



ITEMS FOR DEBATE

COUNCIL MEETING 24 FEBRUARY 2021

ADOPTION BY EXCEPTION RESOLUTION

RECOMMENDATION

That the Committee Recommendations for items 12.1 and 12.2 and the Officer Recommendations for items 16.2 and 17.1 be adopted en bloc:

- 12.1 FINANCE COMMITTEE – 10/2/2021 – LIST OF PAYMENTS MADE – DECEMBER 2020
- 12.2 Finance Committee - 10/2/2021 - FINANCIAL ACTIVITY STATEMENTS - YEAR TO DATE AS AT 31 DECEMBER 2020
- 16.2 CITY MANAGED AUTOMATIC WEATHER STATIONS
- 17.1 COUNCILLORS' INFORMATION BULLETIN

ITEMS TO BE DEALT WITH BY SEPARATE RESOLUTION (WITHOUT DEBATE)

Item No.	Item Title	Reason
16.1	NEW REQUIREMENTS OF THE LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2021	Absolute Majority Required

ITEMS FOR DEBATE

Item No. 13.1	COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN - PROPOSED ADOPTION AS DRAFT FOR CONSULTATION	Pulled by Officers	Page 53
<p><u>AMENDED RECOMMENDATION</u></p> <p>That the Council adopt the <i>City of Busselton Coastal Hazard Risk Management and Adaptation Plan (Attachment A)</i> as a draft for consultation, subject to:</p> <ol style="list-style-type: none"> 1. Detailed editing and refinement of presentation of the document; 2. Development of artists' impressions and cutaway drawings illustrating existing coastal protection infrastructure in place at the Busselton and Dunsborough town foreshores, as well as for recommended protection approaches; and 3. Referral to the project steering group (and subject to changes to detailed presentation and wording as a result of steering group feedback, but not in terms of strategic direction); and 4. Modifications as follows: <ol style="list-style-type: none"> a) In relation to Recommendation 8, amend the recommended minimum finished floor level (FFL) for habitable floorspace from 3.4m AHD to 3.0m AHD for MU17 Port Geographe; and b) Including a written rationale for establishing a minimum habitable FFL of 3.0m AHD (where that is recommended for particular Management Units). 			
<p><u>REASONS FOR AMENDMENT</u></p> <ol style="list-style-type: none"> 1. <i>Modification 4a</i> – the minimum 3.4m AHD FFL for habitable floorspace for Port Geographe is an error. 2. <i>Modification 4b</i> – the rationale for a 3.0m AHD FFL is not clearly set out in the draft CHRMAP. The key rationale from an officer perspective is : <ol style="list-style-type: none"> a) A minimum FFL of 3.0m AHD could accommodate the potential coastal inundation impact of a 1 in 500 year storm event resulting in a storm surge as high as 2.9m AHD in around 2040, given projected sea level rise by that time, and noting that movement towards an integrated inundation protection solution after that time is proposed. b) A minimum FFL of 3.0m AHD could be widely applied without resulting in houses needing to be built in some cases in excess of 1.5m above neighbouring houses or existing ground levels (but that would be required if minimum FFLs were set at 3.8m AHD, which might be required if an integrated inundation protection solution were not proposed). c) The City has been applying the requirement for 3.0m AHD FFL on sites directly adjoining the coast for around the last 20 years (on the basis of technical advice from the then Waters and Rivers Commission). <p>It should also be noted that, as inundation risk potentially extends much further inland than erosion risk, minimum FFLs will need to be set for land inland of the coastal erosion hazard lines proposed to be adopted for planning purposes in Recommendation 1 of the CHRMAP.</p>			

The further inundation modelling identified in Recommendation 4 (c) of the CHRMAP would need to be undertaken to determine the inland extent of the risk. It is possible, however, that it may be most appropriate to set 3.0m AHD as the minimum FFL for any new habitable floorspace in the City.

OFFICER COMMENT

Not applicable.

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the *Local Government (Administration) Regulations 1996*, if the amended recommendation is adopted by Council, the above Reasons will be recorded in the Minutes.

Item No. 14.1	AWARD OF TENDER RFT 08/20 WEST BUSSELTON SEAWALL UPGRADE	Pulled by Officers	Page 475
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ALTERNATIVE RECOMMENDATION

That the Council:

1. Acknowledge the outcomes of a Peer Review requested by the Chief Executive Officer and undertaken by Mr Allen Cooper JP (confidential report provided under separate cover), which identified no concerns raised with the evaluation panel scoring, ranking, or evaluation process of conclusions.
2. Acknowledge the following additional information and correction of dates contained within the report:
 - a. With respect to the financial implication section, the total project amount includes \$50,000 for engineering design and assessment costs, bringing the total budget to \$958,975.
 - b. On page 477, the date of 29 January 2021 for confirmation should read 27 January 2021 and the date of 5 February 2021 for submission should read 29 January 2021.
3. Pursuant to RFT 08/20 West Busselton Seawall Upgrade (RFT 08/20), accept the tender from Leeuwin Civil Pty Ltd for \$908,975 (exclusive of GST) for Stage 1, Option 3 (Re-use existing ironstone, import additional ironstone armour rock and import additional granite armour rock to provide a granite veneer, seawall) as the most advantageous tenderer, (Successful Tenderer) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regs).
4. In accordance with Regulation 18(5) of the FG Regs, decline to accept any tender in respect to RFT 08/20 Stage 1, Option 1 and Option 2 and Stage 2, Options 1 and 2.
5. In respect to RFT 08/20 Stage 1, Option 3, delegate power and authority to the Chief Executive Officer to:
 - a. negotiate and agree with the Successful Tenderer minor variations in accordance with Regulation 20 of the FG Regs, subject to such variations and final terms not exceeding the overall project budget;
 - b. subject to and conditional upon all environmental approvals having been obtained, enter into a contract with the Successful Tenderer for supply of the relevant goods and services.
6. Endorse the requested budget amendment outlined in Table 1 below resulting in no change to the budgeted cash position.

Table 1:

Cost Code	Description	Current Amended Budget (\$)	Change (\$)	Resulting Proposed Amended Budget (\$)
Expenditure				
510-C2528-3280-0000	Craig Street Groyne and Seawall	660,0000	958,975	298,975
Reserve				
102-9103	Transfer from Climate Adaptation Reserve	(660,000)	(958,975)	(298,975)
Net Total		\$0	\$0	\$0

REASONS FOR ALTERNATIVE

The CEO initiated a peer review of the tender assessment process which has been provided to Council under separate cover. As a result of the review, additional wording in the recommendation is provided to:

1. acknowledge the independent peer review and its conclusions;
2. acknowledge that additional information has been provided around the funding of the project which includes engineering and design costs; and
3. acknowledge a correction is required to the dates on page 477 of the agenda, being the submission dates and the addendum in relation to option 3.

OFFICER COMMENT

Not applicable.

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the *Local Government (Administration) Regulations* 1996, if the amended recommendation is adopted by Council, the above Reasons will be recorded in the Minutes.