks at Railway House and store and manage the provision of helmets and locks from their premises. This arrangement is not convenient for the MRBTA as there is little space available for bike storage and the daily movement of the bikes is time consuming. MRBTA do however see the provision of bike hire as having good synergies with the visitor service they offer and are supportive of Spinway's proposal. They are also willing to continue handing out helmets and locks to bike hirers.

City staff have identified a location on the Busselton Foreshore close to Railway House (and MRBTA); as shown on the proposed lease plan attached. As Spinway will require exclusive possession of the site and incur capital costs in the provision of the handstand and equipment, it is proposed that they be offered a lease. It is recommended that a term of one year with options for a further two years followed by a another two years (1 plus 2 plus 2) be granted.

STATUTORY ENVIRONMENT

Section 3.58 of the Local Government Act 1995 (LGA) relates to the disposal of property by a local government, with disposal defined to include leasing. Section 3.58 requires the publishing of the proposed disposition with the publication to describe the property concerned, give details of the proposal and invite submissions to be made before a specified date.

Section 3.58(4) of the LGA requires that the disposition includes either a valuation not more than 6 months old or a declaration that a valuation older than 6 months is considered a true indication of the value at the time of the disposition.

The area on which the hard stand, bike rack and processing unit is proposed to be placed is crown land (Reserve 38558) vested in the City of Busselton with power to lease or licence for any term not exceeding 42 years.

Under section 18(2) of the Land Administration Act 1997, approval of the Minister for Lands is required for a lease on Crown Reserve.

RELEVANT PLANS AND POLICIES

The officer recommendation aligns with the objectives of the City of Busselton's Draft Cycling and Shared Path Network Plan (2018-2022).

FINANCIAL IMPLICATIONS

A number of market rent valuations were obtained for this area during the development and planning phases of the Busselton Foreshore. The most recent of which is dated 30th November 2016 and was provided by the Opteon Property Group. Whilst this valuation is over 16 months old, the area required by Spinway is in the same general vicinity as the land the subject of this valuation and therefore comparable in terms of rent threshold. It is therefore proposed that the rent be set at \$45 per square metre, totalling \$1125 per annum excluding GST.

Long-term Financial Plan Implications

The officer recommendation will result in no significant long term implications.

STRATEGIC COMMUNITY OBJECTIVES

The recommendation in this report reflects the objectives of Key Goal Areas 1 and 5 and specifically Community Objectives 1.3 and 5.3 of the City of Busselton Strategic Community Plan 2017:

"A community with access to a range of cultural and art, social and recreational facilities and experiences" and

"Cycle ways that connect our communities and provide alternative transport choices".

RISK ASSESSMENT

There are no identified risks of a medium or greater level associated with the officer recommendation, with the recommendation serving to mitigate the risks associated with there not being a lease in place.

CONSULTATION

The idea for a bike hire facility such as that proposed was originally raised by staff at the MRTBA. Since then there have been a number of discussions with the proponents concerning the location, tenure and rent for leasing the required land.

MRBTA are supportive as they will benefit from the proposal, both in respect of bringing to an end the task of storing and displaying the Gecko bikes and from the footfall to the visitor centre for the purpose of collecting bike helmets and locks.

As the proposed location of the site falls partially within the line of sight of the forthcoming microbrewery on the foreshore, the proponents of that project were also consulted. They have confirmed they have no objection to the chosen area.

The Department of Planning, Lands and Heritage have also indicated provided informal 'officer level' approval for the proposal and confirm that the use of the area for bike hire is consistent with the reserve purpose.

Stakeholder consultation linked to the development of the City of Busselton's Draft Cycling and Shared Path Network Plan reaffirmed the need to take into account of all types of users when developing future path networks, including recreational cyclists.

OFFICER COMMENT

Spinway currently operate out of other prominent locations throughout Perth such as Kings Park and the Fremantle foreshore and in Newcastle, the Gold Coast and Adelaide. In their submission to the City they refer to their service as having been described as a "bike revolution", offering the first fully automated high quality bike hire in Western Australia. Attachment B of this report shows a photo of a sample rack and solar powered credit card payment facility, referred to as a "bike station".

The area required for the operation proposed for Busselton is relatively small at 10 metres by 2.5 metres. The stations consist of an electronic credit card processing unit attached to a rack of between four and up to thirty two bikes. Spinway are proposing a station of up to 10 bikes in Busselton. The station will need to be placed on a concrete hard stand that Spinway will install.

The system is simple, needing very little infrastructure, with stations running off battery or solar power. Customers simply swipe their credit card and follow the onscreen instructions to hire a bike. A bike is released on the completion of a credit card transaction and at the end of the ride is re-docked into the system. The transaction is fully secure and runs using the Commonwealth banks merchant banking system.

Customers have the flexibility of hiring a bike for a minimum of one hour and up to 24 hours. The fees are relatively low -one hour \$11, two to four hours \$22, or \$33 for the whole day. If a rider selects the one-hour option but has the bike longer, the system will charge for the extra time.

Helmets and locks are included in the hire charge. It is proposed that they will be collected from the visitor centre. So far as security is concerned the systems are designed to remain in outdoor public areas. The bikes, which are good quality and heavy duty, are secured within the bike station via a front probe which is virtually impossible to remove and are electronically monitored at all times through a central computer program. For the three years Spinway have been operating they tell us that theft and vandalism have not been a problem.

Spinway describe themselves as a family owned company motivated to start their business by a keen interest in the environment and health and fitness. They strongly identify with the need to provide greener modes of transport. They pride themselves on being the first automated bike hire company to operate within Western Australia and have built up a fleet of 84 bikes operating from 16 locations.

CONCLUSION

The proposed location for Spinway would complement the existing dual use path network and contribute to the development of sustainable modes of transport around the foreshore and town sites. The existence of other Spinway bike hire facilities in places such as Kings Park and Fremantle are testament to the popularity and viability for a service such as this.

As the proposal is yet to be tested in a regional area, the recommendation is for a term of one year initially followed by two further two year options. This will allow sufficient time for the proponent to ascertain whether the concept is viable.

OPTIONS

1. Council could resolve not to enter into a lease with Spinway but allow the arrangement assisted by the MRBTA to continue.
2. Council can resolve to enter into a lease on alternative terms and conditions.

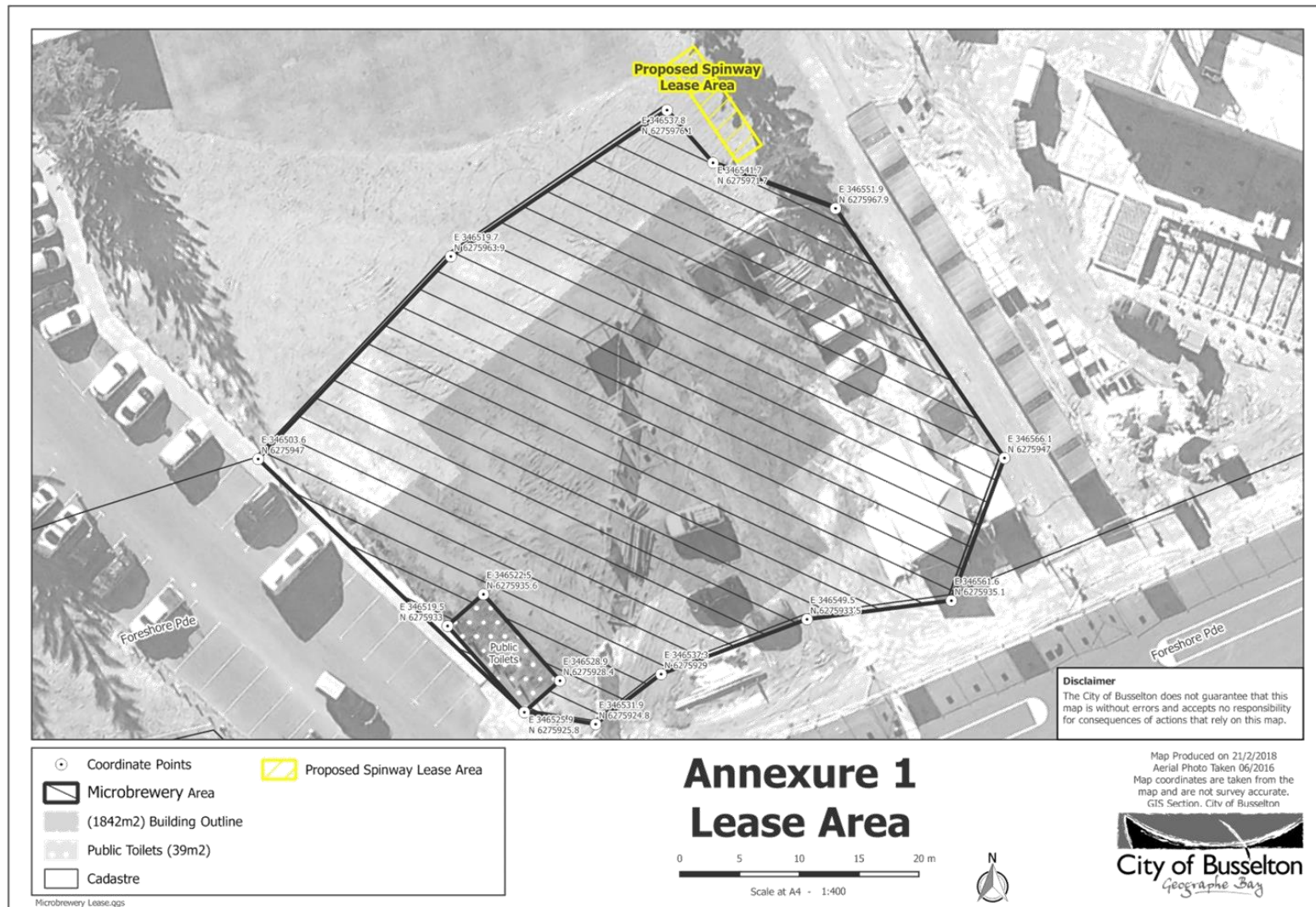
TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Advertising of the proposed disposition will take place as soon as possible for a 14 day period. A further report will be presented to Council if any submissions are received with any subsequent recommended changes to the proposed lease arrangements. If no submissions are received it is anticipated that a lease will be entered into by the end of May 2018.

OFFICER RECOMMENDATION

That the Council:

1. In accordance with Section 3.48(4) of the Local Government Act 1995, declare that the valuation carried out by Opteon Property Group dated 30 November 2016 indicating the market rent for a portion of Reserve 38558, Foreshore Parade, Busselton of \$42 to \$46 per square meter per annum (net of GST) to be a true reflection of the current market value of the area.
2. Advertises the proposed disposition of land to Spinway WA in accordance with Section 3.58 of the Local Government Act 1995 for the term and conditions outlined in this report
3. If there are no adverse objections resulting from resolution 2, delegates to the CEO the power to negotiate and enter into a lease with Spinway WA for a portion of Lot 560, Plan 409945, as shown on Attachment 1 on the following terms and conditions:
 - i. The annual rent will be \$1125 exclusive of GST with annual CPI rent reviews
 - ii. The term of the lease will be 1 year with options for two further two year terms





15. CHIEF EXECUTIVE OFFICER'S REPORT

15.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX:	Councillors Information Bulletin
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Administration Officer - Governance - Katie Dudley
AUTHORISING OFFICER:	Chief Executive Officer - Mike Archer
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Planning Applications received by the City between 1 March, 2018 and 15 March, 2018 ↓ Attachment B Planning Applications determined by the City between 1 March, 2018 and 15 March, 2018 ↓ Attachment C WALGA Summary ↓

PRÉCIS

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

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

INFORMATION BULLETIN

15.1.1 Planning and Development Statistics

Planning Applications

Attachment A is a report detailing all Planning Applications received by the City between 1 March, 2018 and 15 March, 2018. A total of 43 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 March, 2018 and 15 March, 2018. A total of 31 applications (including subdivision referrals) were determined by the City during this period with 29 approved / supported and 2 refused / not supported.

15.1.2 Current Active Tenders

2017/2018 TENDERS

RFT19/17 SUPPLY AND DELIVERY OF CONCRETE SERVICES

The City of Busselton invited tenders for the supply of concrete and ancillary works to the City of Busselton. The tender was advertised on 11 November 2017, with a closing date of 28 November 2017. A total of 2 tenders were received. Under Regulation 18(5) of the *Local Government (Functions and General) Regulations 1996* a local government may decline to accept any tender.

The evaluation was completed and under Delegation LG3J the CEO declined not to accept any tender as it was considered that the tenders received did present best value for money. The City will again be inviting tenders for the supply of these goods and services as soon as practicable.

RFT24/17 PROVISION OF TRAFFIC MANAGEMENT SERVICES

The City of Busselton invited tenders for the provision of traffic management services within the City of Busselton. The tender was advertised on 16 December 2017, with a closing date of 16 January 2018. A total of 7 tenders were received. The value of the contract will exceed the CEO's delegated authority. The evaluation has been completed and a recommendation report has been presented in this Council Agenda.

RFT01/18 MANUFACTURE AND INSTALLATION OF BUSSELTON FORESHORE PLAY SPACE

Following an Expressions of Interest (EOI 01/17) process for making a preliminary selection among prospective tenderers, the City of Busselton invited tenders for the manufacture, construction and installation of a new play space located within the Busselton foreshore precinct in between the Equinox Restaurant and Bar and Railway House, Busselton. The following five (5) tenderers were invited to submit a tender:

Company	Location
Earthcare (Australia) Pty Ltd T/A Earthcare Landscapes	Bibra Lake, Perth
Environmental Industries Pty Ltd	Canning Vale, Perth
Perkins (WA) Pty Ltd T/A Perkins Builders (Corporation)	Bunbury and Busselton
Phase Three Landscape Constructions Pty Ltd	O'Connor, Perth
Total Eden Pty Ltd T/A Landscape Australia	Bibra Lake, Perth

The tender closed on 30 January 2018. A total of 4 tenders were received. The evaluation has been completed and Council resolved at its 14 March 2018 meeting to delegate authority to the CEO to negotiate and agree final terms and conditions with and to award a contract for a finalised lump sum price to Phase 3 Landscape Constructions Pty Ltd.

RFT02/18 CITY OF BUSSELTON COASTAL ADAPTATION STRATEGY

The City of Busselton invited tenders for the City of Busselton Coastal Adaptation Strategy. The tender was advertised on 6 January 2018, with a closing date of 13 February 2018. A total of 4 tenders were received. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in April 2018.

RFT03/18 CRUSHING SERVICES FOR CONSTRUCTION AND DEMOLITION MATERIAL WITHIN CITY OF BUSSELTON

The City of Busselton invited tenders for crushing services for construction and demolition material within the City of Busselton. The tender was advertised on 3 February 2018, with a closing date of 27 February 2018. A total of two tenders were received. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in April 2018.

RFT04/18 SUPPLY AND DELIVERY OF IRRIGATION COMPONENTS

The City of Busselton invited tenders for the supply and delivery of irrigation components to the City of Busselton. The tender was advertised on 24 February 2018, with a closing date of 20 March 2018. A total of two tenders were received. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in April 2018.

15.1.3 WALGA Summary

Attachment C is a summary of the WALGA SW Zone and State Council Meetings held in February/March 2018.

OFFICER RECOMMENDATION

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

- [15.1.1 Planning and Development Statistics](#)
- [15.1.2 Current Active Tenders](#)
- [15.1.3 WALGA Summary](#)

Applications Received Report								
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA17/0471	Single House (reduced setback and visual privacy)	108 Adelaide Street~BUSSELTON WA 6280	Lot 2 SSPLN 74333	8/03/2018	455000	Emma Louise Scott	AK Homes Construction Pty Ltd	29
DA18/0108	Single House (Reduced Rear Setback)	10 Tortoise Rise~VASSE WA 6280	Lot 7 PLAN 407511	12/03/2018	316026	Jason Maxwell Noone & Deanne Joy Noone	Dale Alcock Homes South West Pty Ltd	4
DA18/0154	Club Premises (Clay Target Shooting)	Coolilup Road~LUDLOW WA 6280	Lot No:500 & 501	1/03/2018	100000	Iluka Resources Limited	Busselton and Bunbury Clay Target Clubs Inc	22
DA18/0171	Proposed Outbuilding (Reduced Setback)	90A Layman Road~WONNERUP WA 6280	Lot 2 STPLN 74356	1/03/2018	6000	Wendy Joy Clarkson	Joelene Moore	22
DA18/0174	Overheight Outbuilding and Rainwater Tank (Landscape Value Area)	Serene Place~QUINDALUP WA 6281	Lot 7 PLAN 76913	2/03/2018	20000	Caroline Elizabeth Morris & Peter James Morris	Caroline Elizabeth Morris, Peter James Morris	21
DA18/0175	Patio (Reduced Setback)	14 Gunwale Elbow~GEOGRAPHE WA 6280	Lot 123 PLAN 59251	2/03/2018	9690	Christopher Robert Burns & Kaye Frances Burns	CPR Outdoor Centre	18
DA18/0177	Additions / Alterations to an Existing Single House (Landscape Value Area)	758 Commonage Road~YALLINGUP WA 6282	Lot 20 PLAN 21025	14/03/2018	125000	David Sydney Van Der Walt & Stephen James Vaughan	David Sydney Van Der Walt, Stephen James Vaughan	3
DA18/0179	Single House (Landscape Value Area)	17 Lombo View~YALLINGUP SIDING WA 6282	Lot 8 PLAN 38741	8/03/2018	548475	Almont Pty Ltd & Shane William Czerkasow	Ventura Home Group Pty Ltd	9
DA18/0180	Single House (Reduced Setback)	119 Peel Terrace~BUSSELTON WA 6280	Lot 62 PLAN 408492	1/03/2018	168747	Melissa Jane Cirillo & Annette Rose Brightwell	Tangent Nominees Pty Ltd	19
DA18/0184	Retrospective - Reduced setbacks to patio, outdoor kitchen and shed (R-Codes)	14 Dawson Avenue~ABBEY WA 6280	Lot 8 PLAN 8800	8/03/2018	40000	Neville Craig James & Kim Maree Ivory-James	Neville Craig James, Kim Maree Ivory-James	13
DA18/0185	Holiday Home (Single House) 8 People	15 Cabot Close~DUNSBOROUGH WA 6281	Lot 114 PLAN 408107	2/03/2018	0	Garry John Potter & Cheryl Dawn Stoker	Garry John Potter, Cheryl Dawn Stoker	9

Applications Received Report								
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA18/0186	Single House (Reduced Front Setback)	3 Pennant Boulevard~GEOGRAPHE WA 6280	Lot 550 PLAN 410845	7/03/2018	227478	Christopher Quinlan Leigh-Cooper & Sandra Leigh-Cooper	Ventura Home Group Pty Ltd	11
DA18/0187	Single House (Reduced Front Setback, Vehicle Access) & Outbuilding (Reduced Setback, Over Height)	44 Harbeck Drive~KEALY WA 6280	Lot 1345 PLAN 407112	7/03/2018	238250	Ashley Martin Brokenshire & Pamela Jean Brokenshire	Ventura Home Group Pty Ltd	11
DA18/0188	Single House (Reduced Side Setbacks & Garage Over 50% of Frontage)	60 Gurnard Loop~KEALY WA 6280	Lot 1485 PLAN 409125	8/03/2018	179545	Bradley Gregory Atwell	DreamStart Homes	4
DA18/0189	Industrial Building	44 Commerce Road~VASSE WA 6280	Lot 47 PLAN 52479	9/03/2018	300000	Paris Road Australind CT Pty Ltd	Sheds Down South	9
DA18/0190	Outbuilding (Reduced Setback)	139 Adelaide Street~BUSSELTON WA 6280	Lot 295 PLAN 222229	9/03/2018	40000	John Peter Edward Masters & Helen Janine Masters	John Peter Edward Masters, Helen Janine Masters	7
DA18/0191	Shop (Hair Salon) and Cafe	46 Stanley Place~BUSSELTON WA 6280	Lot 102 PLAN 406417	9/03/2018	150000	Molly Nominees Pty Ltd	Molly Nominees Pty Ltd	10
DA18/0192	Over-height Outbuilding	22 Melaleuca Drive~WEST BUSSELTON WA 6280	Lot 115 PLAN 18539	12/03/2018	15000	David Gesla Saylor & Jodie Ann Saylor	David Gesla Saylor, Jodie Ann Saylor	11
DA18/0193	Single House (Landscape Value Area)	66 Caudalie Way~QUINDALUP WA 6281	Lot 31 PLAN 41369	6/03/2018	750000	Margaret Jane Robson & Graeme Neville Robson	Blue Water Building Co (SW) Pty Ltd	14
DA18/0194	Retrospective - Brick Boundary Wall	76 Switchback Parade~WEST BUSSELTON WA 6280	Lot 861 PLAN 408159	12/03/2018	12000	Kenneth Davis & Coral Anne Davis	Kenneth Davis, Coral Anne Davis	9
DA18/0195	Outbuilding (Landscape Value Area)	25 Grasstree Place~YALLINGUP WA 6282	Lot 104 PLAN 39416	9/03/2018	32872	Suzanne Maree Hillier	Sheds Down South	4
DA18/0196	Single House (Landscape Value Area)	125 Quedjinup Drive~QUEDJINUP WA 6281	Lot 5 PLAN 21470	9/03/2018	422493	Michael Llewellyn Parry & Suzanne Margaret Millichamp	Dale Alcock Homes South West Pty Ltd	5

Applications Received Report								
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA18/0197	Patio (Reduced Setback)	1/31 Lockhart Street~BROADWATER WA 6280	Lot 1 STPLN 6868	9/03/2018	6835	Nathan John Anderson & Elizabeth Joan Ledger	Outdoor World Busselton	11
DA18/0198	Second Storey Addition to Tourist Unit	5/4 Lecaille Court~DUNSBOROUGH WA 6281	Lot 5 STPLN 34995	9/03/2018	250000	Crafamily Pty Ltd	Crafamily Pty Ltd	7
DA18/0199	Single House (Landscape Value Area)	12 Grassybank Cove~YALLINGUP SIDING WA 6282	Lot 14 PLAN 38061	13/03/2018	257814	Matthew John Harslett	Redink Homes Southwest Pty Ltd	9
DA18/0200	Single House (Landscape Value Area)	216 Forrest Beach Road~WONNERUP WA 6280	Lot 106 PLAN 407525	9/03/2018	294586	Rhys James Wilson & Sarah Anne Wilson	Plunkett Homes	7
DA18/0201	Outbuilding (Landscape Value Area)	Marrinup Drive~YALLINGUP WA 6282	Lot 12 PLAN 20017	12/03/2018	200000	Michael Robert Ogilby & Deborah Ruth Ogilby	Gerard McCann Architect	4
DA18/0202	Over Sized and Over Height Carport (Reduced Setback)	4 Snipe Close~GEOGRAPHE WA 6280	Lot 241 PLAN 17628	12/03/2018	12500	Eileen Hazel Rose & Bryant Charles Rose	Sheds Down South	4
DA18/0203	Cellar Door Sales (Winery)	1105 Vasse-Yallingup Siding Road~QUINDALUP WA 6281	Lot 308 PLAN 41324	2/03/2018	10000	Benjamin Malcolm Gould & Naomi Jean Gould	Blind Corner	14
DA18/0204	Single House (Reduced Setback)	15 Chester Way~DUNSBOROUGH WA 6281	Lot 154 PLAN 7393	13/03/2018	650000	Peter Robert McMahon & Margaret Joan McMahon	Chris McMahon	3
DA18/0205	Holiday Home - Increase Occupancy Number from 6 to 8	1/11 Earnshaw Road~WEST BUSSELTON WA 6280	Lot 1 SSPLN 20461	14/03/2018	0	Leith Beresford Rhodes & Allyson Jane Rhodes	Leith Beresford Rhodes, Allyson Jane Rhodes	3
DA18/0206	Garage (R-Codes Variation)	6 Burt Street~BROADWATER WA 6280	Lot 14 PLAN 7178	14/03/2018	25000	Carli Clay & Matthew Robert Clay	Carli Clay, Matthew Robert Clay	3
DA18/0207	Modification to Previous Development Approval (Over-height Boundary Wall)	3 Cascade Close~YALYALUP WA 6280	Lot 817 PLAN 407789	12/03/2018	31185	John Kent Richards & Rhian Elaine Richards	Yallingup Landscapes	9

Applications Received Report								
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Application Received Date	Estimated Cost	Primary Property Owners	Applicant Name	Clock Days
Development Applications								
DA18/0208	Over Size and Over-height Outbuilding	7 Gambetta Road~YALYALUP WA 6280	Lot 927 PLAN 409180	13/03/2018	35000	Terry Allan Nuttall & Nony Joy Harley	Busselton Sheds Plus	4
DA18/0209	Over-height Outbuilding with Reduced Setbacks (Special Control Area)	4 Stone Street~QUINDALUP WA 6281	Lot 23 DIAGRAM 36962	13/03/2018	14700	Adrian Lindsay Tyrrell & Julia Anne Tyrrell	CPR Outdoor Centre	5
DA18/0210	Modified Building Envelope	274 Gibb Road~METRICUP WA 6280	Lot 52 PLAN 64712	13/03/2018	245748	Ross William Booth & Frances Marilyn Booth	Redink Homes Southwest Pty Ltd	2
DA18/0213	Carport Addition to Single House (Reduced Setback)	2 Wallaby Gardens~WEST BUSSELTON WA 6280	Lot 152 PLAN 17762	13/03/2018	15980	Michelle Leanne Wood & Nathan John Wood	CPR Outdoor Centre	7
DA18/0214	Holiday Home (Grouped Dwelling) - 4 People	9B Harnett Street~BROADWATER WA 6280	Lot 2 STPLN 12480	13/03/2018	1	Ian Edward Cross & Suzanne Marie McAuliffe Cross	Ian Edward Cross, Suzanne Marie McAuliffe Cross	7
DA18/0215	Gazebo (Landscape Value Area)	103 Green Park Road~QUINDALUP WA 6281	Lot 74 PLAN 37015	13/03/2018	8000	Philip James Porter Reid & Philippa Mary Reid	Philip James Porter Reid, Philippa Mary Reid	7
DA18/0217	Carport / Patio Addition to Single House (Reduced Setback)	34 Centurion Way~WEST BUSSELTON WA 6280	Lot 604 PLAN 20402	14/03/2018	5000	Gregory Alan Bock & Rhonda Ericka Bock	Tecon Australia Pty Ltd	8
DA18/0218	Patio Addition to Single House (Reduced Side Setback)	14 Lyrebird Road~BROADWATER WA 6280	Lot 356 PLAN 44210	15/03/2018	10290	Andy Michael Erceg	CPR Outdoor Centre	7
DA18/0220	Change of Use - Holiday Home (Single House) 8 People	7 Pine Court~QUINDALUP WA 6281	Lot 46 DIAGRAM 54397	13/03/2018	0	Melanie Delia Green & David John Green	Melanie Delia Green, David John Green	9
WAPC18/0010	2 Lot Subdivision (Boundary Alignment)	24 Westbrook Glen~VASSE WA 6280	Lots 106 & 1246 & 84	8/03/2018	0	Brian John Feutrill	BSO Development Consultants Pty Ltd	15

Applications Determined Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications									
DA16/0706	Extractive Industry (Sand)	300 Tutunup Road~TUTUNUP WA 6280	Lot 77 PLAN 67879	12/03/2018	Refused	55	147	Broadwest Investments Pty Ltd	Busselton Civil and Plant Hire
DA16/0952	Extractive Industry (sand)	Tutunup Road~TUTUNUP WA 6280	Lot 78 PLAN 67879	12/03/2018	Refused	112	0	Ryan Geoffrey Yates	Ryan Geoffrey Yates
DA17/0855	Single House Detached Habitable Room - Mediation Room/Art Studio (Landscape Value Area)	14 Howson Rise~YALLINGUP WA 6282	Lot 224 PLAN 24224	7/03/2018	Approved	120	45000	Deborah May Banyard & Michael John Hamilton Banyard	Tim Korovesi
DA17/0890	Single House (Reduced Setback)	60B Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 8 SSPLN 57516	9/03/2018	Approved	90	1000000	Sarah Elizabeth Forbes	Mark Webster Design
DA17/0893	Change of Use - Holiday Home (Single House) 12 people	700 Geographe Bay Road~BROADWATER WA 6280	Lot 62 DIAGRAM 42149	12/03/2018	Approved	35	0	Vincent James Antony Middleton & Nina Middleton	Vincent James Antony Middleton, Nina Middleton
DA17/0909	Single House (Removal of Vegetation)	116 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 5 PLAN 49469	7/03/2018	Approved	108	850000	James Kenneth Williams & Gillian Helen Williams	Blue Water Building Co (SW) Pty Ltd
DA17/0912	Dam (Landscape Value Area)	75 Johnson Road~WILYABRUP WA 6280	Lot 27 DIAGRAM 72971	6/03/2018	Approved	59	50000	Yala Properties Pty Ltd	Slade Ag Tech (W and J Slade)
DA17/0954	Carport (Landscape Value Area)	8 Summer Brace~YALLINGUP WA 6282	Lot 101 PLAN 24226	6/03/2018	Approved	11	3800	Paul Timothy Hosking Sherlock	Cape Shades
DA17/0983	Single House (Reduced Setbacks)	58 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 6 SSPLN 57516	6/03/2018	Approved	28	500000	Park Mist Pty Ltd	D4 Designs
DA17/0999	Holiday Home (Grouped Dwelling) 6 People	49 Peppermint Drive~DUNSBOROUGH WA 6281	Lot 184 PLAN 8543	13/03/2018	Approved	9	1	Kevina Jane Stewart & Phillip Brent Stewart	Kevina Jane Stewart, Phillip Brent Stewart

Applications Determined Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications									
DA18/0010	Additions to Existing Grouped Dwelling (Special Control Area)	2/31 Wardenup Crescent~YALLINGUP WA 6282	Lot 2 STPLN 29534	7/03/2018	Approved	28	360000	Errol Thomas Barrett & Margaret Joan Barrett	Hayden Smith
DA18/0017	Oversized & Over Height Outbuilding (Special Control Areas)	26 Ballarat Road~WONNERUP WA 6280	Lot 67 PLAN 223219	12/03/2018	Approved	36	25000	Christine Anne Bleechmore & Gordon Clive Bleechmore	Busselton Sheds Plus
DA18/0021	Additions and Alterations to Existing Single House (Special Control Area)	85 Blackbutt Close~YALLINGUP SIDING WA 6282	Lot 93 PLAN 20163	7/03/2018	Approved	47	100000	Matthew Lucas Hawke & Shay-Lee Terrill Hawke	Matthew Lucas Hawke, Shay-Lee Terrill Hawke
DA18/0024	Change of Use - Holiday Home (Single House) 10 People	6 Earnshaw Road~WEST BUSSELTON WA 6280	Lot 8 DIAGRAM 25027	9/03/2018	Approved	45	0	Simon John Piavanini & Rochelle Margaret Piavanini	Down South Getaways & Property Management
DA18/0029	Change of Use - Holiday Home (Grouped Dwelling) 4 People	2/78 Reynolds Street~WEST BUSSELTON WA 6280	Lot 1 SSPLN 54625	7/03/2018	Approved	44	0	A and R Marchetti Pty Ltd	A and R Marchetti Pty Ltd
DA18/0033	Holiday Home (Grouped Dwelling) 6 People	2/23 Patton Terrace~QUINDALUP WA 6281	Lot 1 SSPLN 52042	14/03/2018	Approved	29	0	Shane Thomas White & Leanne Maree White	Shane Thomas White, Tasha Marie White
DA18/0044	Overheight Outbuilding	3 Elmore Road~QUINDALUP WA 6281	Lot 34 DIAGRAM 47792	8/03/2018	Approved	39	20000	Robert Lloyd Morgan & Dorothy Faye Morgan	Busselton Sheds Plus
DA18/0057	Carport (reduced front setback)	9 Edwards Street~BUSSELTON WA 6280	Lot 23 DIAGRAM 51183	9/03/2018	Approved	42	7100	Elena Victoria Bishop & Peter Douglas Bishop	Cape Shades
DA18/0058	Patio (reduced setbacks)	2/13 Bayou Court~GEOGRAPHE WA 6280	Lot 2 STPLN 70778	1/03/2018	Approved	32	6680	Deborah Anne Mastaglia	CPR Outdoor Centre
DA18/0062	Bed and Breakfast	2 The Enclave~DUNSBORO UGH WA 6281	Lot 1 PLAN 19241	8/03/2018	Approved	34	0	Wayne Stephen Coyle & Christine Roma Coyle	Wayne Stephen Coyle, Christine Roma Coyle

Applications Determined Report									
Application Number	Description	Primary Property Address	Primary Property Legal Desc	Applic Determined Date	Decision	Clock Days	Estimated Cost	Primary Property Owners	Applicant Name
Development Applications									
DA18/0067	Street Wall and Rear Glass Fence (Port Geographe Development Area)	22 Burgee Cove~GEOGRAPHE WA 6280	Lot 7 PLAN 57392	6/03/2018	Approved	35	20000	Lindy Ellen Ingram	Lindy Ellen Ingram
DA18/0068	Patio Addition to Outbuilding (Reduced Setback)	11 Glenleigh Road~WEST BUSSELTON WA 6280	Lot 5 DIAGRAM 39823	1/03/2018	Approved	21	2000	Naomi Louise Searle & Keith Edward Charles Searle	Naomi Louise Searle, Keith Edward Charles Searle
DA18/0069	Holiday Home (Single House) 8 People	10 Geographe Bay Road~DUNSBOROUGH WA 6281	Lot 74 PLAN 7393	9/03/2018	Approved	34	0	Donna Joy Loxton	Private Properties Services
DA18/0071	Patio (Reduced Setback)	43 Harbeck Drive~KEALY WA 6280	Lot 1398 PLAN 407112	9/03/2018	Approved	12	10050	Brodie Paul Hansford	Outdoor World Busselton
DA18/0081	Holiday Home (Single House) 10 People	38 Peppermint Drive~DUNSBOROUGH WA 6281	Lot 271 PLAN 8579	13/03/2018	Approved	37	0	Dane Earl Jackson & Virginia Maude Jackson	Dane Earl Jackson, Virginia Maude Jackson
DA18/0087	Single House (Reduced Side Setbacks)	29 Diamante Boulevard~DUNSBOROUGH WA 6281	Lot 1350 PLAN 62623	14/03/2018	Approved	33	232586	Tania Louise Sommerville	Ventura Home Group Pty Ltd
DA18/0091	Single House (Landscape Value Area)	53 Cornerstone Way~QUEDJINUP WA 6281	Lot 7 PLAN 74289	14/03/2018	Approved	5	414333	Lee-Anne Sarah Trainer & Mark James Trainer	Tangent Nominees Pty Ltd
DA18/0093	Additions and Alterations to Existing Single House (Special Character Area)	46 Wardenup Crescent~YALLINGUP WA 6282	Lot 160 PLAN 9022	14/03/2018	Approved	2	45000	Lorna Kaye Rosenwax & James Bernard Semmens	Mark Webster Design
DA18/0103	Patio Addition to a Grouped Dwelling	17/1 St Michaels Parkway~DUNSBOROUGH WA 6281	Lot 11 SSPLN 56939	9/03/2018	Approved	15	5000	Daniel Peter Anderson	Stephen Glenn Potter

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**WALGA State Council and Zone Agenda
Agenda Summary and Recommendations**

**South West Zone WALGA: 23 February 2018
State Council WALGA: 7 March 2018**

Agenda Summary and Recommendations

The City of Busselton is a member of the WALGA South West Zone which meets approximately five times each year. The SW Zone comprises of 12 local governments being the Shire of Augusta - Margaret River, Shire of Boyup Brook, Shire of Bridgetown-Greenbushes, City of Bunbury, City of Busselton, Shire of Capel, Shire of Collie, Shire of Dardanup; Shire of Donnybrook-Balingup, Shire of Harvey, Shire of Manjimup and the Shire of Nannup.

The Zone meeting was held at the Shire of Augusta Margaret River on 23 February 2018. The City was represented on the Zone Committee by Councillor Grant Henley (Mayor) with administrative support provided by Tony Nottle, Director Finance & Corporate Services and Kate Dudley, Governance Administration Officer.

The Zone employs a secretariat to prepare the Zone agenda, take minutes and action Zone adopted resolutions.

Each Agenda is in two parts:

1. Items raised by Zone Members for consideration; and
2. The WALGA State Council Agenda

The reports raised by the Zone Members and those contained in the WALGA State Council Agenda "for decision" are reviewed by City officers and are reported in the following manner for Councillor information:

- A summary of the report is provided;
- The WALGA recommendation is repeated;
- The relevant City officer comments on the report;
- The City Officer comments on the recommendation;
- The Zone decision is recorded; and
- The WALGA State Council decision is recorded.

In this way, Council can track the progress of the report and recommendation as it flows through the system.

**WALGA State Council and Zone Agenda
Agenda Summary and Recommendations**

South West Zone: 23 February 2018

4.1 Host Council Presentation

Host Local Governments are invited to provide a 15-20 minute presentation on current events affecting their local government area or to arrange an inspection of new or significant facilities of interest to members.

4.2 Presentation by the Assistant Auditor-General

A presentation by Mr Jason Beeley, Assistant Auditor General Performance Audit and Mr Vince Turco, Director Financial Audit, Office of the Auditor General.

Following the passage through Parliament and proclamation of the Local Government Amendment (Auditing) Act 2017 the Office of the Auditor General (OAG) is attending the Zone Meeting to meet with as many local governments as possible and provide an overview of the role of the OAG in local government and what to expect from both the performance and financial audit.

It is intended to also outline the implementation of the legislative change as well as answering any questions from delegates.

7.1 Report by State Council Delegate or WALGA Representative

7.2 Annual Program of Topics for Discussion by Councils

Members are invited to suggest topics on which they would like to hear presentations.

This will enable the Executive Officer to arrange suitable speakers well in advance.

Location	Meeting Date	Suggested Topics
TBA	April	

7.4 State President's Report

The WALGA State President report was tabled at the meeting.

**WALGA State Council and Zone Agenda
Agenda Summary and Recommendations**

WALGA State Council: 7 March 2018

5.1 Local Government Act Review

Summary of report:

The Minister for Local Government launched the Government's Consultation Paper on Phase 1 of the Local Government Act Review on 8 November 2017. The Minister advised that the first stage will focus on modernising Local Government, with the policy work and consultation to be completed in the first part of 2018 with a Bill in late 2018.

Local Government feedback was requested on the Department's Paper to enable a sector response to be provided. This report presents a proposed sector response to the eleven (11) areas considered in the paper. State Council at its December meeting requested consideration on the role of the Department of Local Government be considered in this report.

WALGA Recommendation:

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural Industries consultation paper provided in this report;
2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department service its capacity building role through the utilisation of third party service providers.

City Officer Comment:

Council and City officers have compiled a detailed response to the Local Government Act Review. While many of our responses are similar there are differences to a number of items which include:

1. Relationships between Council and the Administration (Questions 1-5)

- Amendments proposed would also require further amendments Section 5.10 and 9.49A of the LGA to ensure what WALGA (and the City) is proposing can be achieved.

2. Training (Questions 6-16)

- While WALGA "supports and encourages" specific training, the City proposes to invoke compulsory minimum (core) training for Councillors.
- WALGA proposes "funding assistance" to be available for Councils to provide the training, where the City proposes that as the minimum training requirements would be compulsory, that they be funded by the Department.
- WALGA supports election candidates being required to attend a Candidates information session, whereas the City submission suggests that candidates should "be required to understand the Rules of Conduct and be bound by them."

**WALGA State Council and Zone Agenda
Agenda Summary and Recommendations**

3. The Behavior of Elected Members (Questions 17-55)

No changes to the City's draft submission. All are similar to WALGA's proposals.

4. Local Government Administration (Questions 56-74)

WALGA proposes to submit that Local Governments would be **required** to seek third party assistance in the recruitment and performance management of a CEO. However the City proposes that this be "optional" and not "required."

5. Supporting Local Governments in challenging times (Questions 75-81)

In respect to remedial intervention, the appointed person should be a Departmental employee with the required qualifications and experience. The City's draft submission suggests this be a WALGA employee.

6. Transferability of employees between State & Local Government (Questions 82-84)

A General Agreement between State and Local Government should be established to facilitate the transfer of accrued leave entitlements (annual leave, sick leave, superannuation and long service leave) for staff between the two sectors of Government. The City's draft submission suggests that this be approved for Long Service Leave, but not sick or annual leave.

7. Gifts (Questions 85-95)

No changes to the City's draft submission. All are similar to WALGA's proposals.

8. Access to Information (Questions 96-104)

No significant differing of views to the City's draft submission.

9. Available information (Questions 105-108)

No changes to the City's draft submission. All are similar to WALGA's proposals.

10. Reducing Red Tape (Questions 109-120)

The City has made additional recommendations to some amendments. The submission does not disagree with WALGA's proposal.

As our individual submission will still be presented to the Department, therefore there is no need to attempt to change sections of the WALGA submission to reflect our own. Bearing in mind that WALGA are providing a submission that represents a range of small medium and large local governments.

City Officer Recommendation:

That the WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That WALGA;

1. Endorse the responses to the Department of Local Government, Sport and Cultural

WALGA State Council and Zone Agenda
Agenda Summary and Recommendations

Industries consultation paper provided in this report, subject to;

- a. A review of the ability of Elected Members to dial into Council meetings.
- b. Local Governments should be encouraged (not required) to seek third party assistance in the recruitment and performance management of a CEO, whether this be by the Public Sector Commission or registered consultants.

2. Forward the WALGA policy positions endorsed at the December 2017 State Council meeting to the Department as part of this submission for the Act review process;
3. Request that the Department of Local Government, Sport and Cultural Industries ensure that representation from WALGA and the Local Government Professionals WA is included in any legislative drafting process as a result of the Local Government Act review; and
4. Support the continuance of the Department of Local Government as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers.

**WALGA State Council and Zone Agenda
Agenda Summary and Recommendations**

**5.2 Local Government Act – Audit and Financial Management Regulations
Amendment**

Summary of report:

In accordance with the Partnership Agreement, the Department of Local Government, Sport and Cultural Industries (DLGSC) has requested consultation with the sector regarding proposed amendments to the Local Government (Audit) Regulations 1996 and Local Government (Financial Management) Regulations 1996. These regulatory amendments are proposed to facilitate implementation of the Auditor General's role in undertaking Local Government audits. Feedback on the draft regulatory amendments is required to be provided to the DLGSC by 29 March 2018.

WALGA Recommendation:

That WALGA endorse the following response to the Department of Local Government, Sport and Cultural Industries, regarding proposed regulatory amendments to facilitate introduction of Local Government auditing by the Auditor General:

- (1) *Local Government (Audit) Regulations 1996* proposed amendments are supported, subject to the following:
 - (a) Proposed amendment of Regulation 9 – supported subject to:
 - (i) The definition of Australian Accounting Standards being consistent between this Regulation and Financial Management Regulation 3.
 - (b) Proposed new Regulation 9A – Not Supported:
 - (i) Section 7.10 of the Act already sufficiently provides for the Auditor's right of access to documents.
 - (ii) If proposed new Regulation 9A is retained, then subject to:
 - Changing requirement for CEO to provide documentation from 14-days to 30-days; or alternatively,
 - Ensuring audit planning under Audit Regulation 7 includes identification and agreement on documentation required to be provided.
 - Re-sequencing the definitions for Strategic Community Plan and Corporate Business Plan to align with the sequence of Sub-regulations 9(A)(1)(a) and (b).
 - (c) Proposed amendment of Regulation 13 – supported subject to:
 - (i) Consideration of changing the Compliance Return period from a calendar year to a financial year to be consistent with other audits. Noting that this change would require consequential changes to Audit Reg.15.
 - (d) Proposed amendment of Regulation 16 - Supported subject to:
 - (i) Sub-regulation 16(a) being deleted as Audit Committee involvement in 'guiding and assisting' Local Government to prepare budgets, financial reports, rates, etc. compromises the Committee's objectivity / impartiality when undertaking the audit role.

WALGA State Council and Zone Agenda
Agenda Summary and Recommendations

- (ii) Redrafting Sub-regulation 16(d) to prescribe the Audit Committee's function as being 'to monitor and advise the CEO in regard to the outcome of any review undertaken in accordance with Audit Regulation 17(1) and Financial Management Regulation 5(2)(c)'. The redraft is proposed to avoid any confusion between the Audit Committee function and the CEO's responsibilities for the administration of the Local Government.
 - (iii) Amendment of Sub-regulation 16(d) to include a requirement for the Audit Committee to report to Council.
- (2) *Local Government (Financial Management) Regulations 1996* proposed amendments are supported, subject to the following:
 - (a) Proposed amendment of Regulation 5 - supported subject to:
 - (i) Including a requirement for the outcome of a review to be reported to Council via the Audit Committee, consistent with other similar reporting requirements.
 - (b) Proposed amendment of Regulation 17A – supported subject to:
 - (i) Resolution of the conflict between the proposed 3-5 year review cycle and AASB 116 clause 34 which requires annual review of asset valuations in some circumstances.
 - (ii) Deletion of Sub-regulation 17A(4) as it replicates the requirements of AASB 116 clause 34 and may become inconsistent with the AAS should the AAS be amended in future.
 - (iii) Redrafting of Sub-regulation 17A(6) to enable Local Governments to determine the \$value threshold through their accounting policy, enabling Local Governments to apply an effective size and scale regime.
 - (iv) Inserting a new sub-regulation excluding Local Governments from compliance with AASB 166, clause 36, so to avoid requirements for revaluation of a whole class of assets, on the basis that revaluation within the 3-5 year cycle is sufficient.
 - (c) Regulation 17B is not supported on the basis that:
 - (i) Regulation 17B is contrary to the intent of Regulation 17A which expenses assets valued less than \$5000.
 - (ii) "Attractive" assets is not defined.
 - (iii) Regulation 17B's purpose is unclear if the asset is written off and therefore active audit is not required.
 - (iv) Theft of portable assets is not considered a widespread problem and where concerns arise regarding theft Local Governments will address those risks, therefore additional red-tape should not be created for the whole sector.

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- (v) If Regulation 17B is proposed to be retained, then its retention should be justified by a cost benefit analysis evidencing that sector wide benefit will be achieved i.e. the actual cost of implementing proposed Regulation 17B versus the actual cost of 'lost' portable assets. If no such benefit is evidenced, then Regulation 17B should not be implemented.

City Officer Comment:

The proposed changes assist with the implementation of the changes surrounding local government audits to be undertaken by the Office of the Auditor General.

The comments and issues put forward by WALGA which are covered in their recommendation are sufficient.

In the City of Busselton's case, while it is felt that there is merit in not supporting Regulation 17B as per the WALGA recommendation for the reasons provided, the City of Busselton has a large amount of assets valued under the \$5,000 mark. Because of the number of these assets City officers still believe it is prudent to report on the overall amount of assets (under the \$5,000 mark) in the City's reports to its Finance Committee and Meetings of Council.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.3 Interim Submission - Review of the State Industrial Relations System

Summary of report:

On 22 September 2017, the State Government announced the conduct of a Ministerial review into the State Industrial Relations system. The review will address whether Local Governments should be regulated by the State Industrial Relations system. WALGA was invited to make a submission and carried out a consultation process with the sector including hosting a Sector Reference Group consultation meeting to inform a representative sector position. Sector feedback recommends that legislation is not imposed prescribing that Local Government be exclusively regulated by the State IR system. It is also recommended that the State Government broaden the scope of the review as it relates to regulation of Local Government and consults with the Local Government sector regarding how industrial relations jurisdictional certainty is best achieved.

WALGA Recommendation:

That the interim submission in response to the Review of the State Industrial Relations System be endorsed.

City Officer Comment:

The City of Busselton was part of the Sector Reference Group and support WALGA's submission in regards to the review of the State Industrial Relations System. The City's three key concerns should the State Government decide that all Local Governments should be covered by the State Industrial System are:

1. The significant costs incurred in moving back under this system both from resourcing point of view;
2. Implication of conditions that have previously been negotiated out of our Enterprise Agreement coming back into play and conversely the difficulty in trying to negotiate out terms and conditions in our current Enterprise Agreement (due to their existence in federal award) that are higher than the current State Awards.
3. The current State Awards are out of date and do not reflect the diverse operating environments of today's Local Government environment.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.4 Interim Submission – State Planning Policy 5.4 Road and Rail Noise – Residential Subdivision

Summary of report:

On 12 September 2017, the Western Australian Planning Commission (WAPC) released a revised version of State Planning Policy 5.4 Road and Rail Noise (SPP5.4) for public comment. The revised State Planning Policy aims to provide greater guidance in the Commission's assessment of subdivision applications, where the average lot size variation is greater than five per cent. The public comment period closed on the 15 December 2017, therefore an interim submission was prepared.

WALGA Recommendation:

That the interim submission to the WA Planning Commission on State Planning Policy 5.4 Road and Rail Noise be endorsed.

City Officer Comment:

The arrangement of the Policy, (comprising the objectives and detailed methods to achieve the noise level targets) is supported. The target 'criteria' and the level it is set at, is a concern.

The Policy target mirrors the noise regulations with a finished target for indoor living areas (40dB) and a separate target for bedrooms (35dB) – night and day. It is assumed this is with doors and windows shut.

As a measure, 35dB is a general conversation level noise. The policy assumes no modulation or tonality (influencing factors) but only a consistent noise. A weighted average sound metric, used to determine the noise target does not pick up short fluctuations but instead smooths the profile.

The adoption of LAmax as the metric (short term noise events) was discarded because of the "significant implications for both developers and or operators". It is assumed the consideration was to be within a reasonable expectation of an overall noise level, rather than making allowance for occasional exceedance of noise to be excluded from the target. Vibration has also been excluded as a consideration, which WALGA had requested be included.

Amenity is a primary planning consideration and the protection of noise amenity is often less than provided by the Noise Regulations. Noise that meets the levels of the Noise Regulations can still be annoying, and as such contrary to maintaining the amenity or providing a reasonable amenity.

Fluctuations in volume (influencing factors) is generally the basis of annoyance rather than a constant noise level.

The Policy addresses only as a level, it does not account for fluctuations in noise as a target.

City Officer Recommendation:

That the WALGA recommendation be endorsed, subject to:

1. The consideration that the policy target for indoor areas should include influencing factors (modulation and tonality) as an associated element within determining a reasonable indoor amenity.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.5 Interim Submission – Planned or Managed Retreat Guidelines

Summary of report:

On 26 October 2017, the WA Planning Commission (WAPC) released the Planned or Managed Retreat Guidelines (Guidelines) for public comment. The Guidelines aims to provide greater guidance on how to implement a policy of planned or managed retreat in 'brownfield' and 'infill' development areas. The Guidelines are based on principles of social, environmental and economic sustainability and adhere to objectives set out in State Planning Policy No. 2.6 State Coastal Planning Policy (SPP2.6). The public comment period closed on the 15 December 2017, therefore an interim submission was prepared.

WALGA Recommendation:

That the interim submission to the WA Planning Commission on the Planned or Managed Retreat Guidelines be endorsed.

City Officer Comment:

The City of Busselton has been a leader in coastal adaption planning and is following the Coastal Hazard Risk Management and Adaptation Planning process (CHRMAP).

The Guidelines provide clarification to the option for planned or managed retreat as provided in State Planning Policy 2.6. It sets out a method and a trigger to transfer the land from private to the public realm. Importantly, the context is **where it is established** that there is no further economic or social utility should private land be acquired; transferred into the public realm. Where there is economic or social utility, other alternatives to a 'managed retreat' can also include to 'accommodate' or 'protect'. There is also the option to 'avoid', to not exacerbate the risk by approving new development in vulnerable locations. The Guideline addresses only a 'managed retreat'.

Significantly the Guidelines identify where there is no further economic or social utility in land due to coastal processes and the building is within 40m of the horizontal Shoreline Datum, then consideration should be given to transfer the land from private to the public realm by an agreed land purchase or by compulsory taking (after being 'reserved' through a Scheme amendment).

The costs and responsibility for the transfer into the public realm is to be borne by local government. The WALGA interim submission reflected the concern about how the requirements can be implemented without significant investments in private property acquisition on the part of the Local Government. The interim submission instead recommended a centralised approach to the planning for retreat to reduce the demands upon organisational resources.

The City is presently engaged in strategically determining which options from SPP2.6 are best to apply along its coastline through the preparation of a Coastal Adaptation Strategy (2018/2019).

Whilst the aim of WALGA's interim position is to reduce costs upon local government, it runs the risk of a central process that is not nuanced for local considerations, and could result in a greater imposition of costs on local government by the state. The City of Busselton has instead taken a local approach, and the local level has the detailed knowledge that is best for determining future strategic options for the coast, and balancing these with the community cost.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.6 Clearance of subdivision conditions relating to Bushfire Management Plans

Summary of report:

The Department of Fire and Emergency Services (DFES) advised the Shire of Harvey that it would no longer clear conditions that relate to the implementation of a Bushfire Management Plan (BMP) during subdivisional works. The conditions are now being cleared on behalf of DFES by either the WA Planning Commission or the relevant Local Government. It is recommended that the Association seek commitment from the State Government to provide greater clarity in the roles and responsibilities between DFES, Department of Planning and Local Government in the clearance of this condition, and to undertake formal consultation with the Local Government sector.

WALGA Recommendation:

That WALGA request that the State Government formally consult with the sector in regard to: -

1. The Department of Fire and Emergency Services' (DFES) transferring of responsibility to the Local Government sector for the clearance of a subdivision condition for Bush Fire Management Plans, when the condition has been requested by DFES.
2. Any possible review of the model subdivision condition relating to clearance of Bush Fire Management Plans.

City Officer Comment:

Subdivision applications are approved by the WAPC with comments provided by local government.

All subdivision approvals comprise of a mix of conditions requested by local government and usually standard conditions imposed by state agencies. Each agency is responsible for its satisfaction that its condition has been complied with. Only when all conditions have been complied with are the lot titles issued.

With regard to the DFES condition, DFES are consulted as part of the subdivision assessment for the proposal's accord with the WAPC's Planning in Bushfire Prone Area Guidelines. The DFES condition is - that works are undertaken in accordance with the Bushfire Management Plan (BMP). The BMP is prepared in justification against the Guidelines and local government is responsible for the enforcement of the BMP.

It is important that all local governments closely examine the detail of the BMP, particularly the inadvertent transfer of responsibility. DFES generally don't check for this. Incorrect assumptions about reserves, if wrongly assigned as 'excluded', cast an ongoing burden upon the local government to maintain the reserve in an 'excluded' condition at all time, otherwise it takes the liability.

Few local governments have grasped this risk.

The DFES condition adds little value to the subdivision approval and its clearance has been the source of significant delays. Local government is better placed in determining whether works, identified in the BMP, have in fact been complied with. Usually they are easy to see, and this check can be done at the same time the local government inspects the site to clear its conditions.

The condition (satisfaction of for compliance with the Bushfire Management Plan (BMP)) should reside with the local government, and it is important all local governments understand the purpose and the implications of a BMP and the responsibilities these documents may impose. However the recommendation merely requests a formal consultation process; so therefore this can be raised during this time.

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City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.7 Review of the Administrative Road Classification Methodology

Summary of report:

The Administrative Road Classification methodology is used to guide determination of whether a road is managed by Main Roads or Local Governments in accordance with the provisions of the Main Roads Act 1930. Main Roads formed a working group with WALGA and Local Government representatives in 2015 to review the existing methodology for roads in the metropolitan area only. The working group agreed on a revised methodology based on a two tier process including planning and operational criteria. The revised methodology was noted and approved by senior Main Roads staff and by the Minister for Transport; Planning; Lands. The revised methodology was released for feedback from Local Governments in November 2017 and the feedback was supportive of the methodology. A preliminary desktop assessment of the methodology indicates that approximately 26 metropolitan roads could meet the criteria for reclassification. It is envisaged that the potential reclassifications would be phased over a number of years

WALGA Recommendation:

That WALGA supports the revised Administrative Road Classification methodology used to designate whether a road should be managed by Main Roads WA or Local Governments.

City Officer Comment:

This classification methodology review focused on the metropolitan area only.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.8 Interim Submission - Inquiry into Progress under the National Road Safety Strategy 2011-2020

Summary of report:

In September 2017 the Australian Government initiated an Inquiry into progress under the National Road Safety Strategy 2011-2020. A WALGA response has been developed to highlight the key role of Local Governments in creating a safe road transport system, and makes a number of recommendations in relation to the challenges and opportunities for road safety going forward along with suggestions for the next National Road Safety Strategy. Endorsement by State Council of these recommendations is sought to provide a representative response from the Western Australian Local Government sector.

WALGA Recommendation:

That the Interim Submission to the Inquiry into progress under the National Road Safety Strategy 2011-2020 be endorsed.

City Officer Comment:

The submission suggests a number of recommendations such as reviewing the roads functional hierarchy, continuing funding for black spot programs, improving systems and methods of assessing blackspot programs and promotion of demonstration projects to name a few. These are all supported.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

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5.9 Interim Submission - Proposed listing of the 'Tuart Woodlands and Forests of the Swan Coastal Plain' as a Threatened Ecological Community

Summary of report:

The 'Tuart Woodlands and Forests of the Swan Coastal Plain' have been nominated as a Threatened Ecological Community under the Commonwealth's Environmental Protection and Biodiversity Conservation Act 1999. A draft Conservation Advice was prepared by the independent Threatened Species Scientific Committee, which provides advice on eligibility for listing, key diagnostic characteristics, minimum condition classes for national protection, and priority conservation actions. An estimated 14% of the original extent of the ecological community remains, which continues to be threatened by land clearing and development, and a reduction in community integrity. WALGA has prepared a submission to the Department of the Environment and Energy (DoEE) which supports the proposed listing of the ecological community as 'critically endangered', and recommends up-to-date maps of vegetation extent, revision of key diagnostic characteristics, identification of appropriate land uses within buffer zones, and further funding opportunities to assist land managers protect tuart woodlands.

WALGA Recommendation:

That the Interim Submission to the Department of the Environment and Energy supporting the listing of the 'Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain' as a Threatened Ecological Community be endorsed.

City Officer Comment:

The City recognises the high conservation significance and limited extent of the original Tuart Woodland vegetation within the region. The Critically Endangered listing of the Tuart Woodland will protect the vegetation community from significant impacts under National Environmental Law and guide the implementation of management recovery actions.

City Officer Recommendation:

The WALGA recommendation be supported.

Zone Recommendation to State Council:

That the recommendation in the State Council Agenda be endorsed.

State Council Decision:

That the recommendation in the State Council Agenda be endorsed.

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 EASTERN LINK DEFERRAL**

Councillor Robert Bennett Oliver Darby has given notice that at the Council meeting on 11 April 2018, he will move the following motion:

MOTION

That if the City receives environmental approval, or advice from the EPA, for the Eastern Link project it defers commencement of construction (for six months) while further public consultation (through public forums, online surveys or other methods identified as appropriate) and feasibility investigation of other options are undertaken.

Reasons

There seems to be a lot of opposition and misinformation about proceeding with this link, even though something needs to be done to ease the congestion of traffic entering Busselton along Causeway Road.

I would like to see the City acquire more feedback from the community on this proposal, either through public forums, survey, or other methods.

By deferring the project for six months it will allow sufficient time for extensive public consultation, as well as the detailed consideration and costings of all the options.

I think it is important to note that the local Member Libby Mettam has expressed concern to councillors about an alleged lack of community consultation on the Eastern Link and that she is of the opinion there is value in the City undertaking a more thorough process.

CEO COMMENT

In many respects, the notice of motion reiterates the current direction of the City. That direction involves obtaining greater clarity on the environmental conditions that might apply to development of the Eastern Link, and other road upgrade options, as well as undertaking further community engagement, before the Council makes final decisions. Given that, officers do not consider it is necessary for the Council to re-confirm that through a formal resolution. In broad terms, though, there is not seen to be a particular problem with the Council making a resolution of the kind proposed.

There is one aspect of the notice of motion, however, that is seen as problematic. That is the suggestion that, after environmental approvals have been obtained (or environmental advice received from the EPA – i.e. the WA Environmental Protection Authority) construction be deferred for six months. There are three key reasons why that is problematic.

Firstly, it is not clear exactly what would trigger the start of the six month period. This would not be such an issue if the notice did not appear to set out a fixed time period.

Secondly, because it could be anything from one to perhaps as many as 12 months before there is clarity around environmental requirements and conditions, it could effectively mean deferral of construction for perhaps as little as 7 months, or as many as 18 months.

Because the external funding that the City has secured to meet a significant portion of the project costs currently needs to be spent by late 2019, it could jeopardise that funding.

Thirdly, it is considered that further community engagement can, at least in substantial part, happen at the same time as resolution of environmental questions (note that this may not necessarily be what the notice of motion intends, but it could be interpreted in that way).

It is therefore suggested that, if the Council is going to support the notice of motion, it be amended to make it clear that further community engagement can occur, to some degree, at the same as environmental questions are resolved. In the view of officers, that could be achieved by inserting the words 'up to' in front of 'six months', and replacing the word 'while' with 'and that'. Such a motion would read as follows –

'That if the City receives environmental approval, or advice from the EPA, for the Eastern Link project it defers commencement of construction (for up to six months) and that further public consultation (through public forums, online surveys or other methods identified as appropriate) and feasibility investigation of other options are undertaken.'

It is also worth noting that traffic congestion in and around the Busselton City Centre has long been acknowledged by the community as an issue of concern, and as the community and traffic grow, those concerns are also growing.

The modification of local roads to improve access and egress into the City Centre was identified by the community as a priority during extensive consultation undertaken as part of the City of Busselton Vision 2030 community engagement process. Similarly, the 2016/2017 Community Survey which drew on a random selection of respondents and was undertaken by an independent consultant, ranked traffic management as one of the highest community concerns. Workshops held in 2013 as part of development of the City's Local Planning Strategy and Busselton City Centre Conceptual Plan also revealed resident concerns around vehicle access into and around the City Centre.

A strategic direction for upgrading the road network in and around the City Centre, drawing from a range of studies and other investigations that together constitute the Busselton Traffic Study, was endorsed by the Council in June 2016. Work has been ongoing for five years and has been informed by extensive engineering, environmental, traffic modelling, financial and land tenure investigations, with the aim of ensuring the best outcomes for the community as a whole.

Since that time, the City has been relaying information about the work via its website, the City's electronic newsletter, *Bay to Bay*, and the *Your Say Busselton* consultation portal. Public open-day information sessions and community access sessions have been held, as well as individual meetings and communications with affected landowners or on request by members of the public.

17. CONFIDENTIAL REPORTS

The reports listed below are of a confidential nature, in accordance with section 5.23(2) of the Local Government Act 1995. These reports have been provided to Councillors, the Chief Executive Officer and Directors only.

RECOMMENDATION

That the meeting is closed to members of the public to discuss the following items which are confidential for the reasons as shown.

17.1 PROCUREMENT OF EXPERT SERVICES - CONTAMINATED SITE INVESTIGATIONS

This report contains information of a confidential nature in accordance with Section 5.23(2)(c) of the Local Government Act 1995, as it contains information relating to a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

18. QUESTIONS FROM MEMBERS**19. PUBLIC QUESTION TIME****20. NEXT MEETING DATE**

Tuesday, 24 April 2018

21. CLOSURE