

# AGENDA

## **GOV 1 PROPOSED DEVELOPMENT - WESTBURY RECREATION GROUND**

### **1) Introduction**

The purpose of this report is for Council to review the motions carried at the Public Meeting held under the provisions of Section 60F of the Local Government Act 1993 (Act) in the Westbury Town Hall on 15 February 2018.

### **2) Background**

At the Ordinary Council Meeting September 2017 Council made the following decision:

#### ***That Council:***

- 1. Approves new capital works funding of the amount up to \$5m to be drawn from Council cash reserves, so as to enable construction of a new Westbury Recreation Ground sports pavilion incorporating second level multipurpose function Centre as per concept design Attachment A, and in so doing demolish the existing sports pavilion on the same site (footprint).***
- 2. Appoint Councillors Mackenzie, Synfield and Richardson and Director Infrastructure Services to oversee project development supported by Council's Property Management Officer and Parks Project Officer.***
- 3. Design development to be undertaken in-house as far as possible.***
- 4. Where possible utilise the building skills of competent and qualified local trades persons.***

Prior to the November Ordinary Council meeting 2017, Council received a petition with 487 signatories. The petition included the following statement:

***Under the provisions of the Section 59 of the Local Government Act 1993 the signatories request that Meander Valley Council hold a public meeting regarding the Council decision to use \$5 million from Council's cash reserve to construct a new building at the Westbury Recreation Ground.***

***Conversations amongst the public following the decision of Council to spend these funds indicate that the proposal is not supported by the wider community.***

***The community and existing user groups originally asked for an upgrade of the existing facilities. Council's decision does not appear to represent and promote the interests of the community. The financial impact on ratepayers is starting to become apparent and Council needs to be accountable to the community.***

Section 59 of the Act states that Council must hold a Public Meeting if the petition is signed by at least 5% of the electors in Meander Valley or 1,000 of those electors.

The petition tabled at the Ordinary Council meeting in November contained 487 signatures. This was less than 5% of the electors therefore Council was not required to hold a Public Meeting, however Council made the following decision at the Ordinary Council meeting in November:

***Resolves, under the provisions of Section 60F of the Local Government Act 1993, to hold a public meeting to discuss the proposed development at the Westbury Recreation Ground on 15 February 2018.***

The Public Meeting was held on 15 February 2018. At the meeting four motions were put from the floor, by the community and carried by clear majorities:

1. Pam Swain of Westbury moved and Gay Hall seconded  
***"that this gathering respectfully requests Council to revisit their decision on the Westbury Recreation Ground Function Centre."***
2. Sean Manners of Westbury moved and Di Robinson seconded  
***"that the project as it stands be halted and"***
  - ***A working group be created and include -***
    - ***Council officers***
    - ***Community members***
    - ***User groups***
    - ***Councillors***
  - ***The Business Case be accepted and endorsed***

- ***A timeline be decided for the project within a very short time frame***
  - ***Community interaction and feedback all the way through the process.***
3. Wendy Bellinger of Westbury moved and Rodney Bussey seconded  
***“that Council reconsider the motion passed at the September meeting, and following further community consultation, expedite improvements to the current facility.”***
4. Alex Wadley of Hadspen moved and Rob Shaw seconded  
***“that Council accept the design which went to tender and retender the design.”***

There were a number of common themes in the motions that were reinforced by comments and questions put to Council during the Public Meeting, these include, but are not limited to:

- That Council does not proceed with the design approved at the Ordinary Council Meeting September 2017 (206/2017 September)
- That Council moves quickly to upgrade the clubrooms in line with the needs of the current users

At the February 2018 Council workshop Council discussed the motions put by the community, the outcomes of the Public Meeting and the Council response.

Council also discussed the scope of the existing proposal, the process of reviewing the current design and options to progress the project.

### **3) Strategic/Annual Plan Conformance**

Further the objectives of the Council’s Community Strategic Plan 2014 to 2024:

- Future Direction (5): Innovative leadership and community governance
- Future Direction (6): Planned Infrastructure

#### **4) Policy Implications**

Not applicable.

#### **5) Statutory Requirements**

Not applicable.

#### **6) Risk Management**

Any decision regarding Council's response to the motions put at the Public Meeting should be made having considered reputational risk and the role of Council described in Section 20(2) of the Act which states that:

***In performing its functions, a council is to consult, involve and be accountable to the community.***

#### **7) Consultation with State Government and other Authorities**

Not applicable.

#### **8) Community Consultation**

The Public Meeting on 15 February 2018 followed the receipt of a petition with 487 signatures.

#### **9) Financial Impact**

Not applicable.

#### **10) Alternative Options**

Council can elect to not support or amend the recommendation.

#### **11) Officers Comments**

The recommendation has been drafted to:

- Reflect the feedback provided to Council through questions, commentary and the motions carried by the community at the Public Meeting
- To re-set the project and focus on addressing the immediate shortcomings of the existing clubrooms

- Recognise that further consideration should be given to the provision and improvement of community facilities in Westbury

The recommendation provides for consultation with the user groups to finalise the proposed design, and broader community consultation to investigate the demand for additional or improved community facilities in Westbury.

The proposed recommendation will also require Council to rescind decision 206/2017 Westbury Recreation Ground Sports Pavilion – Design Development and Cost Estimate, made at the Ordinary Council Meeting September 2017.

**AUTHOR:** Martin Gill  
GENERAL MANAGER

## 12) Recommendation

*It is recommended that Council:*

- 1. Notes the motions carried at the Public Meeting held on 15 February 2018***
- 2. Rescind decision 206/2017 Westbury Recreation Ground Sports Pavilion – Design Development and Cost Estimate, made at the Ordinary Council Meeting September 2017, in accordance with the provisions Regulation 18 of the Local Government (meeting Regulations) 2015.***
- 3. Direct the General Manager to:***
  - Work with user groups to review and confirm the project brief for the upgrade and refurbishment of the existing Westbury Recreation Ground clubroom facilities***
  - Prepare a design for the upgrade and refurbishment of the existing Westbury Recreation Ground clubroom facilities***
  - Put the design for the upgrade and refurbishment of the existing Westbury Recreation Ground clubroom facilities to tender in accordance with the Meander Valley Council Code of Tenders***
- 4. Includes a project in the 2018 – 2019 Operating Budget to review and determine the need for additional community facilities in Westbury, including the upgrade of existing public facilities.***

## **DECISION:**

# MINUTES

## **50/2018 PROPOSED DEVELOPMENT - WESTBURY RECREATION GROUND**

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### **2) Recommendation**

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- 4. Includes a project in the 2018 – 2019 Operating Budget to review and determine the need for additional community facilities in Westbury, including the upgrade of existing public facilities.***

## **DECISION:**

Cr Connor moved and Cr White seconded ***“that Council:***

- 1. Notes the motions carried at the Public Meeting held on 15 February 2018***

2. ***Rescind decision 206/2017 Westbury Recreation Ground Sports Pavilion – Design Development and Cost Estimate, made at the Ordinary Council Meeting September 2017, in accordance with the provisions Regulation 18 of the Local Government (meeting Regulations) 2015.***
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  - ***Put the design for the upgrade and refurbishment of the existing Westbury Recreation Ground clubroom facilities to tender in accordance with the Meander Valley Council Code of Tenders***
4. ***Includes a project in the 2018–2019 Operating Budget to review and determine the need for additional community facilities in Westbury, including the upgrade of existing public facilities.***

***The motion was declared CARRIED with Councillors Connor, Kelly, King, Mackenzie, Perkins and White voting for the motion and Councillors Richardson, Synfield and Temple voting against the motion.***

Comment by Cr Ian Mackenzie

I have spent many hours on the proposed Community Function Centre and I am very disappointed that the majority of the community members (at the Public Meeting 15 February 2018) did not support Council's vision to revitalise Westbury. I will, however, support this motion because it allows Council to move on and get the clubrooms upgraded for the two clubs, they have waited long enough, but I would like to note that I have major concerns about the price that Council will have to pay for such an upgrade. I'm also extremely disappointed that a councillor wrote the petition (for another party) and then intensely canvassed signatures against that "decision of council"

Comment by Cr Bob Richardson

I cannot support the motion because I do not have all the necessary information on which to make an objective decision.

Comment by Cr John Temple

I voted against the motion primarily because Point 3 dot point 1 did not specify the groups to be consulted and that Point 3 dot point 2 did not allow for a possible demolition of the existing building

The Council meeting adjourned for afternoon tea at 3.07pm.

The Council meeting resumed at 3.25pm.

Deputy-Mayor Michael Kelly left the meeting at 3.25pm.