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

CITY OF BUSSELTON

MINUTES FOR THE COUNCIL MEETING HELD ON 24 OCTOBER 2018

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MINUTES

MINUTES OF A MEETING OF THE BUSSELTON CITY COUNCIL HELD IN COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 24 OCTOBER 2018 AT 5.30PM.

1. <u>DECLARATION OF OPENING ACKNOWLEDGEMENT OF COUNTRY / ACKNOWLEDGEMENT OF VISITORS / DISCLAIMER / NOTICE OF RECORDING OF PROCEEDINGS</u>

Cr Lyndon Miles

The Presiding Member opened the meeting at 5.30pm.

2. <u>ATTENDANCE</u>

Presiding Member:

Cr Grant Henley Mayor

Cr Coralie Tarbotton

Cr Ross Paine

Cr Rob Bennett

Cr Paul Carter

Cr Robert Reekie

Cr Kelly Hick

Officers:

Mr Mike Archer, Chief Executive Officer
Mr Oliver Darby, Director, Engineering and Works Services
Mrs Tanya Gillett, Acting Director, Planning and Development Services
Mr Cliff Frewing, Acting Director, Community and Commercial Services
Mr Tony Nottle, Director, Finance and Corporate Services
Ms Sarah Pierson, Manager, Governance and Corporate Services
Miss Kate Dudley, Administration Officer, Governance

Apologies:

Nil

Approved Leave of Absence:

Nil

Media:

"Busselton-Dunsborough Times"
"Busselton-Dunsborough Mail"

Public:

2

3. PRAYER

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Nil

5. **DISCLOSURE OF INTERESTS**

Nil

6. ANNOUNCEMENTS WITHOUT DISCUSSION

Announcements by the Presiding Member

The Presiding Member extended the Councils appreciation to Mr Cliff Frewing for his service to the City of Busselton over the last two years.

Cr McCallum attended the West Australian Tennis Industry Awards and at the discretion of the Presiding Member presented the Mayor with the West Australian Local Government award, which was won by the City of Busselton.

Cr McCallum also announced that the West Australian Primary School award was won by the Dunsborough Primary School.

7. QUESTION TIME FOR PUBLIC

Response to Previous Questions Taken on Notice

Nil

Question Time for Public

Nil

8. CONFIRMATION AND RECEIPT OF MINUTES

Previous Council Meetings

8.1 <u>Minutes of the Council Meeting held 10 October 2018</u>

COUNCIL DECISION

C1810/211 Moved Councillor J McCallum, seconded Councillor P Carter

That the Minutes of the Council Meeting held 10 October 2018 be confirmed as a true and correct record.

CARRIED 9/0

9. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

Petitions

Nil

Presentations

Nil

Deputations

Nil

10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)

11. <u>ITEMS BROUGHT FORWARD</u>

For the convenience of the Public

Nil

Adoption by Exception Resolution

At this juncture the Mayor advised the meeting that with the exception of the items identified to be withdrawn for discussion, that the remaining reports, including the Committee and Officer Recommendations, will be adopted en bloc, i.e. all together.

COUNCIL DECISION AND OFFICER RECOMMENDATION

C1810/212 Moved Councillor C Tarbotton , seconded Councillor J McCallum

That the Committee and Officer Recommendations in relation to the following agenda items be carried en bloc:

- 16.1 Proposed Council Meeting Dates 2019
- 17.1 Councillors' Information Bulletin

CARRIED 9/0

EN BLOC

16. FINANCE AND CORPORATE SERVICES REPORT

16.1 PROPOSED COUNCIL MEETING DATES 2019

SUBJECT INDEX: Council Meetings

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 - Kate Dudley

AUTHORISING OFFICER: Governance Coordinator - Emma Heys

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Proposed 2019 Ordinary Council Meeting Schedule

PRÉCIS

This report is presented to enable the Council to determine its Ordinary Council meeting dates for the 2019 calendar year. In accordance with the Local Government (Administration) Regulations 1996, a meeting schedule for the next 12 months must be advertised at least once each year.

BACKGROUND

The proposed meeting schedule generally continues with the Council's adopted approach to Council meetings ie: Council meetings being held on the second and fourth Wednesday of the month with agenda briefing sessions and Community Access Sessions being held on the first and third Wednesday of the month.

STATUTORY ENVIRONMENT

It is up to each Council to set its own meeting cycle, dates and procedures, provided that the Council meets at least once every three months in accordance with Section 5.3 of the Local Government Act 1995.

The Local Government (Administration) Regulation 12 requires a Council to give local public notice of the dates, time and place at which the Ordinary Council meetings are to be held in the next 12 months. Council meeting dates are continually made available on the City's website.

RELEVANT PLANS AND POLICIES

There are no relevant plans and policies.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no Long Term Financial Plan implications associated with this matter.

STRATEGIC COMMUNITY OBJECTIVES

This matter principally aligns with Key Goal Area 6 - 'Open and Collaborative Leadership' and more specifically Community Objective 6.1 - 'Governance systems, process and practices are responsible, ethical and transparent'.

RISK ASSESSMENT

There are no identified risks associated with this matter.

CONSULTATION

Following Council's decision to adopt a meeting cycle for the 2019 calendar year, and in accordance with the *Local Government (Administration) Regulation 12*, the meeting dates for the next 12 months must be advertised for public information.

OFFICER COMMENT

The Council would normally hold two Ordinary Council meetings each month, however there is only one Council meeting being proposed for January, July and December 2019.

The official meeting days are generally recommended to remain as the second and fourth Wednesday of the month, with the first and third Wednesdays reserved for Community Access Sessions. This is with the exception of the Council meeting at the end of January and the Council meeting at the end of July, both being held on the fifth Wednesday to align the end of year and mid-year Council breaks to the Western Australia school holiday dates. Additionally the Community Access Session otherwise scheduled to be held on Wednesday, 16 October and the Council meeting held on Wednesday, 23 October is proposed to be excluded from the schedule to facilitate the Local Government election.

The 2019 dates of the Western Australian public holidays, school holidays and unconfirmed dates for Council Commitments are shown below:

2019 School Holidays

13 April 2019 - 28 April 2019 6 July 2019 - 21 July 2019 28 September 2019 - 13 October 2019 20 December - 2020

2019 Public Holidays

1 January, Tuesday, New Year's Day 26 January, Saturday, Australia Day 28 January, Monday, Australia Day Holiday 4 March, Monday, Labour Day 19 April, Friday, Good Friday 22 April, Monday, Easter Monday 25 April, Thursday, Anzac Day 3 June, Monday, Western Australia Day 30 September, Monday, Queen's Birthday 25 December, Wednesday, Christmas Day 26 December, Thursday, Boxing Day

2019 Council Commitments (unconfirmed dates)

Local Government week - 7-10 August Local Government election - 19 October

Attachment A shows the proposed 2019 dates for Council Meetings. A similar meeting schedule was utilised throughout 2018, with the mid-year break being in line with Western Australia school holidays, as is proposed again for 2019.

CONCLUSION

It is considered appropriate to conduct two council meetings each month, subject to a mid-year break in July to coincide with the school holidays and allowing for the December/January holiday period.

OPTIONS

In accordance with the *Local Government Act 1995*, there are a wide range of options available to the Council with regard to the meeting schedule, subject to a meeting occurring once every three months as a minimum.

The Council could therefore reduce the meeting cycle to three-weekly, monthly, every second month or quarterly with the requirement simply to meet every three months as a minimum.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The ordinary Council meeting schedule for the 2019 calendar year will be advertised prior to the end of 2018.

COUNCIL DECISION AND OFFICER RECOMMENDATION

C1810/213 Moved Councillor C Tarbotton, seconded Councillor J McCallum

That the council adopts the proposed Ordinary Council meeting schedule for 2019 as shown in attachment A.

CARRIED 9/0 EN BLOC

17. CHIEF EXECUTIVE OFFICERS REPORT

17.1 COUNCILLORS' INFORMATION BULLETIN

SUBJECT INDEX: Councillors' Information

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 - Kate Dudley

AUTHORISING OFFICER: Manager Governance and Corporate Services - Sarah Pierson

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Planning Applications received by the City between 16

September, 2018 and 30 September, 2018

Attachment B Planning Applications determined by the City between

16 September, 2018 and 30 September, 2018

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

17.1.1 Planning & Development Services Statistics

Planning Applications

Attachment A is a report detailing all Planning Applications received by the City between 16 September, 2018 and 30 September, 2018. A total of 32 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 16 September, 2018 and 30 September, 2018. A total of 37 applications (including subdivision referrals) were determined by the City during this period with 37 approved / supported and 0 refused / not supported.

17.1.2 Donations Contributions and Subsidies Fund – September 2018

The Council allocates an annual budget allowance to the Donations, Contributions and Subsidies (Sponsorship Fund). This is provided such that eligible groups and individuals can apply for and receive sponsorship to assist them in the pursuit of endeavours that bring direct benefit to the broader community. Allocation of the funds is delegated to the Chief Executive Officer, in accordance with published guidelines and funding availability.

Eight applications were supported in September 2018, totalling \$3425, as outlined in the table below:

App. No.	Recipient	Purpose Am	ount
September	2018		
16/1819	The People Place Busselton Inc.	Funding provided to assist with covering costs for a series of 'New Residents Welcome Events' - four in total from Nov '18 - August '19. The free events will provide an opportunity for new residents to learn about the City of Busselton and what it has to offer.	\$1,000.00
17/1819	Geographe Education Support Centre	Secondary and primary school graduation awards.	\$300.00
18/1819	Dunsborough Primary School	Year 6 End of year graduation award.	\$100.00
19/1819	Emma Cattlin	Emma has been selected to represent Australia at the 2018 ISA World Junior Surfing Championship in California USA. Funding provided as a contribution towards associated travel expenses.	\$500.00
20/1819	St Mary's Community Care (Anglican Church)	Funding will assist with covering the cost of catering for the Anti-Poverty day luncheon (\$300) and Annual Christmas Day Luncheon (\$700).	\$1,000.00
21/1819	Dunsborough Primary School P&C Association	Funding approved to cover the cost of morning tea for 'Bay OK Day' participants. 'Bay Ok Day' is a free event for the Dunsborough Primary School community and friends to participate in environmental sustainability education.	\$225.00
22/1819	West Busselton Primary School	Year 6 End of year graduation award.	\$100.00
23/1819	GP Down South	As part of Mental Health Week, GP Down South are organising a walk for mental health on the Busselton Jetty. Funding approved will cover the cost of up to 50 passes / \$200 for participants.	\$200.00
		September total	\$3,425.00

17.1.3 2017/2018 TENDERS

RFT24/17 PROVISION OF TRAFFIC MANAGEMENT SERVICES PQS02/18 RPOVISION OF TRAFFIC MANAGEMENT SERVICES – REQUEST FOR APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS

- The evaluation has been completed and preferred suppliers were recommended to the CEO.
- The panel of 4 pre-qualified suppliers, namely Contraflow Pty Ltd, TMSW Pty Ltd ATFT TMSW Unit Trust, CB Traffic Solutions Pty Ltd and SJ Traffic Management Pty Ltd (in order of initial ranking), has been established and the Panel commencement date is 17 October 2018.

PQS01/18 SUPPLY OF QUARRY PRODUCTS – REQUEST FOR APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS

- The evaluation has been completed and preferred suppliers have been recommended to the CEO.
- The panel of 7 pre-qualified suppliers was established in September 2018 and included Carbone Bros Pty Ltd, Busselton Civil Pty Ltd, MGM Bulk Pty Ltd, Leeuwin Civil Pty Ltd, The Wild Fig Company Pty Ltd, Holcim (Australia) Pty Ltd and B&J Catalano Pty Ltd.

RFT08/18 SUPPLY OF SOILS AND MULCH

- Requirement the supply and delivery of soils and mulch within the City of Busselton.
- The tender was advertised on 9 June 2018 with a closing date of 26 June 2018.
- A total of 4 tenders were received.
- The value of the contract is not expected to exceed the CEO's delegated authority under Delegation LG3J.
- Tenders have been evaluated.
- It is anticipated that a contract will be awarded by the CEO in October 2018.

RFT09/18 PROVENCE ESTATE LANDSCAPE MAINTENANCE

- Requirement the provision of maintenance services for 4 landscaped public open spaces located at Provence Estate (excluding trees, medians and roundabouts).
- A Request for Tender was advertised on 30 June 2018 with a closing date of 17 July 2018.
- A total of 5 tenders were received.
- The value of the contract is not expected to exceed the CEO's delegated authority under Delegation LG3J.
- The evaluation has been completed and a preferred tenderer has been recommended.
- It is anticipated that a contract will be awarded by the CEO in October 2018.

RFT12/18 CONSTRUCTION OF BUSSELTON TENNIS CLUBHOUSE

- The evaluation has been completed and a preferred tenderer has been recommended.
- A report was presented to Council at the Council Meeting of 12 September 2018 for awarding of a contract. Council endorsed the outcomes of the evaluation panel's assessment which has resulted in the tender submitted by I.C.
 - Developments Pty Ltd T/A Innovest Construction (Innovest) being recommended as the most advantageous to the City and delegated authority to the CEO to negotiate and agree final terms and conditions and award a contract for a finalised lump sum price to Innovest.
- It is anticipated negotiations as to variations to the contract with Innovest will be finalised and the contract awarded by the CEO in October 2018.

RFT13/18 PROVISION OF GYM EQUIPMENT FOR GEOGRAPHE LEISURE CENTRE, BUSSELTON

- Requirement the provision and maintenance of gym equipment, including software and the removal of existing equipment at the Geographe Leisure Centre, Busselton.
- A Request for Tender was advertised on 4 August 2018 with a closing date of 21 August 2018.
- A total of 7 tenders were received
- The value of the contract is not expected to exceed the CEO's delegated authority under Delegation LG3J.
- Tenders have been evaluated.
- It is anticipated that a contract will be awarded by the CEO in October 2018.

RFT14/18 CONTAMINATED SITES INVESTIGATION WORKS

- Requirement contaminated sites investigation works and stakeholder engagement activities 2018-2019.
- A Request for Tender was advertised on 1 September 2018 with a closing date of 20 September 2018.
- The value of the contract is not expected to exceed the CEO's delegated authority under Delegation LG3J.
- Tenders are in process of being evaluated.
- It is anticipated that a contract will be awarded by the CEO in October 2018.

RFT15/18 CONSTRUCTION OF FREIGHT HUB CIVIL AND SERVICES INFRASTRUCTURE

- Requirement the construction of the freight hub civil and services infrastructure at Busselton-Margaret River Airport.
- A Request for Tender was advertised on 10 October 2018 with a closing date of Tuesday 30 October 2018.
- The value of the contract is expected to exceed the CEO's delegated authority under Delegation LG3J.
- It is anticipated that a contract will be awarded in November 2018.

COUNCIL DECISION AND OFFICER RECOMMENDATION

C1810/214 Moved Councillor C Tarbotton , seconded Councillor J McCallum

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

- 17.1.1 Planning & Development Services Statistics
- <u>17.1.2</u> <u>Donations Contributions and Subsidies Fund September 2018</u>
- 17.1.3 2017/2018 TENDERS

CARRIED 9/0 EN BLOC

ITEMS FOR DEBATE

15. COMMUNITY AND COMMERCIAL SERVICES REPORT

15.1 PROPOSED LEASE OF PORTION OF LOT 73 (38) PEEL TERRACE - (FORMER CHILD CARE

CENTRE) TO BCCI BUSSELTON CHAMBERS COMMERCE AND INDUSTRY

SUBJECT INDEX: Lease

STRATEGIC OBJECTIVE: A community where local business is supported and in turn drives our

economy

BUSINESS UNIT: Commercial Services
ACTIVITY UNIT: Community Services

REPORTING OFFICER: Economic and Business Development Coordinator - Jaylene

Chambers

Property Management Coordinator - Sharon Woodford-Jones

AUTHORISING OFFICER: Director Finance and Corporate Services - Tony Nottle

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Attachment A Business Case Including Letters of Support

Attachment B Potential Extent of Leased Area

PRÉCIS

This purpose of this report is to recommend that Council delegates authority to the Chief Executive Officer (CEO) to enter into a Memorandum of Understanding (MOU) with the Busselton Chamber of Commerce and Industry Incorporated (BCCI) concerning the use and occupation of the former Day Care Centre on a portion of lot 73 (38) Peel Terrace, (the Centre). Subject to all conditions of the MOU being satisfied, it is also recommended that Council authorise the CEO to negotiate and enter into a lease of the Centre on the terms and conditions outlined in this report.

BACKGROUND

The City of Busselton entered into a lease of the Centre with the Department for Local Government and Communities (DLAC) on 28th January 2015 which expires on 29th November 2019. Since the change of State Government the DLAC is now known as the Department of Communities, (the DOC). The premises were then sub-leased by the DOC to the Busselton Child Care Centre Incorporated. The Busselton Child Care Centre ceased operating its services and the keys of the Centre were returned to the City in September 2017.

In October 2017 the City conducted an EOI process seeking a commercial tenant for the building; this EOI process yielded no positive results.

Whilst the existing lease of the Centre is due to expire on 29 November 2019 the Department have indicated to City officers that they would be willing to surrender the lease prior to this date. The current lease requires the DOC, if instructed by the City, to remove their property, including but not limited to buildings, structures, improvements, alterations or additions at the end of the lease term. In the event of the DOC failing to remove the improvements within three months of the termination all buildings, structures, fixtures and improvements shall become or remain the property of the City.

As outlined in the Economic Development Strategy 2016-2026 there is an identified need for a business incubation, business training and meeting space in the district.

City Officers presented a proposal to Council at a briefing on 13 June 2018 for a potential lease of the Centre to the BCCI, the details of which are outlined at Attachment A. As a result of this briefing,

Council suggested that BCCI prepare a business case supporting their proposal to refurbish and lease the Centre. City Officers have also engaged with various members of the business community to provide support to BCCI as possible sub tenants.

This proposal meets the following strategic objectives of the City - forging effective partnerships to grow the Busselton economy, identifying specific opportunities that will strengthen existing industry sectors and broaden the economic base, advocate for digital infrastructure hubs and facilitate local enterprise networks that support a culture of innovation and exchange of ideas. All of these objectives are supported in the Economic Development Taskforce - Implementation Plan.

Lot 73 is a land parcel of around 4.2ha with approximately 6,500m2 of developable area and has in the recent past been the subject of land-use master planning to consider potential longer term options. Lot 73 includes a wetland area; Aboriginal garden; existing access/car parking; CQU building; and senior citizens centre. The master planning included options such as sub-divisions for business or community purposes and creation of further car parking bays. There are currently 21 marked bitumen parking bays, including a disabled bay. These bays are proposed to be excluded from the lease and remain as free public parking affording non-exclusive use to the BCCI and other users.

The Centre was purpose built as a child care facility and will require some renovation and refurbishment. There is a possibility that the building contains asbestos which may have to be removed and properly disposed of. Further investigations will be necessary to check the extent of the same and how this will impact the proposed modifications to the building. The BCCI have in principle support from local business members to assist with works required to make the centre fit for purpose.

Under this proposal the BCCI will have the ability to enter into sub leases at the centre which would be complimentary to the business incubation.

It is proposed that the rent charged to the BCCI would be in accordance with the local community group rate – currently \$220 per annum increasing by small increments each year. The BCCI would however be required to maintain and insure the building and cover all outgoings. It is also suggested that BCCI retain income generated from the business like activities including sub leasing in lieu of the payment of operational subsidies from the City in the future. In this way the City is providing potential funding stream to the BCCI and is showing strong support to the BCCI.

Currently BCCI rent a small office space from the Central Queensland University (CQU) who lease the former Visitor Centre building from the City. This building is also situated on Lot 73 Peel Terrace. CQU are supportive of this opportunity given the close proximately to the CQU building and the education and training linkages with the proposed new business incubator space. A copy of the letter of support from the CQU outlining the training and business benefits is attached to this report (Attachment A).

On 3 October 2018, the BCCI presented a comprehensive business case to Council, the details of which are outlined at Attachment A.

STATUTORY ENVIRONMENT

Under Regulation 30 (2) (b) (i) & (ii) of the Local Government (Functions & General) Regulations, disposal of the land to incorporated bodies with objects of benevolent, cultural, educational or similar nature and the members of which are not enlisted to receive any pecuniary profit from the body's transactions, are exempt from the advertising and tender requirements of section 3.58 of the Act. The constitution of BCCI is such that this exemption applies.

The building is located on Lot 73 Deposited Plan 49894, Volume 2630, Folio 894, Peel Terrace Busselton. The land is owned freehold by the City of Busselton. The extent of the proposed leased area is yet to be defined but City officers recommend that the footprint is similar to that currently leased to the DOC. It is also suggested that parking is offered on a non-exclusive basis in a similar manner as the CQU lease.

The site is zoned Business in the City's town planning scheme., In that zone 'Office', which is the use class into which the proposed use would fall is identified as a 'P' use, meaning it is a use that is permitted, provided that the standards and requirements of the town planning scheme are met. It is considered that the relevant standards and requirements would be met.

The proposal would require a change in the classification of the building under the BCA. An assessment of the minimum works required to allow that has been undertaken by the City's building surveyors and information that has been provided to BCCI. Note that as the building is on City land, an independent building surveyor would need to be engaged by BCCI to provide the necessary certificate of design compliance.

RELEVANT PLANS AND POLICIES

City of Busselton Town Planning Scheme 21

Under the City of Busselton Town Planning Scheme 21 the front section of Lot 73 (on which the CQU and the old Child Care Building are located) is currently zoned 'Business' with permitted uses including education and offices being consistent with the proposed MOU and lease to the BCCI.

The rear section of lot 73 is zoned 'Public Purpose' and is designated 'Special Control Area'.

City of Busselton Economic Development Strategy 2016-2026

Council adopted the City of Busselton Economic Development Strategy 2016-2026 (EDS) on 9 November 2016. Key Focus Areas (KFA) in the EDs include:

- KFA 4 (Regional Workforce Development): The ability of a community to supply an appropriately skilled labour force can determine the success of existing businesses and influence the attractiveness of the Busselton district for new business and industry investment. A specific strategy within the EDS is to 'facilitate the provision of a full range of education and training opportunities adopting models of innovation';
- KFA 2 (Business retention and expansion): Aims to support businesses that are already operating in the Busselton district, with the aim of growing the local economy from within.
 Its premise is that local entrepreneurs create the companies that bring new wealth and economic growth to a region in the form of jobs, increased revenues, and a vibrant local business sector.

Facilitating higher education, potentially collocated with business enterprise and support services (including training), supports both of these key focus areas for local economic development.

Leases of City Land and Buildings (Policy 248)

The purpose of this policy is to provide a framework and methodology to facilitate responsible and effective utilisation of City-owned and controlled land and buildings in a manner that achieves maximum community benefit. The Officer recommendation in this report aligns with the aims and objectives of this Policy.

FINANCIAL IMPLICATIONS

As lessee, the BCCI would be responsible for maintenance and repair of the Centre and all normal outgoings. This proposal would be in lieu of the City financially contributing towards funding BCCI on an ongoing basis and would allow the BCCI to be financially sustainable and carry out business and industry support / service operations.

The City does not plan to contribute funding towards any fit out and refurbishment of the building as this would be the responsibility of the BCCI. The City would however assist the BCCI in any grant funding application process. The BCCI is intending to apply for various grant opportunities to undertake the work required to get the operation up and running. BCCI members may also be able to contribute in kind support by way of products and services to refurbish the building.

Annual rent would be set at the community group rate of \$220 per annum as the BCCI is a not for profit organisation.

The City will also liaise with the DOC to seek a contribution of the amount that was going to be spent on the demolition on the building. If received, these funds could be allocated towards the refurbishment and fit out of the building.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are minimal effects on the Long Term Financial Plan (LTFP) resulting from the officer recommendation. The City would not fund the BCCI day to day operations moving forward.

If a lease is granted the premises will be managed and maintained at the cost of BCCI therefore there should be no additional financial implications in this regard.

STRATEGIC COMMUNITY OBJECTIVES

The proposal to enter into a lease with BCCI is consistent with Key Goal Areas 1 and 4 of the City of Busselton Strategic Community Plan 2017:

Community

1.2 A community with access to lifelong health and education opportunities

Economy

- 4.1 An innovative and diversified economy that provides a variety of business and employment 4.1 opportunities as well as consumer choice.
- 4.2 A Community where local business is supported and in turn drives our economy.

RISK ASSESSMENT

Following an assessment of the potential implications, there are no risks assessed as being medium or greater associated with the Officer Recommendation. The proposal would make effective use of an unused asset by securing an anchor tenant, namely the BCCI, for the purpose aligned in the Economic Development Strategy.

The main risk is that the BCCI are unable to secure potential funding sources to refurbish and fit out the building. Should this occur the City would need to consider alternative uses.

CONSULTATION

No new public consultation has been undertaken. The City has previously advertised the property through an expression of interest process but this did not yield any positive results. The proposal has been approved by the Board of the BCCI who have publicly tabled this proposal to its members. Feedback from prospective sub tenants has also been sought to gauge the level of interest.

OFFICER COMMENT

The BCCI is keen to pursue the opportunity and create a central 'Business Hub' (final name to be decided) at the Centre. The proposal also provides the BCCI with a permanent base and the potential for them to become financially self-sufficient and not reliant on funding contributions from the City. It facilitates the contribution and investment in economic development throughout the Busselton / Dunsborough region.

The aim is to create a business incubator/co working space to encourage and foster entrepreneurial activity and support growing businesses. It will also provide a central location for business training and upskilling and greater linkages with the Busselton CBD and supporting entities.

The South West Development Commission is very supportive of this business incubator model and is keen to see this proposal proceed.

BCCI has provided a scoped approach for how they would manage the refurbishment and fit out of the existing building. The business case also identifies potential funding sources such as grant opportunities and an indicative financial statement showing how the operation will be viable. Included in the proposal are conceptual architectural drawings of the proposed fit out and refurbishment.

It is recommended that the City first enters into a MOU with the BCCI which will outline milestones and timeframes for the proposed funding, fit out and refurbishment of the building. It will also be indicative of the City's commitment and support for the BCCI proposal and support the grant funding opportunities the BCCI intend to pursue.

The MOU would document the intention of the parties to proceed with a lease to BCCI should the terms and conditions of the MOU be met. The proposed lease will be based for a 10 year initial lease term with an option exercisable by the BCCI for a further 10 years. In the event that milestones are not achieved the City would not execute the lease.

The proposal outlined in this report aligns with the Economic Development Strategy 2016 - 2026 facilitating a business style incubation training and meeting space. The business community has identified this type of an incubator/co working space to facilitate interaction between the private and public sector. This space would be a unique space for lifestyle entrepreneurs to come and gather, share and exchange information with the overall goal of business start-up and venture capitalists.

This proposal closely aligns with the Smart City Strategy the currently being developed by the Digital and Smart City Working Group.

CONCLUSION

For all of the reasons stated in this report it is proposed that the City enter into a MOU and lease with the BCCI subject to the conditions in the recommendation.

OPTIONS

- 1. Council could resolve not to enter into an MOU or subsequent lease of the Centre but instead require a further expression of interest for the building;
- 2. Council could resolve to pursue the requirement of the DOC to demolish the building;
- 3. Council could resolve to carry out a public consultation process and seek ideas / interest from the community; or
- 4. Council could resolve to allocate funds for the refurbishment and fit out of the building and lease the building on a commercial or cost recovery basis.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

It is proposed that the MOU will be entered into by the beginning of November 2018 to support State and Federal Grant opportunities which close in that month. Commencement of the lease would coincide with availability of the funding required for refurbishment and fit out.

It is anticipated that should the BCCI receive funding they could commence the works in early 2019 and be operational by July 2019.

OFFICER RECOMMENDATION

That the Council:

- Resolves to authorise the CEO to negotiate a Memorandum of Understanding (MOU) with the Busselton Chamber of Commerce and Industry Incorporated in relation to the use and occupation of the building formerly used as a day care centre situated on a portion of Lot 73 Peel Terrace on Deposited Plan 94894, Volume LR2630, Folio 894, Busselton.
- 2) Authorises the CEO to enter into a Deed of Surrender with the Department of Communities (formerly the Department of Local Government and Communities) in respect of the lease dated 28 January 2015 of the portion of land on Lot 73 Peel Terrace, Busselton on Deposited Plan 94894, Volume LR2630, Folio 894 (the former Busselton Child Care Centre).
- 3) Subject to all terms and conditions of the Memorandum of Understanding with the Busselton Chamber of Commerce and Industry having been met to the satisfaction of the CEO, authorise the CEO to negotiate and enter into a lease with the Busselton Chamber of Commerce and Industry Incorporated of a portion land on Lot 73 Peel Terrace, Busselton on Deposited Plan 94894 Volume LR2630, Folio 894 (the former Busselton Child Care Centre) as per the indicative lease plan (Attachment B), on the following terms and conditions:
 - a) The lease shall be consistent with the City's 'Leases of City Land and Buildings' (Policy 248); and
 - b) Term: 10 years (with a further 10 year option for renewal) given the significant investment to refurbish and refit out of the building.
 - c) Annual Rent: \$220 per annum increasing by \$5 per annum each year.

COUNCIL DECISION

C1810/215 Moved Councillor P Carter, seconded Councillor J McCallum

That the Council:

- 1) Resolves to authorise the CEO to negotiate a Memorandum of Understanding (MOU) with the Busselton Chamber of Commerce and Industry Incorporated in relation to the use and occupation of the building formerly used as a day care centre situated on a portion of Lot 73 Peel Terrace on Deposited Plan 94894, Volume LR2630, Folio 894, Busselton.
- 2) Authorises the CEO to enter into a Deed of Surrender with the Department of Communities (formerly the Department of Local Government and Communities) in respect of the lease dated 28 January 2015 of the portion of land on Lot 73 Peel Terrace, Busselton on Deposited Plan 94894, Volume LR2630, Folio 894 (the former Busselton Child Care Centre) and use any funds that the Department of Communities provide in lieu of demolition of the building towards the cost of refurbishments.
- 3) Subject to all terms and conditions of the Memorandum of Understanding with the Busselton Chamber of Commerce and Industry having been met to the satisfaction of the CEO, authorise the CEO to negotiate and enter into a lease with the Busselton Chamber of Commerce and Industry Incorporated of a portion land on Lot 73 Peel Terrace, Busselton on Deposited Plan 94894 Volume LR2630, Folio 894 (the former Busselton Child Care Centre) as per the indicative lease plan (Attachment B), on the following terms and conditions:
 - a) The lease shall be consistent with the City's 'Leases of City Land and Buildings' (Policy 248); and
 - b) Term: 10 years (with a further 10 year option for renewal) given the significant investment to refurbish and refit out of the building.
 - c) Annual Rent: \$220 per annum increasing by \$5 per annum each year.

Voting:

For the motion: Councillor G Henley, Councillor P Carter, Councillor L Miles, Councillor

J McCallum, Councillor C Tarbotton, Councillor R Reekie, Councillor R

Bennett and Councillor K Hick.

Against the motion: Councillor R Paine.

CARRIED 8/1

15.2 MERG OUTCOMES

SUBJECT INDEX: Events

STRATEGIC OBJECTIVE: Attractive parks and open spaces that create opportunities for people

to come together, socialise and enjoy a range of activities.

BUSINESS UNIT: Commercial Services
ACTIVITY UNIT: Commercial Services

REPORTING OFFICER: Events Coordinator - Peta Tuck

AUTHORISING OFFICER: Director, Community and Commercial Services - Cliff Frewing

VOTING REQUIREMENT: Simple Majority

ATTACHMENTS: Nil

PRÉCIS

A meeting of the Marketing and Events Reference Group (MERG) was held on Monday 15 October 2018. This report presents the recommendations from this meeting.

BACKGROUND

The total Marketing and Events Budget for 2018/2019 is \$977,682. This excludes budget allocations for local events such Leavers Week as well as administration and events staffing etc.

Since the last MERG meeting held on 18 May 2018, 21 events have been held. Some of the major events of that period include Jazz by the Bay, Winter Jumping Festival, Down South MTB Festival, South West Mudfest, Cabin Fever Festival, City to Surf, Busselton Pedal Prix, CinefestOZ, Great Moscow Circus, Busselton Marathon (Spring Running Festival), Australian Women's Masters Hockey Championships and the Yalambi Spring Jumping Classic.

A meeting of MERG was held on Monday 15 October 2018, with the following key matters presented at the meeting:

- Update on events held since the last meeting and upcoming major events;
- Tabling of economic impact data for sponsored events held 2017/18;
- Applications from the 2018/2019 Round 2 Event Sponsorship Program;
- Application for funding for the 2020 Australian Tennis Seniors Tournament; and
- Consideration for funding to be allocated to City run events utilizing the Foreshore stage and amphitheatre.

This report provides recommendations on the proposed funding allocations for the above points.

STATUTORY ENVIRONMENT

Nil

RELEVANT PLANS AND POLICIES

The recommendations are in line with Council policies.

FINANCIAL IMPLICATIONS

At the 25 July 2018 Council meeting, Council resolved (C1807/138) to include an allocation of \$964,221 in the 2018/19 Marketing and Events Budget, with a split of \$664,221 for events and \$300,000 for marketing.

At the end of 2017/18 an allocation of \$13,461 was unspent from the Events Budget, and Council resolved to allocate the funds to the 2018/19 Events Budget, bringing the total to \$677,682.

Of the \$300,000 allocated to the 2018/19 Marketing Budget, \$97,245 is allocated to the Airport Marketing Reserve, leaving a balance of \$202,755 to be applied to marketing initiatives in the 2018/19 financial year.

Funds committed from the 2018/19 Events Budget for Multi-Year Event Agreements and Round 1 of the 2018/19 Events Sponsorship Program total \$627,875, leaving \$49,807 remaining in the 2018/19 Events Budget.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

The Marketing and Events Budget utilises funds generated through the differential rate, are in line with the City's Long Term Financial Plan.

STRATEGIC COMMUNITY OBJECTIVES

This matter principally aligns with Key Goal Area 2 – 'Place and Spaces' and more specifically Community Objective 2.2 'Attractive parks and open spaces that create opportunities for people to come together, socialise and enjoy a range of activities'.

RISK ASSESSMENT

Following an assessment of the potential implications, there are no risks assessed as being medium or greater associated with the Officer Recommendation.

CONSULTATION

Consultation has been undertaken with members of MERG, consisting of representatives from the Busselton and Dunsborough Yallingup Chamber of Commerce and Industry, Margaret River Busselton Tourism Association, Busselton Jetty Inc. and the City of Busselton. The South West Development Commission and Australia South West are also consulted on relevant matters.

OFFICER COMMENT

MERG has been established with a Terms of Reference which guide the operations of the group and an Events Sponsorship Programme has been developed.

Supporting the development and attraction of new events throughout the year, the Events Sponsorship Programme promotes the City of Busselton as an attractive event tourism destination for a range of events.

Round 2 Event Sponsorship Programme 2018/19

Advertising for Round 2 of the 2018/19 Event Sponsorship Programme opened on 1 September 2018, closing 28 September 2018. A total of seven applications were received, requesting a total of \$143,488 in funding. There is currently \$49,807 remaining in the 2018/19 Events Budget. Additionally, there was one application for funding received from the Busselton Tennis Club for the National Tennis Seniors Tournament to be held in January 2020. This is to be considered for funding through the 2019/2020 Events Budget.

The events team evaluated all funding applications, applying the terms of reference funding guidelines of economic impact; strategic alliance to off-peak and cultural events; destination tourism; social benefits; and environmental impact. An overall score out of 100 was allocated and funding recommendations are based on the resulting scores.

MERG members discussed each application and made recommendation for funding through the 2018/19 Marketing and Events Budget:

Applications for funding through 2018/19 Events Budget

Event	Requested	Officer Recommendation
Festival of Busselton	\$8,000	\$8,000
Australian Police Bowling	\$3,000	\$3,000
Championships		
2019 Yalambi Showjumping	\$5,000	\$2000
Classic		
Sunsmart Busselton Festival of	\$15,000	\$9,500
Triathlon – Volunteers Program		
Australian Big Wave Awards	\$100,000	\$10,000
	+ in-kind venue	(includes \$1k in-kind Undalup Room
		hire)
Busselton Pride 2019	\$5,000	\$4,500
	+ in-kind road	(includes \$500 in-kind road closure)
	closure	
Between the Lines Youth Literary	\$7,488	\$2,850
Festival	+ in-kind venue	(\$350 in-kind YCAB hire)
	hire	
TOTALS	\$143,488	\$39,850

Officers recommend a total of \$39,850 be allocated in Round 2 to be funded through the 2018/19 Events Budget, leaving a total of \$9,957 remaining in the budget and it is proposed that this allocated towards the funding of a minimum of four foreshore sundowner events.

MERG members recommended the following conditions be included in the funding agreements:

Australian Big Wave Awards:

- 1. The event is to confirm by 1 March 2019 that the event organisers:
 - have been successful in obtaining a minimum of \$40,000 sponsorship from sources other than the City of Busselton; and
 - confirmation of booked attendances by competition entrants and event attendees must be provided, including number of confirmed participants from outside the region.
- 2. Sponsorship monies will not be paid until the above information is received.
- 3. Conditions/KPI's to be circulated with MERG members prior to approving the funding.

Additionally, members would like the following suggestions/comments forwarded to event organisers:

Festival of Busselton:

Consider holding event, similar to Petticoat Lane every Thursday during January and/or a similar event to Hannay Lane in Dunsborough. Additional funding is one off, not to be expected in future years.

Foreshore Sundowners:

Sundowners to include a diverse range of music, consider Sunday and Friday events, a minimum of four events to be held during the summer months (December/January).

Proposals for the 2018/19 Marketing Fund

There were four proposals received for allocation of funding through the 2018/19 Marketing Budget. A small grant funding applications report was tabled to be discussed and considered by the group.

The report proposes consideration of four marketing opportunities:

- Visit by Chinese media personality Meng Fei;
- Contribution to West Tech Fest;
- Busselton Jetty Marketing campaign; and
- MRBTA Video and photography project

Visit by Chinese media personality Meng Fei

The proposal is to bring well known Chinese media personality Meng Fei to Busselton for a promotional visit with a view to exposing the Chinese tourist market to attractions within the City of Busselton. Meng Fei currently has over \$32.4 million followers on Weibo (Chinese equivalent of Twitter) which would provide huge exposure to Busselton and the region.

Southern China Airlines have offered a discount of between 15-40 per cent on all flight costs. The cost (approximately \$20,000) would be shared between Australias South West (ASW), Busselton Jetty Inc, Margaret River Busselton Tourism Association (MRBTA), South West Development Commission (SWDC) and the City of Busselton.

The City's share of costs would be no more than \$5,000.

Contribution to West Tech Fest

This proposal has been received from SWDC. West Tech Fest is a week-long innovation festival featuring a line-up of global founders, capitalists, CEO's and tech industry visionaries. The event is being co-ordinated by Curtin University and events are being held at Rottnest, Geraldton and Abrolhos Islands and in the South West.

The event is scheduled to be held 3-9 December 2018. The aim will be to have local investors with pitch ready projects to demonstrate investment opportunities within the region.

SWDC is seeking a \$2,500 contribution from the City of Busselton.

<u>Busselton Jetty Inc. – Marketing Campaign</u>

Busselton Jetty Inc is seeking a \$25,000 contribution from MERG marketing fund to match the Busselton Jetty's contribution of \$25,000 (and approx. \$15,000 in-kind project management and marketing staff) to develop a digital campaign focusing on promotion of the Busselton Jetty and foreshore.

The campaign will primarily target the South East Asia international travellers and interstate travel and to promote the ongoing development growth of the City as a desirable place to visit and live.

MRBTA - Video / Photography Project

MRBTA is creating five one minute films, one each for Busselton, Dunsborough, Margaret River and Augusta – and a combined one for the region as a whole. The location specific films will be aimed at the Perth domestic market with the combined film aimed to target interstate and international audiences, combining footage from all locations.

The total budget for the video project is approximately \$50,000. Augusta Margaret River Shire has committed \$10,000 and MRBTA is seeking a similar contribution from the City of Busselton (via MERG) to match this amount with a further \$10,000

MRBTA is seeking an additional \$3,000 to assist with boosting the image library for Busselton, Dunsborough, Yallingup in a two day photo shoot of the region.

These projects would allow the City of Busselton, Chambers and members (including Busselton Jetty Inc.) to use photos and video in any capacity they wish for positive promotion of the region.

Of the \$300,000 allocated to the 2018/19 Marketing Budget, an amount of \$202,755 has been applied to marketing initiatives in the financial year.

MERG makes the recommendation to Council to allocate the following, to be funded through the 2018/2019 Marketing Budget:

- A maximum contribution of \$5,000 towards a promotional visit by Chinese media personality Meng Fei;
- A contribution of \$2,000 to the West Tech Fest conference through the SWDC;
- A contribution of \$25,000 for Busselton Jetty Inc. for development of a digital marketing campaign for promotion of the Busselton Jetty and foreshore to the international and interstate market; and
- A contribution of \$13,000 for MRBTA for the development of Busselton & Dunsborough specific video footage and stills photography.

Due to the potential synergies with the Busselton Jetty Inc and MRBTA proposals, the group recommend the following:

 That the BJI work with the MRBTA to develop the creative assets for their marketing campaign, to ensure that best value can be achieved and that all video footage can be used by the City, BJI, MRBTA and Busselton Chamber of Commerce and Industry for the future promotion of Busselton.

CONCLUSION

MERG has been assigned by Council to make recommendations on the way in which funds raised through the industrial and commercial differential rate for the purposes of events and marketing are allocated. This report contains the recommendations made at the 15 October 2018 meeting, which if endorsed by Council, will result in the continuation of high quality events being held within the region, supported by successful marketing promotions. All recommendations support Council's vision of being recognised as the 'Events Capital WA.'

OPTIONS

Council may choose not to support the recommendations made by MERG and resolve not to endorse part or all of the recommendations.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council's decision, the outcomes will be communicated to all members of MERG and relevant event organisers for their information and implemented where required.

OFFICER RECOMMENDATION

That Council;

1. As part of Round 2 of the 2018/19 Events Sponsorship Programme endorses the funding allocation towards the following events, to be funded from the 2018/19 Events Budget:

Event	Requested	Officer Recommendation
Festival of Busselton	\$8,000	\$8,000
Australian Police Bowling	\$3,000	\$3,000
Championships		
2019 Yalambi Showjumping	\$5,000	\$2,000
Classic		
Sunsmart Busselton Festival of	\$15,000	\$9,500
Triathlon – Volunteers Program		
Australian Big Wave Awards	\$100,000	\$10,000
	+ in-kind venue	(includes \$1k in-kind
		Undalup Room hire)
Busselton Pride 2019	\$5,000	\$4,500
	+ in-kind road closure	(includes \$500 in-kind
		road closure)
Between the Lines Youth Literary	\$7,488	\$2,850
Festival	+ in-kind venue hire	(\$350 in-kind YCAB hire)
TOTALS	\$143,488	\$39,850

- 2. Endorses the allocation of \$9,957 towards the funding of a minimum of four foreshore sundowner events, to be funded through the 2018/19 Events Budget.
- 3. Endorses the allocation of \$25,000 to the Busselton Tennis Club for the 2020 Australian Tennis Seniors Tournament, to be funded through the 2019/20 Events Budget.
- 4. Endorses the allocation of the following, to be funded through the 2018/2019 Marketing Budget:
 - A maximum contribution of \$5,000 towards a promotional visit by Chinese media personality Meng Fei;
 - A contribution of \$2,000 to the West Tech Fest conference through the SWDC;
 - A contribution of \$25,000 for Busselton Jetty Inc. for development of a digital marketing campaign for promotion of the Busselton Jetty and foreshore to the international and interstate market;
 - A contribution of \$13,000 for MRBTA for the development of Busselton & Dunsborough specific video footage and stills photography; and
 - In relation to the contributions to Busselton Jetty Inc and the MRBTA for video, film
 and photography work, that the BJI work with the MRBTA to develop the creative
 assets for their marketing campaign, to ensure that best value can be achieved and
 that all video footage can be used by the City, BJI, MRBTA and Busselton Chamber of
 Commerce and Industry for the future promotion of Busselton.

Cr Henley foreshadowed and moved an amended motion.

COUNCIL DECISION

C1810/216 Moved Councillor G Henley, seconded Councillor J McCallum

That Council;

1. As part of Round 2 of the 2018/19 Events Sponsorship Programme endorses the funding allocation towards the following events, to be funded from the 2018/19 Events Budget:

Event	Requested	Officer Recommendation
Festival of Busselton	\$8,000	\$8,000
Australian Police Bowling	\$3,000	\$3,000
Championships		
2019 Yalambi Showjumping	\$5,000	\$2,000
Classic		
Sunsmart Busselton Festival of	\$15,000	\$9,500
Triathlon – Volunteers Program		
Australian Big Wave Awards	\$100,000	\$10,000
	+ in-kind venue	(includes \$1k in-kind
		Undalup Room hire)
Busselton Pride 2019	\$5,000	\$4,500
	+ in-kind road closure	(includes \$500 in-kind
		road closure)
Between the Lines Youth Literary	\$7,488	\$2,850
Festival	+ in-kind venue hire	(\$350 in-kind YCAB hire)
TOTALS	\$143,488	\$39,850

- 2. Endorses the allocation of \$9,957 towards the funding of a minimum of four foreshore sundowner events, to be funded through the 2018/19 Events Budget.
- 3. Endorses the allocation of \$25,000 to the Busselton Tennis Club for the 2020 Australian Tennis Seniors Tournament, to be funded through the 2019/20 Events Budget.
- 4. Endorses the allocation of the following, to be funded through the 2018/2019 Marketing Budget:
 - A maximum contribution of \$5,000 towards a promotional visit by Chinese media personality Meng Fei;
 - A contribution of \$2,000 to the West Tech Fest conference through the SWDC;
 - A contribution of \$25,000 for Busselton Jetty Inc. for development of a digital marketing campaign for promotion of the Busselton Jetty and foreshore to the international and interstate market;
 - A contribution of \$13,000 for MRBTA for the development of Busselton & Dunsborough specific video footage and stills photography;
 - An amount of up to \$10,000 be used to develop a specific website for the Busselton foreshore; and
 - In relation to the contributions to Busselton Jetty Inc and the MRBTA for video, film and photography work, that the BJI work with the MRBTA to develop the creative assets for their marketing campaign, to ensure that best value can be achieved and that all video footage can be used by the City, BJI, MRBTA and Busselton Chamber of Commerce and Industry for the future promotion of Busselton.

18.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
	Nil
19.	URGENT BUSINESS
	Nil
20.	CONFIDENTIAL REPORTS
	Nil
21.	<u>CLOSURE</u>
	The Presiding Member closed the meeting at 5.44pm.
	The Fresiding Member closed the meeting at 3.44pm.
	THESE MINUTES CONSISTING OF PAGES 1 TO 26 WERE CONFIRMED AS A TRUE AND
	CORRECT RECORD ON WEDNESDAY, 14 NOVEMBER 2018.
	DATE: PRESIDING MEMBER: