



City of Bunbury Council

Minutes

17 October 2023



CITY OF BUNBURY

4 Stephen Street
Bunbury WA 6230
Western Australia

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Acknowledgement of Country

We acknowledge the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

Vision

Bunbury: welcoming and full of opportunities.

Organisational Values

#WEARECOB

WE ARE COMMUNITY

We are one team
We keep each other safe
We display empathy and respect
We have fun and celebrate our successes
We work together to achieve great outcomes

WE ARE OPEN

We are open to opportunities
We actively listen and think things through
We are inclusive and treat everyone equally
We are honest and open in our communications
We are open to feedback to improve our performance

WE ARE BRAVE

We lead the change, we own it
We trust and empower each other
We have the difficult conversations early
We hold ourselves to the highest standard
We have the courage to improve and simplify

Nature of Council's Role in Decision Making

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.
- Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes:** Includes items provided to Council for information purposes only which do not require direction from Council (that is for 'noting')

1. Declaration of Opening / Announcements of Visitors

The Mayor declared the meeting open at 5.30pm and in doing so acknowledged the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. He paid his respects to all members of the Aboriginal communities and their cultures; and to Elders past, present and emerging.

2. Disclaimer

The City of Bunbury accepts no responsibility for any act, omission, statement or intimation that occurs during Council Briefings or Council Meetings. The City refuses liability for any loss caused arising out of reliance by any person or legal entity on any such act, omission, statement or intimation occurring during Council Briefings or Council Meetings. Any person or legal entity acting or failing to act in reliance upon any statement, act or omission made during a Council Briefing or Council Meeting does so at their own risk.

Please note the recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

Any statement or intimation of approval regarding any planning or development application made during a Council Briefing or Council Meeting is not to be taken as notice of approval from the City. The City advises that anyone who has an application lodged with the City must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attached to the decision made by Council regarding the application.

Copyright

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Recording and Webstreaming of Meetings

- All Ordinary and Special Council Meetings are electronically recorded except when Council resolves to go behind closed doors
- All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office
- The live stream can be accessed at <http://www.bunbury.wa.gov.au/Pages/Live-Stream.aspx>
- Recordings can be accessed at <http://www.bunbury.wa.gov.au/Pages/Council-Meeting-Videos-2022.aspx>
- Images of the public gallery are not included in the streaming, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance Officer on 9792 7273.

3. Announcements from the Presiding Member

The Mayor called for a moment of silence to acknowledge the people of Israel and Palestine affected by the current conflict.

The Mayor noted that this meeting was the last prior the local government elections on Saturday, 21 October 2023. The Mayor acknowledge retiring Councillors Amanda Yip and Betty McCleary, as well as former Councillor Kris Plumb who retired earlier this year.

4. Attendance

Council Members:	
Presiding Member:	Mayor J Miguel
Members:	Deputy Mayor T Smith
	Councillor W Giles
	Councillor B Andrew
	Councillor C Kozisek
	Councillor K Turner
	Councillor G Ghasseb
	Councillor A Yip
	Councillor M Quain
	Councillor K Steele
	Councillor M Steck
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr M Osborne
Director Sustainable Communities	Mr G Barbour
Director Infrastructure	Mr G Harris
Director Strategy and Organisational Performance	Ms K Strachan
City of Bunbury Officers (Non-Voting)	
Manager Governance	Mr G Golinski
Manager Community Connection	Ms E Denniss
Senior Corporate Communications Officer	Ms K Fielding
Senior Planning Officer	Ms A Baldock
Governance Officer	Mr L Murphy
Others (Non-Voting)	
Members of the Public	11

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Cr McCleary is on an approved leave of absence from 11 September to 20 October 2023.

4.3 Attendance at Previous Meetings

*Data begins from 25 January 2023.

Meeting type	Mayor Miguel	Deputy Mayor Smith	Cr Andrew	Cr Ghasseb	Cr Giles	Cr Kozisek	Cr McCleary	Cr Quain	Cr Steck	Cr Steele	Cr Turner	Cr Yip
Ordinary Council Meeting	11/13	12/13	13/13	10/13	11/13	13/13	12/13	10/13	10/13	12/13	13/13	12/13
Special Council Meeting	4/4	4/4	4/4	3/4	4/4	4/4	3/4	4/4	4/4	4/4	4/4	4/4
Agenda Briefing	11/12	11/12	12/12	4/12	11/12	11/12	8/12	10/12	8/12	10/12	12/12	8/12
Community Access Session	1/2	2/2	2/2	0/2	2/2	2/2	2/2	2/2	0/2	1/2	2/2	0/2
Strategic Workshop	14/16	14/16	16/16	2/16	14/16	16/16	13/16	14/16	5/16	11/16	14/16	8/16
Audit Committee	3/3	N/A	3/3	N/A	N/A	3/3	1/3	N/A	N/A	N/A	N/A	N/A
Bunbury Events Advisory Committee	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1/1	1/1	N/A	1/1	N/A
CEO Performance Review Committee	1/2	1/1 (as deputy)	1/1 (as deputy)	0/2	N/A	2/2	N/A	1/2	0/2	1/2	1/1 (as deputy)	N/A
Disability Access and Inclusion Committee	N/A	N/A	3/3	0/3	N/A	N/A	N/A	N/A	N/A	N/A	3/3	N/A
Heritage Advisory Committee	N/A	0/1	N/A	N/A	N/A	1/1	N/A	1/1	N/A	1/1 (as deputy)	N/A	N/A
International Relations Committee	N/A	2/2	N/A	0/2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Policy Review and Development Committee	N/A	3/3	1/1 (as deputy)	N/A	2/3	3/3	N/A	2/3	N/A	2/3	N/A	N/A
Youth Advisory Council Committee	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2/2	N/A	N/A	N/A	2/2

5. Declaration of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

Section 5.60A: *“a person has a **financial interest** in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”*

Section 5.60B: *“a person has a **proximity interest** in a matter if the matter concerns –*

- (a) a proposed change to a planning scheme affecting land that adjoins the person’s land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person’s land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person’s land.”*

Regulation 34C (Impartiality): *“**interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”*

Cr Steck declared a financial interest in item 15.1.1 RFQ2324/006 Traffic Management Services as her son worked for one of the respondents.

Cr Andrew declared an impartial interest in item 10.2.1 Funding of the Dunstan Street Christmas Light Event as he is a member of the South Bunbury Rotary Club.

The Mayor declared an impartial interest in item 10.2.1 Funding of the Dunstan Street Christmas Light Event as he is an honorary member of the South Bunbury Rotary Club.

Cr Ghaseb declared in impartial interest in item 10.3.2 CEO Contract Finalisation due to various interactions.

6. Public Question Time

In accordance with Reg. 7(4)(a) of the Local Government (Administration) Regulations 1996, members of the public in attendance at the meeting may stand, state aloud their name and address, and ask a question in relation to any matter over which the municipality of Bunbury has jurisdiction or involvement.

In accordance with Standing Order 6.7(3)(a) a person wishing to ask a question, must complete a question form which is provided in the trays at the back of the public gallery and on the City's website. The completed form must include your name and address and contain no more than three (3) questions. If your question requires research or cannot be answered at the meeting, it will be taken on notice and you will receive a written response and a summary of your question (and any responses provided) will be printed in the minutes of the meeting.

6.1 Public Question Time

Notice of public questions were received from Wally Cook and Brian Rettinger. The questions are presented below alongside responses from the CEO and Mayor.

Wally Cook

Question 1

Why is the Dog Club is being charged far more than any other club using the grounds?

Response (Mayor)

The dog club structure is not comparable to sporting clubs with teams that play on a field as payment is for individual membership as this is not a team sport. The fee is also for a full year rather than seasonal. The current fee for an adult is the equivalent of \$1.38 per week and the rate for a junior is \$0.46 per week. The Club receives free usage of the new \$4M pavilion. When the club has hosted additional events on the ground this has been provided free of charge.

Question 2

As we pay more than any other user why do we receive less consideration or assistance than others

Response (Mayor)

The Dog Club does not pay more than any other user. Again it can be very difficult to compare pricing as many other clubs are self sufficient in managing their own facilities and playing spaces and do not utilise the space year round. The Dog Club is aware that the Sport and Recreation facilities Plan is underway with the first round of club consultation completed, and there will be a prioritised plan put in place that provides the assistance where it is most needed. After clarifying with DLGSC, the Dog Club is not eligible for CSRFF funding due to the nature of the participation.

Question 3

Why is there a separate rate for the Dog Club than any other club using the grounds.

Response (Mayor)

There is a separate rate as the activities of the Dog Club is unique and cannot be compared to team-based sports of other sporting clubs and associations. The City believes that the current rate represents good value for the year round usage provided, and this membership is at a heavily subsidised rate.

Brian Rettinger

Question 1

Does the City know that the Gelorup community has a proactive and popular facebook page called "Gelorup Community and Crime Watch" that has over 1600 members. Does bunbury have a similar social media site? If not, why not start one?

Response (Mayor)

The proposed Community Safety and Crime Prevention plan action 6.1 proposes the creation of a community safety webpage on the City of Bunbury which will provide relevant links and information to community members on matters relating to community safety. This page will be updated regularly and will most likely contain a social media element. The responsibility of this page will be the City's Marketing and Communications team and the Community Safety and Emergency Management team.

Question 2

I want to thank the City Councillors, Mayor Jaysen, the CEO and Gary Barbour for recommending and approving the creation of this new group. Our main deliverable will be a Tourism Plan for Bunbury that will be visitor centric and really put bunbury first in line to grow its visitation, leveraging off our key events, our local attractions, accommodation, and even the BORR. Please let me know when we're able to recruit members of the working group team.

Response (CEO)

If Council chooses to endorse the Executive Recommendation, the City will commence advertising for the membership as outlined in the Terms of Reference. The timeline for this is that advertising will occur in October and November 2023 concurrently with the Request for Quotation for the Consultant going out to market.

6.2 Responses to Public Questions Taken 'On Notice'

Nil

7. Confirmation of Previous Minutes and other Meetings under Clause 19.1

7.1 Minutes

7.1.1 Minutes – Ordinary Council Meeting

The minutes of the Ordinary meeting of the City of Bunbury Council held 26 September 2023 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the City of Bunbury Council held 26 September 2023 be confirmed as a true and accurate record.

Voting Requirement: Simple Majority Required

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Giles.

The Mayor put the motion to the vote, and it was adopted to become the Council's decision on the matter.

Council Decision 209/23

The minutes of the Ordinary meeting of the City of Bunbury Council held 26 September 2023 be confirmed as a true and accurate record.

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

7.1.2 Minutes – Council Advisory Committees

Applicant/Proponent:	Internal Report
Author:	Various
Executive:	Mal Osborne, Chief Executive Officer
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 7.1.1-A: Audit Committee Minutes 26 September 2023

Summary

The following Advisory Committee Meeting was held, and the minutes are presented for noting:

- Title: Audit Committee
Author: Greg Golinski, Manager Governance
Appendix: 7.1.2-A

Council Committee Recommendation

The following Advisory Committee meeting minutes listed in the report be accepted and noted:

- Audit Committee 26 September 2023

Voting Requirement: Simple Majority

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Andrew.

The Mayor put the motion to the vote, and it was adopted to become the Council's decision on the matter.

Council Decision 210/23

The following Advisory Committee meeting minutes listed in the report be accepted and noted:

1. Audit Committee 26 September 2023

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

8. Petitions, Presentations, Deputations and Delegations

8.1 Petitions

Nil

8.2 Presentations

Nil

8.3 Deputations

Nil

8.4 Council Delegates' Reports

Nil

8.5 Conference Delegates' Reports

Nil

9. Method of Dealing with Agenda Business

Standing Order 5.5 permits the Council to adopt the recommendations “by exception” (en-bloc).

Pursuant to Standing Order 5.5, the Council “*adopted by exception*” (i.e. without discussion) those recommendations listed for item 10.3.1, 10.3.3, 10.4.1, 10.4.2, 10.5.1, 10.5.3 and 10.5.4.

Items 10.2.1 10.3.2, 10.4.3 and 10.5.3 were discussed and voted on separately. All items have been renumbered in the order they were considered with the items voted “*by exception*” listed first.

The items “*adopted by exception*” were moved by Cr Kozisek and seconded by Cr Yip.

10.1 Proposed City of Bunbury Parking Amendment Local Law 2023 (listed as 10.3.1 in the agenda)

File Ref:	COB/365
Applicant/Proponent:	Internal
Responsible Officer:	Mark Allies, Team Leader Rangers & Emergency Management
Responsible Manager:	Sarah Upton, Manager Community Wellbeing Greg Golinski, Manager Governance
Executive:	Gary Barbour, Director Sustainable Communities
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.3.1-A: Proposed City of Bunbury Parking Amendment Local Law 2023

Summary

The purpose of this report is for Council to consider initiating the process to create an amendment local law to its recently adopted Parking Local Law 2023. The proposed amendment local law is the result of undertakings made to the Joint Standing Committee on Delegated Legislation (JSCDL) in this regard on 26 September 2023 (refer Council decision 196/23).

Local laws would ordinarily be channelled through Council's Policy Review and Development Committee, however given the time constraints of the request by the JSCDL, the matter is presented directly to Council to ensure timeframes are met.

A copy of the proposed local law is at Appendix 10.3.1-A.

Executive Recommendation

That Council, in accordance with section 3.12 of the *Local Government Act 1995*, gives public notice of its intention to make the City of Bunbury Parking Amendment Local Law 2023.

Voting Requirements: Simple Majority Vote

Strategic Relevance

Pillar: Place
Aspiration: An integrated, vibrant and well-planned City
Outcome 9: A City that is easy to get around safely and sustainably
Objective 9.4: Provide sufficient parking

Regional Impact Statement

The Local Law is enforceable only within the City of Bunbury.

Background

The City recently adopted its Parking Local Law 2023, which came into operation on 3 July 2023. Using its power of veto for local laws, the Joint Standing Committee on Delegated Legislation required the City to make some minor amendments to its Parking Local Law 2023, which Council undertook to do so within 6 months (refer Council Decision 196/23).

Council Policy and Legislative Compliance

Section 3.12 of the *Local Government Act 1995* outlines the process for the creation of a new local law and is applicable.

Section 3.16 of the *Local Government Act 1995* requires that local laws be reviewed every 8 years.

Officer Comments

The **purpose** of the proposed local law is to amend the existing Parking Local Law 2023 in line with the undertakings provided to the Joint Standing Committee on Delegated Legislation by Council on 26 September 2023.

The **effect** of the proposed local law is the ability for the City to continue to apply the Principal Local Law without it being disallowed by the Joint Standing Committee on Delegated Legislation.

Analysis of Financial and Budget Implications

Gazettal and advertising costs will be accommodated in the 2023/24 budget.

Councillor/Officer Consultation

The proposed amendment local law has been drafted in line with the undertakings provided to the Joint Standing Committee on Delegated Legislation by Council on 26 September 2023.

Timeline: Council Decision Implementation

Pending Council endorsement of the Executive Recommendation, the proposed local law will be advertised for a minimum 42 day period. It is expected that a subsequent report in this regard will be presented to in January 2024.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 211/23

That Council, in accordance with section 3.12 of the Local Government Act 1995, gives public notice of its intention to make the City of Bunbury Parking Amendment Local Law 2023.

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

- | | | |
|--|-----------|-----------|
| * Working Capital
(Current Assets less Current Liabilities) | \$72.11M | \$12.77M |
| * Equity
(Total Assets less Total Liabilities) | \$531.66M | \$488.70M |
4. Capital Works (**attached** at Appendix 10.3.3-E)
- Actual capital works of \$1.88M is on target with the year-to-date budgeted capital works of \$1.88M.
 - The progress of capital works is monitored on a monthly basis.
 - Capital works include a combination of funding sources including municipal, reserve and grant funds.
5. Operating Project Expenditure (**attached** at Appendix 10.3.3-F)
- Actual operating project expenditure of \$453K is \$320K less than the year-to-date budgeted operating project expenditure of \$773K.
 - Operating projects include a combination of funding sources including municipal, reserve and grant funds.

Executive Recommendation

The Financial Management Report for the period ending 31 August 2023 be received.

Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Effectively manage the City's resources

Background

A financial management report is provided to Councillors on a monthly basis which includes the following summaries:

- Statement of Comprehensive Income (**attached** at Appendix 10.3.3-A)
- Statement of Financial Activity (**attached** at Appendix 10.3.3-B)
- Statement of Net Current Assets (**attached** at Appendix 10.3.3-C)
- Statement of Financial Position (**attached** at Appendix 10.3.3-D)
- Capital Projects Expenditure Summary (**attached** at Appendix 10.3.3-E)
- Operating Projects Summary (**attached** at Appendix 10.3.3-F)
- Monthly Community Financial Report (**attached** at Appendix 10.3.3-G)

These summaries include end-of-year forecasts based on a monthly review of year-to-date income and expenditure for all accounts.

Council Policy Compliance

Not applicable.

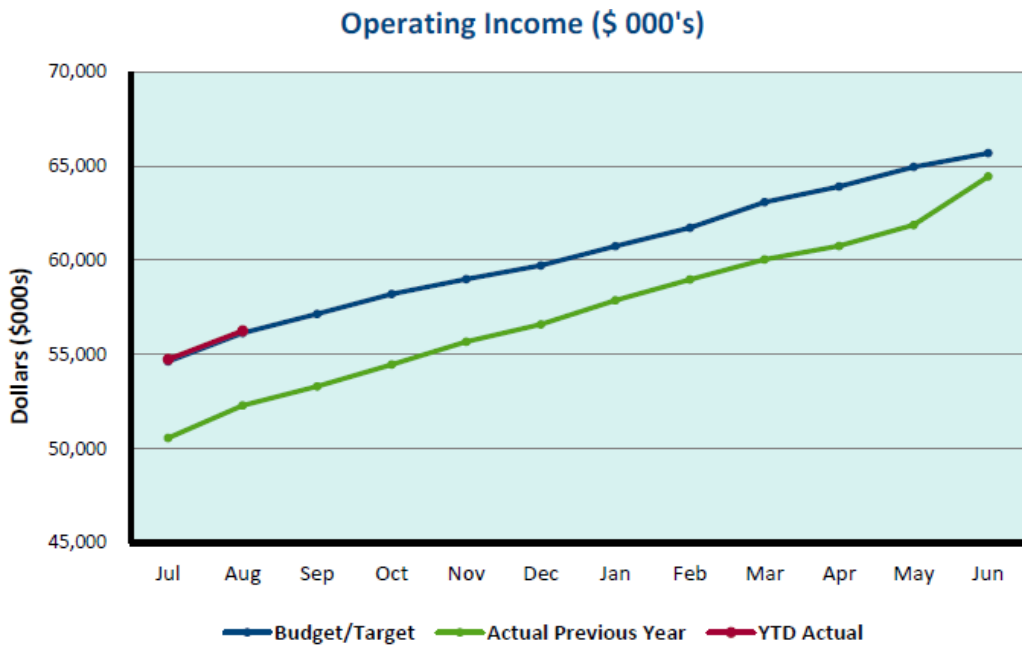
Legislative Compliance

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (**attached** at Appendix 10.3.3-B) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Special Council Meeting 25 July 2023, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$25,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2023/24.

Officer Comments

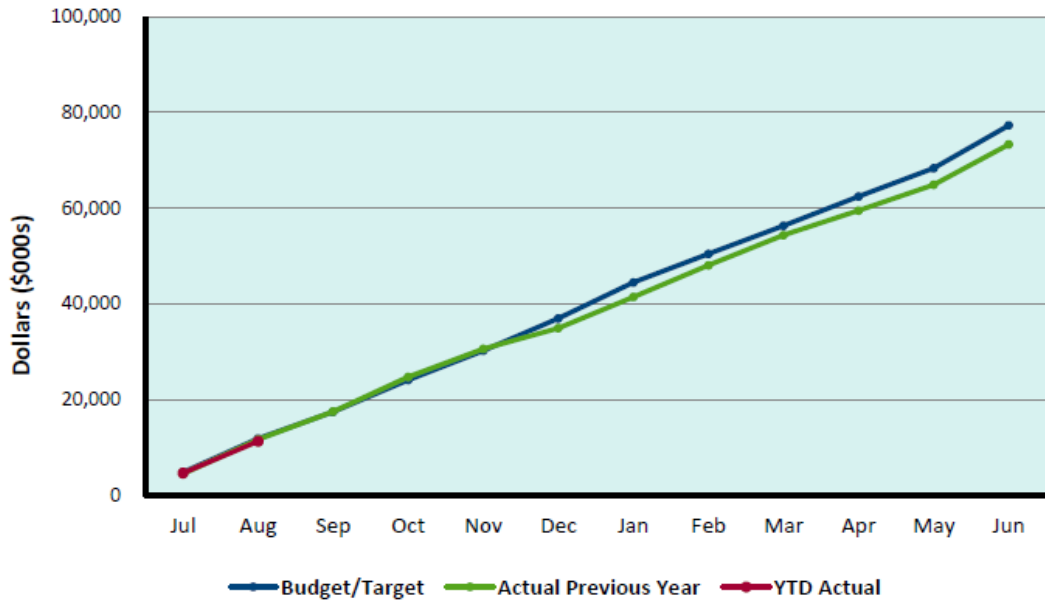
The Operating Income, Operating Expenditure and Capital Expenditure graphs provide an overview on how the actual income/expenditure is tracking to budget and the previous financial year. Comments are provided on each graph regarding the current financial position.



Note: Operating income includes: rates, fees and charges, operating grants and subsidies, contributions, reimbursements and donations, interest and other revenue.

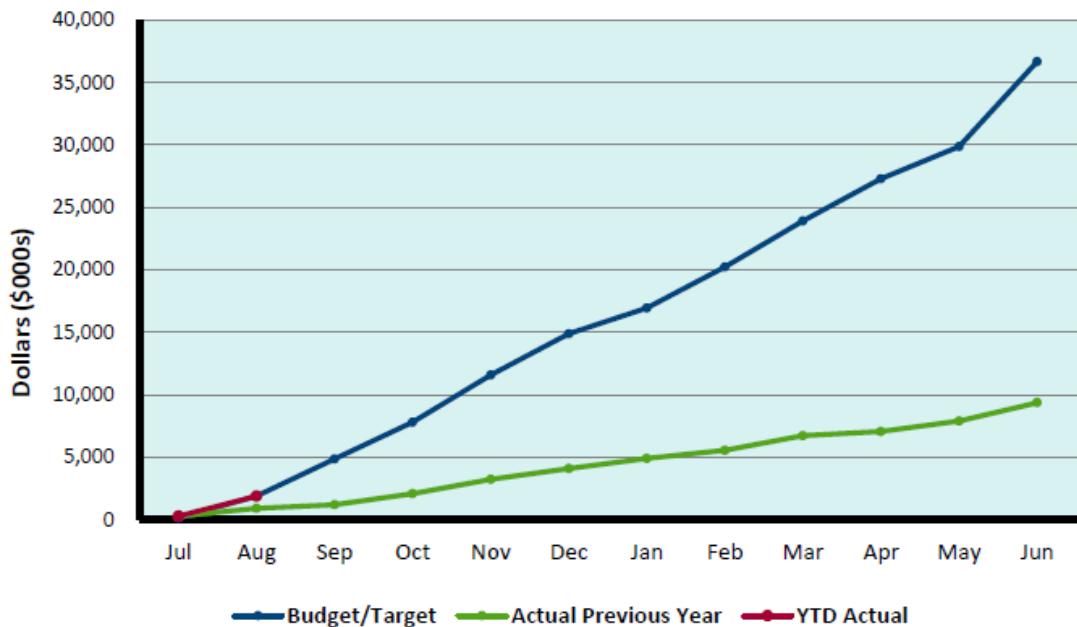
Actual Income of \$56.26M is \$133K above the year-to-date budgeted income of \$56.13M.

Operating Expenditure (\$ 000's)



Note: Actual operating expenditure is below the year-to-date budget by \$554K.

Capital Expenditure (\$ 000's)



Note: The actual capital expenditure at the end of August 2023 is on target with the year-to-date budget. The monthly Capital Projects Summary report provides more detail on all capital projects.

The following is an explanation of significant variances identified in the statement of Financial Activity. Please refer to Appendices 10.3.3-E and 10.3.3-F for more detailed information regarding projects:

Statement of Financial Activity	YTD Actual to Budget Variance
Operating Revenue	
<i>Contributions Reimbursements and Donations</i> – Favourable year-to-date variance mainly due to reimbursements from workers compensation of \$16.7K, insurances of \$5.5K, paid parental leave of \$4K and higher than anticipated contributions for art exhibitions of \$4.5K. Forecast adjustments have been entered and will be included in the October 2023 Budget Review.	\$39,218 46%
Operating Expenses	
<i>Materials and Contracts</i> – Favourable year-to-date variance due to the timing of operating expenditure mainly due to consultants’ expenses \$142K, contractors’ expenses \$341K, and software licence \$99K. These expenditures will be monitored monthly.	\$612,407 23%

Analysis of Financial and Budget Implications

This Financial Management Report on the financial performance of the City is provided for Councillors information and does not have any financial or budget implications for the 2023/24 financial year. Any forecast adjustments noted will be included in the October 2023 Budget Review.

Community Consultation

There is no requirement for community consultation on this report. A Monthly Community Financial Report (attached at Appendix 10.3.3-G) has been prepared to give the community an easy to understand summary of the City’s financial performance. Once received by Council, this report will be made available on the City’s website for community information.

Councillor/Officer Consultation

The City’s Executive Team, Department Managers and Finance staff monitor the City’s monthly revenue and expenditure and (as required) refers any variances requiring remedial action to Council.

Approved budget amendments are recorded in the financial statements to reflect the City’s current budget and financial position at all times.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council’s decision on the matter.

<p>Council Decision 212/23</p> <p>The Financial Management Report for the period ending 31 August 2023 be received.</p> <p>CARRIED UNANIMOUSLY 11 votes “for” / Nil votes “against”</p>
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Background

The City of Bunbury engage CATALYSE to manage the Community Perception survey. Residents were selected randomly to complete the MARKYT Community Scorecard which measures community perceptions of the City's performance and identifies local priorities. In 2021, 943 community members provided responses and Community Safety was identified as the number one (1) priority.

The City of Bunbury Strategic Community Plan lists 'A Safe Community' as a desired outcome under the People aspiration.

CEO KPI 2.1 required that a discussion be held with Elected Members, staff and community members by December 2022 and a draft Community Safety Plan be provided for consideration by Elected Members by June 2023.

The City engaged the services of Edith Cowan University (ECU) criminology department to assist the City with the community engagement and data analysis. A Community Safety & Advisory Group (CSAG) was formed to provide subject matter expertise and insight. These collaborations were designed to ensure consultation and objectives were inclusive and would ensure all actions were strategically aligned with the City's objectives and that any data gathered was considered in a meaningful way.

At the Ordinary Meeting held 20 December 2022 Council endorsed the establishment of a Community Safety Advisory Group (CSAG) . The CSAG representatives were instrumental in providing insights and direction into homelessness, youth, crime, emergency services and local community safety issues.

A workshop was held with Elected Members on the Community Safety & Crime Prevention Plan at the Strategic Workshop held 13 June 2023. Following this workshop, Dr Rajakaruna from Edith Cowan University did further work on the CSCP prior to it being provided to the CSAG for endorsement. The final Community Safety & Crime Prevention Plan 2023-2028 was then provided to the Executive for approval.

The final document has been prepared by a graphic designer for presentation to Council, with a foreword provided by the Mayor.

Council Policy Compliance

The City's Governance Framework makes provision for the establishment of Working/Advisory Groups as a mechanism for facilitating and improving broader participation in the City's decision-making process.

Legislative Compliance

Local Government Act

Officer Comments

This plan has been developed to ensure the City can effectively help to reduce the amount of antisocial behaviour and the perception of crime within our community and positively engage with the stakeholders that can assist with achieving those actions.

Analysis of Financial and Budget Implications

Adoption of this plan will provide operational and strategic direction for the City and may impact budgets during the years it is in place. The majority of actions will be delivered by existing operational budgets although there may be specific projects submitted for budget requests in future financial years.

Community Consultation

To formulate this Plan, the City collaborated with Edith Cowan University (ECU) to enable a rigorous and independent research study. The primary objective of this research endeavour was to understand the impact of crime within the boundaries of the City of Bunbury and to evaluate the concerns expressed by the community. The research was guided by the following questions:

- * What is the prevalence of crime and antisocial behaviour in the City of Bunbury?
- * What are community perceptions of crime, anti-social behaviour and community safety?
- * What are stakeholder perceptions of crime, antisocial behaviour and community safety?

The research included input from over 200 participants who completed an online survey, 35 engaged residents who actively participated in community focus groups, and 17 stakeholders who took part in in-depth interviews with the research team.

The participants in the survey represented a broad demographic spectrum, consisting of 224 community members with an average age of 50 years. The age range spanned from 16 to 93 years old. This diverse representation ensured a comprehensive assessment of community perceptions.

The CSAG membership also included community members and emergency service agencies who are directly impacted by the plan and resulting actions so were very involved in all stages of the plans development.

Councillor/Officer Consultation

A workshop was held with Elected Members on the Community Safety & Crime Prevention Plan at the Strategic Workshop held 13 June 2023.

The City engaged with internal stakeholders who would be impacted by the plan and resulting actions on 3 August 2023. The draft plan had been approved by the Executive in July 2023 and provided internally to all relative departments at a workshop hosted at the City Administration building. This workshop ensured all stakeholders were aware of impacts and provided opportunities to improve the content of the plan so that strategic and operational alignment could be achieved. Council was also represented with four (4) Elected Members in attendance at the CSAG development and meetings.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

The Community Safety and Crime Prevention Plan is designed to provide strategic direction from 2023 to 2028. Adoption of the plan will ensure the City can implement the actions as outlined in the plan.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 213/23

That Council endorse the Community Safety & Crime Prevention Plan 2023 – 2028 (as attached at Appendix 10.4.1-A).

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

Regional Impact Statement

The proposed LDP will have no direct regional impact as it is a mechanism used to coordinate and assist in achieving better urban design, infrastructure provision and to supplement development standards of the Scheme and local planning policies.

Background

The subject site is vacant and is zoned 'Urban Development' under Local Planning Scheme No.8 (LPS8). The LDP has been prepared as a requirement of the endorsed Lot 70 Winthrop Avenue Structure Plan and conditional Subdivision Approval (WAPC 162116) which identified the lots as 'Residential' Zone with an R20 density coding.

Lot 70 Winthrop Avenue received subdivision approval to create 18 new residential lots. Lots 1 to 11 are included in the LDP area and have a steep topography, with the majority of these lots having a 14m level difference from front to back. The LDP area is intended to facilitate the development of these lots by reducing the street setback requirement outlined under the Residential Design Codes Volume 1 (R-Codes) from 6m to 3m. The reduced setback will enable future landowners to develop on the flatter portion of the lot.

Officers have provided preliminary advice to the applicant on the LDP provisions prior to lodgement and advertising. Advice was provided regarding the fencing provisions along Winthrop Avenue and it being inconsistent with the surrounding area (site photos **attached** at Appendix 10.4.2-C).

Council Policy Compliance

The City's Private Property Local Law (Local Law) is applicable to the subject proposal as it sets out specifications for a sufficient fence on residential lots. The current proposed 1.2m high timber rail fencing along Winthrop Avenue and Lots 1 and 11 does not meet the specifications of a sufficient fence under clause 2.1 of the Local Law.

Legislative Compliance

The following legislation and statutory planning instruments of the State and Local Planning Framework are applicable to the assessment of this application:

Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*
- State Planning Policy 7.3: Residential Design Codes Volume 1 (R-Codes); and
- Local Planning Scheme No.8 (LPS8 or the Scheme).

Officer Comments

The LDP provides the following key provisions to guide future development of the site:

- Restricts vehicle access from Winthrop Avenue for proposed Lots 1-11.
- Reduced primary street setbacks to facilitate the construction of a dwelling on the flatter portion of the lots:
 - * Minimum primary street setback for garages and carports of 4.5m; and
 - * Minimum primary street setback of 3m (excluding garages and carports).
- Uniform fencing provisions along Winthrop Avenue, the rear of Lots 1 to 4 and side boundaries of Lots 1 and 11.

Apart from the reduced primary street setback provisions outlined in the LDP, all development on the lots will default to the deemed-to-comply requirements of the R-Codes.

Upon assessment of the proposed fencing provisions against the context of the existing area and the Local Law provisions, Officers recommend that this provision is modified to reflect a higher quality standard of open aspect fencing. Currently the proposed fencing has a height of 1.2m and will be constructed of timber posts with three timber rails, however Officers recommend it be modified to a masonry construction of 1.2m and open aspect infill to a height of 1.8m. The modified fencing design would provide the future landowners privacy, be consistent with the existing masonry fencing in the area and maintain the views of the residents at 2 to 12 Winthrop Avenue to the west.

The timber rail fencing is also proposed as a side boundary fence for Lots 1 and 11 who interface with Public Open Space reserves. Officers do not consider this type of fencing to provide adequate privacy or security for future landowners and subsequently recommended this be modified to uniform solid fencing with a maximum height of 1.8m.

Analysis of Financial and Budget Implications

There are no known financial or budgetary implications approving a LDP.

Community Consultation

The scheme amendment was advertised to surrounding landowners/occupiers and a notice was placed on the website for 14 days in accordance with clause 64 of the deemed provisions. No submissions were received during the advertising period.

Councillor/Officer Consultation

The proposal has been referred to the City of Bunbury's Development Coordination Unit (DCU) for professional advice and technical assessment prior to the finalisation of this report.

Applicant Consultation

A copy of the Officer's recommended modifications have been provided to the applicant. At the time of writing this report, no response has been received from the applicant.

Timeline: Council Decision Implementation

Should Council approve the proposed draft LDP, the finalised with the recommended modifications to the LDP would have effect for a period of 10 years.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 214/23

That Council, in accordance with Schedule 2, Part 6, clause 52 of the Planning and Development (Local Planning Schemes) Regulations 2015 resolves to:

- 1. Approve the proposed Local Development Plan (as attached at Appendix 10.4.2-A) subject to the modifications attached at Appendix 10.4.2-B.**
- 2. Publish the Local Development Plan on the City of Bunbury website.**
- 3. Advise the proponent and landowner of Council's decision.**

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

10.5 RoadWise Council (listed as 10.5.1 in the agenda)

File Ref:	COB/1220
Applicant/Proponent:	WALGA (Western Australia Local Government Association)
Responsible Officer:	Gavin Harris, Director Infrastructure
Responsible Manager:	Aaron Lindsay, Manager Projects and Asset Management
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.5.1-A Invitation to Register as RoadWise Council

Summary

The City of Bunbury has received an invitation to register as a RoadWise Council. Council is requested to consider the invitation from WALGA (Western Australia Local Government Association) to register as a RoadWise Council, which will demonstrate leadership towards initiatives and actions to improve road safety outcomes for our community.

Executive Recommendation

That Council:

1. Accept WALGA’s invitation to register as a RoadWise Council.
2. Note that the Director Infrastructure and Manager Projects and Asset Management will be the City’s primary points of contact for road safety matters.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	People
Aspiration	An integrated, vibrant and well planned City
Outcome 9	A city that is easy to get around safely and sustainably
Objective 9.3	Improve road safety, connectivity and traffic flow

Regional Impact Statement

Registering to become a RoadWise Council will assist the City working with South West Local Governments to address road safety issues that are common to all.

Background

Correspondence has been received from WALGA inviting the City of Bunbury to sign up to a new initiative and register as a RoadWise Council (refer appendix 10.5.1-A: Invitation to Register as RoadWise Council)

The new RoadWise Council Framework informs the approach WALGA’s road safety team takes in supporting local governments in working towards delivering best practice road safety. The framework takes into account the elements which determine the level of safety of the road transport system within the context of local government.

To register, Local Governments can accept the invitation by providing a Council resolution nominating at least two people (Officers and/or Elected Members) to be the primary point of contact for road safety matters.

The benefits for Local Governments that register as RoadWise Councils include:

- use of the RoadWise logo,
- priority access to WALGA's road safety services and products,
- exclusive quarterly meetings and support from a Road Safety Advisor,
- priority access to participate in WALGA's road safety policy development, training, professional development forums and knowledge-sharing workshops offered by WALGA,
- access to incentives and sponsored programs, and
- participation in the new RoadWise Recognised initiative.

The RoadWise Recognised aspect of being a RoadWise Council provides formal recognition for, and enables benchmarking and monitoring of road safety management, actions and interventions. RoadWise Recognised will assist Local Governments with continuous improvement in road safety actions and outcomes through regular support, monitoring and sharing of information.

Local governments are encouraged to remain registered RoadWise Councils to ensure they have access to specialist advice and assistance in managing road safety at a local level to the best of their capacity and capability.

Council Policy Compliance

Not Applicable

Legislative Compliance

Not Applicable

Officer Comments

The City's RoadWise Working Group was officially disbanded at the 10 August 2021 Council Meeting (Council Decision 161/21). The Working Group recommended disbanding at its last meeting on 14/12/2020. The City joined the Industry Road Safety Alliance South West (IRASW) following the disbandment of the working group and continues to be a member of the IRASW).

The reinvention of WALGA RoadWise program to the new model of RoadWise Council offers significant benefits to the City and offers the opportunity for a systems approach to road safety and build the capacity and capability of the City. The RoadWise Council will guide the City towards a more holistic and systematic approach.

Analysis of Financial and Budget Implications

There are no budget implications to register as a RoadWise Council.

Community Consultation

Nil

Councillor/Officer Consultation

Nil

Applicant Consultation

Nil

Timeline: Council Decision Implementation

Upon Council endorsement to become a RoadWise Council, the City will register to become a RoadWise Council.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 215/23

That Council:

- 1. Accept WALGA's invitation to register as a RoadWise Council.**
- 2. Note that the Director Infrastructure and Manager Projects and Asset Management will be the City's primary points of contact for road safety matters.**

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

10.6 Road Name Request for Connector Road between Jacaranda Crescent and Hudson Road, Withers
(listed as 10.5.3 in the agenda)

File Ref:	COB/255
Applicant/Proponent:	Internal
Responsible Officer:	Colleen Smythe, Project Coordinator
Responsible Manager:	Aaron Lindsay, Manager Projects and Asset Management
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.5.3-A - Location Map Withers Connector Road

Summary

The City is creating a new road linking Jacaranda Crescent, Whitley Place and Hudson Road, in Withers. The City consulted with the Gnaala Karla Booja Aboriginal Corporation on possible names and has shortlisted two potential names with the help of the Wardandi Miya-K Kaadadjiny Aboriginal Corporation, who provided local Noongar language advice. As per the Land Act, endorsement by the relevant Local Government Authority is necessary prior to any submissions being made to Landgate Geographic Names (LGN).

Executive Recommendation

That Council:

1. Endorse the name Ngoolyark Way for the planned connector road between Jacaranda Crescent and Hudson Road.
2. Endorse the inclusion of the name Koolbardi on Council’s Approved Road Names Register for future road naming in Withers.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Place
Aspiration	An integrated, vibrant and well planned City.
Outcome 9	A city that is easy to get around safely and sustainably.
Objective 9.3	Improve road safety, connectivity and traffic flow.

Regional Impact Statement

Selecting an appropriate name for the connector road will assist in creating an environment that reflects Bunbury’s core values.

Background

Through the Withers Regional Renewal project, the City received state funding for a connector road between Jacaranda Crescent and Hudson Road, refer Appendix 10.5.3-A for a plan of the proposed connection. During the Aboriginal Heritage Survey for these works on the 7th December 2022, Gnaala Karla Booja representatives recommended that the City of Bunbury work with the Gnaala Karla Booja Cultural Advisory Committee to name the new road.

On the 30th May 2023 representatives from the City attended the Gnaala Karla Booja committee meeting to discuss the road naming and seek suggestions.

On the 27th July 2023 the City received a list of five suggested names for future Withers roads.

The City checked the proposed names against LGN’s preliminary validation process and reduced the list to four names that passed the preliminary validation. The City then consulted with local Noongar language experts at the Wardandi Miya-K Kaadadjiny Aboriginal Corporation, who advised that two of the suggested names were not the correct Noongar translations for the Vasse and Bunbury area.

The final two validated road names were:

Name	Description
Koolbardi	‘magpie’ in Noongar
Ngoolyark	‘white tail black cockatoo’ in Noongar

The preferred name for the connector road between Jacaranda Crescent and Hudson Road is Ngoolyark Way, as Koolbardi Way may be deemed to be too similar to Kookaburra Way, which is another road that connects with Jacaranda Crescent.

Council Policy Compliance

Council Policy: Naming of Roads, Reserves, Bridges and Other Places applies.

Legislative Compliance

Land Administration Act 1997 Part 2 Division 3 Section 26 deals with the naming of any topographical feature, road or reserve.

Officer Comments

Two proposed road names have passed LGN’s preliminary validation. The proposed road names have been developed in consultation with the Gnaala Karla Booja Cultural Advisory Committee and the Wardandi Miya-K Kaadadjiny Aboriginal Corporation

Analysis of Financial and Budget Implications

Standard street name signs will be installed upon completion of the connection and can be accommodated within the City’s existing signage budget.

Community Consultation

The City of Bunbury has developed this list of proposed names in consultation with the Gnaala Karla Booja Cultural Advisory Committee.

Upon formalisation of the name change with LGN, the City will notify residents through a media release and article in the City Focus.

Councillor/Officer Consultation

Nil

Applicant Consultation

Nil

Timeline: Council Decision Implementation

Following Council endorsement the City will submit the road name to Landgate for approval.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 216/23

That Council:

- 1. Endorse the name Ngoolyark Way for the planned connector road between Jacaranda Crescent and Hudson Road.**
- 2. Endorse the inclusion of the name Koolbardi on Council's Approved Road Names Register for future road naming in Withers.**

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

10.7 Road Name Request Lot No 70 Winthrop Avenue College Grove (listed as 10.5.4 in the agenda)

File Ref:	COB/255
Applicant/Proponent:	Internal
Responsible Officer:	Beth Kozyrski Engineering Technical Officer
Responsible Manager:	Aaron Lindsay, Manager Project and Asset Management
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.5.4-A Lot 70 Winthrop Ave Development Plan

Summary

A new residential development is in construction at Lot No 70 Winthrop Avenue, College Grove. The development incorporates a loop road. The road is proposed to be named Lambert Loop in memory of Bunbury resident Connor Lambert.

Executive Recommendation

That Council:

1. Endorse the road name Lambert Loop for the residential development at Lot No 70 Winthrop Avenue, College Grove.
2. Endorse the alternative road name Freisa Loop for Lot No 70 Winthrop Avenue, College Grove, in the event that Council’s preferred option is not approved by Landgate Geographic Names.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Place
Aspiration	An integrated, vibrant and well planned City.
Outcome 9	A city that is easy to get around safely and sustainably.
Objective 9.3	Improve road safety, connectivity and traffic flow.

Regional Impact Statement

There is no regional impact associated with the road naming of Lot No 70 Winthrop Avenue, College Grove.

Background

Norjon P/L are developing Lot No 70 Winthrop Avenue, College Grove. The residential development includes a loop road that connects to Trinity Rise (refer Appendix 10.5.4-A – Development Plan).

The City has proposed the name Lambert Loop in memorial of Connor Lambert a Bunbury resident and a professional cyclist who died in Belgium in a cycling accident earlier this year.

The developer and the Lambert Family are both supportive of the proposed road name.

Landgate Geographic Names (LGN) have provided preliminary approval for the use of Lambert Loop. Final approval is still subject to a formal application following Council approval. In the event that this name is not approved by LGN an alternative name from Council's approved road names register has been included within the recommendation.

Council Policy Compliance

Council Policy: Naming of Roads, Reserves, Bridges and Other Places applies.

Legislative Compliance

Land Administration Act 1997 Part 2 Division 3 Section 26 deals with the naming of any topographical feature, road or reserve.

Officer Comments

Connor was an active member of the Bunbury road cycling community. He joined the South West Academy of Sport's (SWAS) road cycling program in 2011 and continued to play a prominent role training and assisting younger cyclists.

Connor competed both nationally and internationally. His cycling achievements included 11 Western Australia track and road cycling titles and 2 national medals.

In 2022 he decided to stop professional cycling to focus on mentoring junior riders.

Connor was described by the South West Cycle Club vice-president Lowen Ferry "as an immensely positive role model for young athletes right across the region".

In consultation with the developer the alternate road name of Freisa Loop has been nominated from Council's approved road name register. Freisa is derived from a red Italian wine grape variety grown in the Piedmont region of north-west Italy, primarily in Monferrato and in the Langhe, but also further north in the provinces of Turin and Biella

There are only four names available on the current register of Council approved names. Officers will look to expand the list for Council approval.

Analysis of Financial and Budget Implications

There are no financial implications for the City as the developer is responsible for the cost of the signage supply and installation.

Community Consultation

Both the developer and the Lambert Family are supportive of the proposed road naming with the developer proposing an official commemorative opening event which will include the Lambert Family and the local Bunbury cycling community.

Councillor/Officer Consultation

Not Applicable.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Following Council endorsement the City will submit the road name to Landgate for approval.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor put the motion to the vote, and it was adopted (en-bloc) to become the Council's decision on the matter.

Council Decision 217/23

That Council:

- 1. Endorse the road name Lambert Loop for the residential development at Lot No 70 Winthrop Avenue, College Grove.**
- 2. Endorse the alternative road name Freisa Loop for Lot No 70 Winthrop Avenue, College Grove, in the event that Council's preferred option is not approved by Landgate Geographic Names.**

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

10.8 Bunbury Regional Art Gallery (BRAG) Strategic Action Plan (listed as 10.1.1 in the agenda)

File Ref:	COB/4197
Applicant/Proponent:	BRAG Advisory Group
Responsible Officer:	Michael Bianco, BRAG Director and Team Leader
Responsible Manager:	Elizabeth Denniss, Manager Community Connection
Executive:	Gary Barbour, Director Sustainable Communities
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.1.1-A: Draft BRAG Action Plan 2023 - 2026

Summary

The Bunbury Regional Art Gallery (BRAG) Advisory Group have completed their term and developed a Draft Action Plan in accordance with Council Decision 114/22. The Action Plan is provided to be received with the recommendations adopted as per the Executive and Advisory Group Recommendations.

Executive Recommendation

That Council receive the Bunbury Regional Art Gallery Draft Action Plan as **attached** at Appendix 10.1.1-A.

Advisory Group Recommendations

That Council:

1. Commit to building a new state of the art world class purpose built Art Gallery, with the ambition to deliver the project to the community within the next seven years.
2. Request the CEO to investigate the capacity for the Long Term Financial Plan to reflect a commitment to fund 25% of the capital costs associated with a purpose built, iconic art gallery within 7 years based on a preliminary cost estimate of \$45,000,000 total capital expenditure.
3. Consider the appointment of a Project Manager for the creation of a new gallery in the next review of the Work Force Plan.
4. Re-establish the BRAG Advisory Group until September 2025 with new terms of reference and four sub committees with the following responsibilities:
 - i. New Gallery Development Sub-Committee
Identifies potential sites to locate a new gallery in alignment with budgets, resources, and COB strategies.
 - ii. Gallery Foundation and Fundraising Sub-Committee
Develops and implements the creation of a Foundation to support the purchasing capacity for the permanent collection, the care of the collection, and to enhance BRAG’s ability to develop exhibitions of national and international touring quality.
 - iii. Aboriginal Reference Group Sub-Committee
Provides advice and high-level expertise across all mediums of contemporary and traditional Aboriginal art, including museum and gallery leadership, curatorial experience, and insights into making BRAG a more culturally safe gallery.
 - iv. COB Policy and Public Art Sub-Committee
Provides advice and high-level expertise in regard to policies as they pertain to BRAG and the COB Public Art Collection, in addition to making recommendations to the

care, promotion, and commissioning of new works for Public Art in the City of Bunbury.

5. Request the CEO to explore the establishment of a BRAG Foundation to support the expansion and care of the permanent collection, to enhance public programs, and to assist in the development of major exhibitions that will drive tourism and generate alternative revenue streams.
6. Request the CEO to explore the development of a levy to support arts and cultural activation in COB in alignment with other regional local government authorities in WA.

Voting Requirement: Absolute Majority

Strategic Relevance

Pillar	People
Outcome 2	Our Community and Culture
Objective 2.1	A growing hub of culture and creativity
Objective 2.2	Promote and celebrate Noongar culture
Pillar	Place
Outcome 8	A place with attractive and welcoming community spaces where people want to live
Objective 8.1	Create a strong and vibrant City Centre
Pillar	Prosperity
Outcome 12	A Unique and desirable destination within the South West Region
Objective 12.1	Develop and promote a competitive tourism offer to attract more visitors.

The 2022 MARKYT Scorecard identified that the community view of Council's performance in the delivery of art, culture, events and festivals is 'strong but declining and this area of service delivery was a priority for optimisation by the community.

Background

At the Ordinary Council Meeting held 7 June 2022 Council decided:(114/22):

That Council:

1. *Receive the Bunbury Regional Art Gallery Foundation Review as presented at Appendix 10.4.1-A.*
2. *Request the CEO report back to Council by August 2022 regarding the development of a BRAG Advisory Group with Membership and Terms of Reference developed in alignment recommendation 3 of the BRAG Foundation Concept Review.*
3. *Request that on completion of a long-term strategic plan document for BRAG, the Advisory Group report back to Council prior to June 2023 to endorse the long-term strategic plan which will include recommendations as to whether a Foundation should proceed as per recommendation 4 of the BRAG Foundation Concept Review.*

BRAG Team Leader (Director) Michael Bianco, Lloyd Horn and Jo O'Dea as members of the Advisory Group and Bunbury arts community briefed Elected Members on 18 April 2023. An Elected Member workshop was held on 8 August for the purpose of exploring and refining the recommendations of the Advisory Group with representatives from the Group in attendance. Immediately following the workshop, the Chief Executive Officer, Manager Community Connection,

BRAG Director/Team Leader and representatives from the Advisory Group refined the recommendations contained in this report to align with the BRAG Strategic Plan revised recommendations.

Council Policy Compliance

The City's Governance Framework makes provision for the establishment of Working/Advisory Groups as a mechanism for facilitating and improving broader participation in the City's decision-making process.

Legislative Compliance

Not applicable.

Officer Comments

The BRAG Advisory Group has met on an average of once per month since inception. This has allowed for local and regional community expertise and involvement in setting a long-term vision of BRAG as the pinnacle regional art gallery. This vision has been captured in the attached BRAG Action Plan that produces clear outcomes.

The Advisory Group has explored, and documented in the BRAG Action Plan the following issues:

- Mission Statement
- Current Situation and SWOT Analysis
- Goals, Strategies and Key Performance Indicators
- Professional Development
- Access and Inclusion
- Marketing
- Commercial Viability
- BRAG Collection
- Strategic Context
- Recommendations to Council

In presenting the Advisory Group's Action Plan and recommendations for endorsement the members of the Advisory Group are cognizant of the forthright wording of the recommendations. The final meeting of the Group reflected a consensual group and desire that given the previous iterations of planning with respect to a potential new gallery, the need for Council to express firm commitment to the proposal, or not, is required at this point in time.

It is anticipated that the recommendations will be addressed singularly, and the following specific comments are therefore provided:

Recommendation 1, 2 and 3

The Advisory Group members feel that there is a need for Council to identify its commitment to the construction of a new world class art gallery. If this commitment cannot be made in terms of identification of a preferred timeline, exploration of financial impacts on the long term financial plan, strategic community plan, workforce plan and corporate business plan, it is suggested that the role of BRAG will need to be formalized as a custodian of the current collection, and as a provincial site to stage smaller temporary exhibitions, rather than expand into the world class art gallery it has the potential to be. In essence, these recommendations are seeking Council endorse the BRAG

Mission Statement in the Draft Action Plan and commit now to preparing to achieve this mission through the development of a new gallery:

As the preeminent regional art gallery in Western Australia, dedicated to excellence in exhibitions, public programs, and collecting, The Bunbury Regional Art Gallery's mission is to enrich the lives of citizens through meaningful engagements with art, the environment, and aboriginal culture, and to research, exhibit, and preserve the legacy of artists practicing in the South West of Australia.

Recommendation 4

The BRAG Team Leader (Director) and Advisory Group members have found the Advisory Group format an effective working model to achieve strategic direction and alignment through the Draft Action Plan and see value in the Advisory Group being reformed, should the recommendations contained in this report be supported. They do not see value in the Advisory Group being reformed with a *Gallery Foundation and Fundraising Sub-Committee* if the recommendation to build a new art gallery in the identified time frame is not supported by Council. The proposed sub-committees or working group have been identified by members of the Advisory Group as the 4 primary areas of action arising from the Draft Action Plan and therefore requiring individual focus. If this recommendation is endorsed by Council, it is expected that the BRAG Team Leader (Director) will prepare new Terms of Reference for the Advisory Group and seek advice from the City of Bunbury's Governance Department to ensure specialist expertise as well as community representation is equitably achieved in line with Council policies and relevant legislation. The term of the Advisory Group is identified to align with the 2025 Local Government Elections.

Recommendation 5

Members of the Advisory Group were of the strong opinion that it is unlikely for a local government authority to be as effective in securing alternative revenue streams (noting 75% of the proposed capital expenditure for the new gallery is expected to be achieved through investment, sponsorship and external funding sources). The development of a BRAG Foundation to spearhead fundraising is considered, within the art and culture industry, more likely to achieve the required investment for the new gallery. It is also considered that the Foundation will work closely with the Director of the Gallery to support the expansion and care of the permanent collection, enhance public programs and inform major exhibitions. Should this recommendation be supported it is expected that the BRAG Team Leader (Director) will prepare a project plan to guide the development of the Foundation.

It is important to note that the Draft Action Plan, in relation to the development of this Foundation, on page 3 references a longer term vision for this Foundation which will require further research and reporting to Council as follows:

"In establishing a BRAG Foundation, Council will continue to be the governing body for the gallery, but consideration should be made in regard to transferring governance over to an independent board in the future".

This recommendation makes no commitment for that shift to occur, but should the Draft Action Plan and the recommendations of the Advisory Group be endorsed by Council this will be explored by the Advisory Group over the next 2 years.

Recommendation 6

In reviewing trends across other south-west local governments in relation to funding activation and events it is noted that the City of Busselton has an annual budget allocation through its "Donations, Contributions and Subsidies budget of 0.5% of rate revenue. In 2023/2024 this is projected to

equate to \$293,645. Another example is the Shire of Bridgetown-Greenbushes Council's annual allocation of \$130,000 (based on the 2022/23 budget the \$130,000 which equates to approximately 2.45% of rate income). Most local government authorities do not quarantine a set percentage of rates income for significant future capital projects however the majority, like the 2 examples provided, do deliver competitive and non-competitive funding opportunities for residents to apply for.

The opportunity exists for Council to consider exploring a set percentage of rates revenue for all competitive (applicant based) events, community group needs and activation requirements as well as possible infrastructure development in the event, activation and cultural service delivery area. Should this recommendation be endorsed it is anticipated that further research and a separate report be presented back to Council.

BRAG Advisory Group members acknowledged the difficulty of imposing an additional levy or specified rate on ratepayers and in discussions noted that there was a considerable, collective amount of funding being made available to community groups to deliver events and activate places. However, the possibility for Council to consider realigning some of these outgoings to achieve significant CBD activation and economic benefit was the driver with regard to this recommendation.

Analysis of Financial and Budget Implications

As the exact construction costs of a new gallery are unknown, it is likely that the exploration of financial impacts and the dollar allocation aligned to a 25% capped capital infrastructure contribution by the City of Bunbury will be estimates in the first year of the project planning but will be quantified more accurately through each of the project planning stages. A preliminary cost estimate for the proposed new gallery is \$45,000,000.

Financial and budget implications are difficult to accurately assess as the exact costs of the proposed new gallery and its ongoing operations are unknown at this stage. In order to effectively capture this detail a 4 year project management time line would allow for:

Year 1

Analysis of international trends and facilities to inform the preliminary planning of the new gallery that would ensure the correct foundation is laid to achieve an outcome that will secure Bunbury as an internationally renowned, premium art and culture tourism destination. This would result in a position statement to inform community engagement and project planning. Development of unique, iconic marketing brand and presence to best place BRAG to achieve its aspirational fundraising and sponsorship needs to secure 75% of the capital costs to build the proposed new gallery and to commence enhancement of BRAG as a local, regional, state and national iconic art gallery.

Year 2

Community engagement, needs assessment, feasibility study, business case (including economic modelling) preliminary concept plans (including site selection) and capital/operational costings, funding model development. Development of a BRAG Foundation to commence active fundraising.

Year 3

Active procurement of investment capital through grant funding applications, investment and sponsorship portfolio development and presentations, lobbying state and federal governments. Development of detailed design and project estimates. Development of procurement documentations. Tender process.

Year 4

Construction of new facility.

Community Consultation

Community consultation is anticipated to commence in 2023/24 financial year should the Advisory Group recommendations be endorsed. Community representation within the Advisory Group has proved highly beneficial.

Councillor/Officer Consultation

The Chief Executive Officer, Director Sustainable Communities, Manager Community Facilities, Team Leader BRAG (Director), BRAG Staff and Elected Members (elected member briefing session April 2023).

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Should the recommendations be endorsed by Council it is proposed that:

1. Terms of Reference for the Advisory Group and sub-committees/working groups would be completed by the BRAG Team Leader (Director) by 30 October 2023.
2. The project plan for the development of the BRAG Foundation would be developed by the BRAG Team Leader (Director) 30 June 2024.
3. A research consultant would be appointed during the 2023/2024 financial year to work with the BRAG Advisory Group and Team Leader (Director) to undertake research of international trends and facilities to prepare a position statement to guide project planning.
4. A research consultant would be appointed during the 2023/2024 financial year to work with the BRAG Advisory Group and Team Leader (Director) to develop an iconic, brand identity to drive the philanthropic fundraising activities associated with the proposed new gallery.
5. The 2023/2024 review of the City of Bunbury's Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Workforce Plan will reflect the commitment to build a new gallery with a commitment to invest 25% of total capital expenditure in the gallery and appoint/identify a project manager to oversee the infrastructure project management.
6. Exploration of recurring culture and event collection income streams would be completed by 30 June 2024 as part of the annual budget preparation process.
7. The construction timeline for a new gallery, if endorsed, will be a minimum of 4 years and will align with the City of Bunbury's project management framework and capital works programs within the identified 7 year project delivery recommendation.

Outcome of Meeting 17 October 2023

The CEO advised that he had amended the Executive Recommendation to the following:

*That Council receive the Bunbury Regional Art Gallery Draft Action Plan as **attached** at Appendix 10.1.1-A and support the Committee recommendations as noted below:*

That Council:

1. *Commit to building a new state of the art world class purpose built Art Gallery, with the ambition to deliver the project to the community within the next seven years.*
2. *Request the CEO to investigate the capacity for the Long Term Financial Plan to reflect a commitment to fund 25% of the capital costs associated with a purpose built, iconic art gallery within 7 years based on a preliminary cost estimate of \$45,000,000 total capital expenditure.*
3. *Consider the appointment of a Project Manager for the creation of a new gallery in the next review of the Work Force Plan.*
4. *Re-establish the BRAG Advisory Group until September 2025 with new terms of reference and four sub committees with the following responsibilities:*
 - i. *New Gallery Development Sub-Committee*
Identifies potential sites to locate a new gallery in alignment with budgets, resources, and COB strategies.
 - ii. *Gallery Foundation and Fundraising Sub-Committee*
Develops and implements the creation of a Foundation to support the purchasing capacity for the permanent collection, the care of the collection, and to enhance BRAG's ability to develop exhibitions of national and international touring quality.
 - iii. *Aboriginal Reference Group Sub-Committee*
Provides advice and high-level expertise across all mediums of contemporary and traditional Aboriginal art, including museum and gallery leadership, curatorial experience, and insights into making BRAG a more culturally safe gallery.
 - iv. *COB Policy and Public Art Sub-Committee*
Provides advice and high-level expertise in regard to policies as they pertain to BRAG and the COB Public Art Collection, in addition to making recommendations to the care, promotion, and commissioning of new works for Public Art in the City of Bunbury.
5. *Request the CEO to explore the establishment of a BRAG Foundation to support the expansion and care of the permanent collection, to enhance public programs, and to assist in the development of major exhibitions that will drive tourism and generate alternative revenue streams.*
6. *Request the CEO to explore the development of a levy to support arts and cultural activation in COB in alignment with other regional local government authorities in WA.*

The recommendation was moved by Cr Yip and seconded by Cr Steck.

The Mayor put the motion to the vote, and it was adopted to become the Council's decision on the matter.

Council Decision 218/23

That Council receive the Bunbury Regional Art Gallery Draft Action Plan as attached at Appendix 10.1.1-A and support the Committee recommendations as noted below:

That Council:

- 1. Commit to building a new state of the art world class purpose built Art Gallery, with the ambition to deliver the project to the community within the next seven years.***
- 2. Request the CEO to investigate the capacity for the Long Term Financial Plan to reflect a commitment to fund 25% of the capital costs associated with a purpose built, iconic art gallery within 7 years based on a preliminary cost estimate of \$45,000,000 total capital expenditure.***
- 3. Consider the appointment of a Project Manager for the creation of a new gallery in the next review of the Work Force Plan.***
- 4. Re-establish the BRAG Advisory Group until September 2025 with new terms of reference and four sub committees with the following responsibilities:***

1. New Gallery Development Sub-Committee

Identifies potential sites to locate a new gallery in alignment with budgets, resources, and COB strategies.

2. Gallery Foundation and Fundraising Sub-Committee

Develops and implements the creation of a Foundation to support the purchasing capacity for the permanent collection, the care of the collection, and to enhance BRAG's ability to develop exhibitions of national and international touring quality.

3. Aboriginal Reference Group Sub-Committee

Provides advice and high-level expertise across all mediums of contemporary and traditional Aboriginal art, including museum and gallery leadership, curatorial experience, and insights into making BRAG a more culturally safe gallery.

4. COB Policy and Public Art Sub-Committee

Provides advice and high-level expertise in regard to policies as they pertain to BRAG and the COB Public Art Collection, in addition to making recommendations to the care, promotion, and commissioning of new works for Public Art in the City of Bunbury.

5. Request the CEO to explore the establishment of a BRAG Foundation to support the expansion and care of the permanent collection, to enhance public programs, and to assist in the development of major exhibitions that will drive tourism and generate alternative revenue streams.

6. Request the CEO to explore the development of a levy to support arts and cultural activation in COB in alignment with other regional local government authorities in WA.

CARRIED UNANIMOUSLY

11 votes "for" / Nil votes "against"

10.9 Funding of the Dunstan Street Christmas Lights Event (listed as 10.2.1 in the agenda)

File Ref:	COB/3635
Applicant/Proponent:	Internal Report
Responsible Officer:	Mal Osborne, Chief Executive Officer
Responsible Manager:	Mal Osborne, Chief Executive Officer
Executive:	Mal Osborne, Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.2.1-A – Rotary Club Letter to COB Funding Request

Summary

The annual Dunstan Street Christmas Lights event in Bunbury draws thousands of local residents and visitors who come together to enjoy the display of Christmas lights, candles, and the festive atmosphere on the three evenings leading up to Christmas Day. It's been a special occasion for Bunbury over many years.

Executive Recommendation

That Council:

1. Approves a budget allocation of up to \$6,000 from PR-5083 to the South Bunbury Rotary Club to support the Dunstan Street Christmas Lights event, inclusive of expenses related to the traffic management plan, hiring accredited traffic management personnel, and securing volunteer insurance coverage.
2. Considers an ongoing allocation of funding as per the request by South Bunbury Rotary Club to fund traffic management for the Dunstan Street Christmas Lights event when Council considers donations, contributions and subscriptions in the formation of the 24/25 annual budget and the next iteration of the Corporate Business Plan.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	People
Outcome 2	Our Community and Culture
Objective 2.1	A growing hub of culture and creativity

Regional Impact Statement

This event helps to enhance our community spirit which cannot be measured in economic terms.

Background

Since its establishment in 1998, the Dunstan Street Christmas Lights annual event has remained an annual tradition within our community. This cost-free community gathering not only draws thousands of local residents but also attracts visitors to our City.

Whilst there hasn't been an official headcount conducted for this event, in 2022, volunteers stationed observed approximately 2,300 pedestrians passing through in a 2 hour period. Vehicle traffic, which included several minibuses, RVs, and vans, was continuous during this time frame. Based on these observations, the South Bunbury Rotary Club has estimated that the total number of attendees enjoying the festive lights on that evening alone ranged from 6,000 to 7,000 people.

Council Policy Compliance

Not Applicable

Legislative Compliance

Not Applicable

Officer Comments

This event was initially organised by a group of Dunstan Street residents, but as the event's popularity grew, it attracted a larger audience of motorists and pedestrians. To ensure the safety and effectiveness of the event, South Bunbury Rotary Club Members generously volunteered their time to oversee traffic management. However, changes in legislation have mandated the presence of Accredited Traffic Management personnel to take responsibility for implementing the traffic management plan and supervising volunteers during the event.

In 2022, South Bunbury Rotary Club members and Dunstan Street residents were fortunate to receive a \$5,000 grant from the City of Bunbury Neighbourhood Connect program, along with the event's inclusion in the City's Christmas in the City flyer. The uncertainty surrounding the successful acquisition of annual grants creates a period of anxious anticipation. This uncertainty hinders the timely organisation of the event, including securing personnel, insurance coverage, and communicating the event management plan to residents. Establishing an annual recurring budget allocation would alleviate this uncertainty, ensuring timely and efficient event planning and management.

Analysis of Financial and Budget Implications

The Chief Executive Officer's Budget holds available funds under 'PR-5083 - Discretionary funding allocation'.

Community Consultation

The Mayor and CEO received a funding request from the South Bunbury Rotary Club, which can be found at Appendix 10.2.1-A.

Councillor/Officer Consultation

Not Applicable

Applicant Consultation

Not Applicable

Timeline: Council Decision Implementation

Funds will be provided to the South Bunbury Rotary Club following Council Approval.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Yip.

The Mayor advised he would put each point of the executive recommendation to the vote separately. The outcome of each point was as follows:

Point 1

[That Council] Approves a budget allocation of up to \$6,000 from PR-5083 to the South Bunbury Rotary Club to support the Dunstan Street Christmas Lights event, inclusive of expenses related to the traffic management plan, hiring accredited traffic management personnel, and securing volunteer insurance coverage.

CARRIED UNANIMOUSLY

Point 2

[That Council] Considers an ongoing allocation of funding as per the request by South Bunbury Rotary Club to fund traffic management for the Dunstan Street Christmas Lights event when Council considers donations, contributions and subscriptions in the formation of the 24/25 annual budget and the next iteration of the Corporate Business Plan.

CARRIED

8 Votes “for” / 3 Votes “against”

Mayor Miguel and Councillors Andrew, Ghasseb, Kozisek, Quain, Smith, Steele and Yip voted “for.”
Councillors Giles, Steck and Turner voted “against.”

Council Decision 219/23

That Council:

- 1. Approves a budget allocation of up to \$6,000 from PR-5083 to the South Bunbury Rotary Club to support the Dunstan Street Christmas Lights event, inclusive of expenses related to the traffic management plan, hiring accredited traffic management personnel, and securing volunteer insurance coverage.**
- 2. Considers an ongoing allocation of funding as per the request by South Bunbury Rotary Club to fund traffic management for the Dunstan Street Christmas Lights event when Council considers donations, contributions and subscriptions in the formation of the 24/25 annual budget and the next iteration of the Corporate Business Plan.**

CARRIED

Taking a regional approach in the preparation of a tourism strategy allows the City to benefit from existing and upcoming regional opportunities.

Background

At the Ordinary Council Meeting held 5 September 2023, Council resolved as follows as part of Council decision 171/23:

That Council request the CEO prepare a report to Council to consider the establishment of a Tourism and Events Working Group by 17 October 2023 .

The matter was brought to Council’s attention previously via Mr Brian Rettinger who has provided a proposed *Tourism and Events Working Group Terms of Reference* **attached** at Appendix 10.4.3-A and a *City of Bunbury Tourism Planning* document **attached** at Appendix 10.4.3-B.

Council Policy Compliance

The City’s Governance Framework makes provision for the establishment of Working/Advisory Groups as a mechanism for facilitating and improving broader participation in the City’s decision-making process.

Legislative Compliance

Not applicable

Officer Comments

Over the past six months a comprehensive review of the Economic Development Action Plan (EDAP) and consultation with stakeholders has been undertaken in order to update the City of Bunbury EDAP. Through this process both Officers and stakeholders identified the need for a Tourism Plan to be developed. The EDAP has recently been workshopped with Elected Members with a view to determining how to reach the outcomes identified.

The development of a Bunbury Tourism Plan is not a funded project for the current financial year and in order for the City to undertake a tourism plan there would need to be additional resources provided and an experienced Consultant in this field would need to be engaged to undertake the work.

The introduction of a tourism working group is not without merit. With select individuals representing a cross section of the tourism industry who have experience or are currently actively involved in the tourism industry, recommendations could be made to the City in line with the proposed Bunbury Tourism Plan.

The Draft Terms of Reference (ToR) have been developed through integrating Mr Rettinger’s suggestions into the City’s template for Terms of Reference for working groups.

The City would seek membership to the working group through direct approach and expressions of interest to ensure the free flow of ideas and equal representation for industry, tourism experts and the City.

The primary outcomes of the Working Group would be.

- Provide advice to the City to be included as feedback for the creation of a Bunbury Tourism Plan on matters such as visitor servicing, promotion, product development, support of local business, key events and other key industry matters.
- Provide inputs and advice where requested during the preparation of the Proposed Bunbury Tourism Plan.
- Upon completion and endorsement of the Bunbury Tourism Plan, determine the role of this working group forward.

The City has received indications that an estimated figure of \$40,000 would be required to engage a consultant to assist with the development and delivery of a Bunbury Tourism Plan.

The consultants contacted also shared the need for the City to consider the proposed timeframe for undertaking the proposed body of work, noting availability of consultants given current demands (lead in time required); the end of year timeframe; and availability of tourism stakeholders to ensure valued and valuable engagement with industry, as we enter what is notably the busiest time of the year for the local tourism industry.

The Manager City Growth supports the development of a Bunbury Tourism Plan led by a Tourism Industry Consultant working with stakeholders to provide direction and clarity for both the City and the Bunbury Tourism industry.

Analysis of Financial and Budget Implications

It is proposed that \$40,000 be allocated through the October Budget Review Process to engage a consultant to prepare and assist in the delivery of the Bunbury Tourism Plan in line with recommendations of the EDAP.

Ongoing costs for implementing the outcomes of the Bunbury Tourism Plan will need to be considered within existing Budget allocations or determined within the construction of the 2024/25 City of Bunbury annual budget and beyond.

Community Consultation

Nil

Councillor/Officer Consultation

The Chief Executive Officer, Director Sustainable Communities, Manager City Growth, Mayor Jaysen Miguel, Cr Michelle Steck.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

October 2023	Council endorse Consultants Fees allocation to undertake preparation of a Bunbury Tourism Plan; Finalise scope for Consultant;
Oct/ Nov 2023	Advertise and seek Working Group members; RFQ for Consultant to market;
Nov/Dec 2023	Review RFQ's and engage Consultant; Council Endorse Working Group members;
December 2023	First Meeting of the Working Group to occur with Consultant;

April 2024 Draft Bunbury Tourism Plan to be workshopped with Elected Members;
May 2024 Bunbury Tourism Plan to be presented to Elected Members for endorsement.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Kozisek and seconded by Cr Steck.

The Mayor put the motion to the vote, and it was adopted to become the Council’s decision on the matter.

Council Decision 220/23

That Council:

- 1. Endorse the establishment of a City of Bunbury Tourism Working Group:**
 - (a) Endorse the Draft Terms of Reference for the City of Bunbury Tourism Working Group as attached at Appendix 10.4.3-C.**
 - (b) Endorse the City going out to advertising for the Membership as outlined in the Terms of Reference.**
- 2. Endorse the preparation of a Bunbury Tourism Plan in line with the recommendations of the Economic Development Action Plan.**
- 3. Consider the allocation of \$40,000 through the 23/24 Budget Review Process to engage a Consultant to prepare the Bunbury Tourism Plan.**

CARRIED UNANIMOUSLY
11 votes “for” / Nil votes “against”

10.11 Renaming section of Hennessy Road between Forrest Avenue and Sandridge Road to Boyce Road
 (listed as 10.5.2 in the agenda)

File Ref:	COB/255
Applicant/Proponent:	Internal
Responsible Officer:	Beth Kozyrski Engineering Technical Officer
Responsible Manager:	Aaron Lindsay, Manager Project and Asset Management
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.5.2-A Sandridge Hennessy Intersection Plan

Summary

To improve road safety the City installed a left turn slip lane at the intersection of Sandridge Road and Hennessy Road. As part of these works Hennessy Road was terminated at the location of the slip lane. The road modifications requires the City to rename the section of road between Forrest Avenue and Sandridge Road, formerly named Hennessy Road. The proposed new road name to be Boyce Road.

Executive Recommendation

That Council:

1. Endorse the name change of the road between Forrest Avenue and Sandridge Road, formerly Hennessy Road to Boyce Road.
2. Request that City provide appropriate public notice of the name change, including the relevant emergency services.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Place
Aspiration	An integrated, vibrant and well planned City.
Outcome 9	A city that is easy to get around safely and sustainably.
Objective 9.3	Improve road safety, connectivity and traffic flow.

Regional Impact Statement

There is no regional impact associated with the renaming of the section of Hennessy Road between Forrest Avenue and Sandridge Road.

Background

Due to the high rate of crashes that were occurring at the intersection of Sandridge Road and Hennessy Road, City Officers recognised the necessity to improve the safety of this intersection.

The City was successful in receiving State Government Blackspot Funding to undertake intersection improvement works. Works included the closure of the thoroughfare on Hennessy Road and the construction of a slip lane on Sandridge Road. These works have been informed by an independent

road safety audit which recommended the closure of the Hennessy Road thoroughfare due to its proximity with Sandridge Road (Refer Appendix 10.5.2-A – Sandridge Hennessy Intersection Plan).

Council Policy Compliance

Council Policy: Naming of Roads, Reserves, Bridges and Other Places applies.

Legislative Compliance

Land Administration Act 1997 Part 2 Division 3 Section 26 deals with the naming of any topographical feature, road or reserve.

Officer Comments

Landgate Geographic Names (LGN) have provided preliminary approval of the proposed road name to be Boyce Road. The origin of the name is as follows:

Named after John William Boyce who was born in Tunbridgewells, Kent in 1838 died in Bunbury in 1901. At age 29 John Boyce immigrated to Sydney as a seaman on the “Mataura”. He then travelled to WA and settled in Bunbury. John Boyce set up a business as a fisherman. There was a jetty named “Boyce Jetty” in Stirling Street where the existing boat ramp is now located.

John Boyce married Mary Anne Brennan in November 1869. They became parents to six daughters and one son but sadly two daughters died in infancy.

Analysis of Financial and Budget Implications

The street sign will be replaced and will be accommodated within the City’s existing signage budget.

Community Consultation

The road name change will not directly affect any landowners as there are no rateable properties on this section of road.

The City undertook engagement with the two business located adjacent to the proposed section of road to be renamed.

Once the name change is formalised with LGN, the City will notify residents of the name change via an article in the City Focus and a media release.

Councillor/Officer Consultation

Not Applicable.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Following Council endorsement the City will submit the road name to Landgate for approval.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Andrew and seconded by Cr Turner.

Councillor Quain requested an amendment to include an additional point to the motion as follows:

3. *Request the CEO to workshop with elected members to identify future road and geographic names for Bunbury.*

Cr Andrew and Cr Turner, being the mover and seconder agreed to amendment and thus the additional point formed part of the substantive motion.

The Mayor put the motion to the vote, and it was adopted to become the Council's decision on the matter.

Council Decision 221/23

That Council:

- 1. Endorse the name change of the road between Forrest Avenue and Sandridge Road, formerly Hennessy Road to Boyce Road.**
- 2. Request that City provide appropriate public notice of the name change, including the relevant emergency services.**
- 3. Request the CEO to workshop with elected members to identify future road and geographic names for Bunbury.**

CARRIED UNANIMOUSLY
11 votes "for" / Nil votes "against"

11. Applications for Leave of Absence

Nil

12. Motions on Notice

Nil

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

Nil

13.2 Questions from Members

Nil

14. New Business of an Urgent Nature Introduced by Decision of the Meeting

Nil

15. Meeting Closed to Public

A procedural motion pursuant to Standing Order 11.1(h) that the meeting be closed to the public was moved by Cr Andrew and seconded by Cr Steele.

The Mayor put the motion to the vote, and it was adopted to become the Council's decision on the matter.

Council Decision 222/23

That Council pursuant to Standing Order 11.1(h) close the meeting to the public to deal with the following item on the agenda:

10.3.2 CEO Contract Finalisation

15.1.1 RFQ2324/006 Traffic Management Services

CARRIED UNANIMOUSLY

11 votes "for" / Nil vote "against"

The meeting was closed to the public at 5:59pm.

15.1 Matters for which the Meeting may be Closed

15.1.1 CEO Contract Finalisation (listed as 10.3.2 in the agenda)

File Ref:	COB/515
Applicant/Proponent:	Internal
Responsible Officer:	Director Karin Strachan, Director Strategy and Organisational Performance
Responsible Manager:	Director Karin Strachan, Director Strategy and Organisational Performance
Executive:	Director Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Confidential Appendix 10.3.2-A Confidential Deed of Settlement and Release (under separate cover)

Summary

The City of Bunbury Council has appointed Alan Ferris to the role of CEO, commencing 13 November 2024. The outcome of that appointment is that, subject to a Deed of Agreement being endorsed that outlines terms for the finalisation of his employment with the City of Bunbury, Mr Mal Osborne will conclude employment on the 10th November 2023.

Executive Recommendation

That Council support and agree to the finalisation of employment in accordance with the confidential attachment CRUSC 10.3.2-A.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Performance
Outcome13	A leading local government
Objective 13.1	Strong and accountable leadership

Regional Impact Statement

There is significant reputational impact regionally for the City, should the City attempt to have two CEOs operating concurrently.

Background

In 2023 the City began recruiting for a new CEO following the advice from the current CEO Malcolm Osborne, that he did not intend to seek another term of contract with the City.

This recruitment process was finalised in June 2023 and the City negotiated with the recommended candidate for a starting date of 13 November 2023.

Mr Osborne's contract expires on 23 February 2024.

To finalise Mr Osborne’s contract, Council is required to consider and approve the attached Deed of Settlement.

This will allow the Council to finalise the employment contract for Mr Mal Osborne.

Council Policy Compliance

NA

Legislative Compliance

NA

Officer Comments

Council is asked to consider and support this item.

Analysis of Financial and Budget Implications

Budget implications of this matter will be accommodated within existing budget allocations.

Community Consultation

NA

Councillor/Officer Consultation

NA

Applicant Consultation

NA

Timeline: Council Decision Implementation

If approved, this Council decision will be actioned immediately.

Outcome of Meeting 17 October 2023

The recommendation (as written) was moved by Cr Steele and seconded by Cr Giles.

The Mayor put the motion to the vote, and it was adopted to become the Council’s decision on the matter.

Council Decision 223/23

That Council support and agree to the finalisation of employment in accordance with the confidential attachment CRUSC 10.3.2-A.

CARRIED UNANIMOUSLY

8 votes “for” / 3 votes “against”

Mayor Miguel and Councillors Andrew, Giles, Kozisek, Smith, Steele, Turner and Yip voted “for.”

Councillors Ghaseb, Quain and Steck voted “against.”

15.1.2 RFQ2324/006 Traffic Management Services (listed as 15.1.1 in the agenda)

File Ref:	RFQ2324/006
Applicant/Proponent:	Internal
Responsible Officer:	Jane Parsons, Team Leader Procurement Andre Van de Merwe, Coordinator Works
Responsible Manager:	David Ransom, Manager Finance Aileen Clemens, Manager Infrastructure Maintenance Services
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix CRUSC- 1: RFQ2324/006 Traffic Management Services

This report is confidential in accordance with section 5.23(2)(e)(ii) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(e), (ii) a matter that if disclosed, would reveal information that has commercial value to a person

A confidential report and recommendation will be circulated to members **under separate cover** (Confidential Report CRUSC-1). The report is not for circulation.

Outcome of Meeting 17 October 2023

Cr Steck left the chamber at 6:17pm as she had declared a financial interest in this matter.

The recommendation (as written) was moved by Cr Steele and seconded by Cr Giles.

The Mayor put the motion to the vote, and it was adopted to become the Council’s decision on the matter.

<p>Council Decision 224/23</p> <p>That the Council:</p> <ol style="list-style-type: none"> Pursuant to RFQ2324/006 Traffic Management Services, accept the quotation from CB Traffic Solution Pty Ltd (ACN 608 738 183) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations); Delegates power and authority to the Chief Executive Officer to negotiate and agree with CB Traffic Solution Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget; Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with CB Traffic Solution Pty Ltd to provide traffic management services. Following entry into the contract, negotiate variations with CB Traffic Solution Pty Ltd to the respective Contract, subject to there being sufficient funds available within the approved budget expenditure for that project or line item. <p>CARRIED UNANIMOUSLY 10 votes “for” / Nil votes “against”</p>
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A procedural motion to reopen the meeting was moved by Cr Andrew and seconded by Cr Giles.

The Mayor put the motion to the vote, and it was adopted to become the Council’s decision on the matter.

Council Decision 225/23

That the meeting be reopened to the public.

CARRIED UNANIMOUSLY
10 votes “for” / Nil votes “against”

Councillor Steck returned to the chamber at 6:18pm.

The meeting was reopened to the public at 6:18pm.

15.2 Public Reading of Resolutions that may be made Public

The Mayor read aloud the decisions relating to the following items:

15.1.1 CEO Contract Finalisation (listed as 10.3.2 in the agenda)

That Council support and agree to the finalisation of employment in accordance with the confidential attachment CRUSC 10.3.2-A.

15.1.2 RFQ2324/006 Traffic Management Services (listed as 15.1.1 in the agenda)

That the Council:

1. Pursuant to RFQ2324/006 Traffic Management Services, accept the quotation from CB Traffic Solution Pty Ltd (ACN 608 738 183) subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations);
2. Delegates power and authority to the Chief Executive Officer to negotiate and agree with CB Traffic Solution Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget;
3. Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with CB Traffic Solution Pty Ltd to provide traffic management services.
4. Following entry into the contract, negotiate variations with CB Traffic Solution Pty Ltd to the respective Contract, subject to there being sufficient funds available within the approved budget expenditure for that project or line item.

16. Closure

The Mayor declared the meeting closed at 6:20pm.

Confirmed this day, 7 November 2023 to be a true and correct record of proceedings of the City of Bunbury Council Meeting held 17 October 2023.



Jaysen de San Miguel
Mayor