

## Annual General Meeting of Electors

### Minutes

30 January 2024

Pursuant to Section 5.27 of *the Local Government Act 1995*, a General Meeting of Electors is to be held within a local government district once every financial year.

#### Meeting advertised for public information as follows:

- Bunbury Herald 'City Focus Column on Tuesday 9, 16, 23 and 30 January 2024.
- Notice posted on notice boards in the City's Customer Service Centre, City Library and Withers Library between 8 January and 30 January 2024.
- Notice posted on City's website between 8 January and 30 January 2024.
- Notice posted on City's social media account (Facebook) between 9 January and 30 January 2024.



**CITY OF BUNBURY**  
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Western Australia  
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## 1. Welcome by the Mayor

The Mayor declared the meeting open at 6.30pm 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 community and their cultures; and to Elders past, present and emerging.

## 2. Record of Attendance, Apologies and Leave of Absence

### City of Bunbury Representatives

Mayor Jaysen Miguel, Presiding Member  
Alan Ferris, Chief Executive Officer  
Gavin Harris, Director Infrastructure  
David Russell, A/Director Sustainable Communities  
Karin Strachan, Director Strategy and Organisational Performance  
Greg Golinski, Manager Governance  
Maureen Keegan, Senior Governance Officer  
Liam Murphy, Governance Officer  
Kate Fielding, Media and Engagement Officer

### Bunbury Electors

Emily McKelvie; John Collins; Lois Woodlams; Jane Anderson; Michael Buswell; Bernhard Bischoff; Steve Larsson; Ross Rason; Lloyd Parker; Sonya Dye; Kath Fenton; Mike Fenton; Cr Gabi Ghaseb; Cr Tresslyn Smith; Cr Ben Andrew; Cr Todd Brown;

### Apologies

Cr Cheryl Kozisek; Cr Marina Quain; Cr Parthasarathy Ramesh; Cr Michelle Steck; Cr Karen Steele; Cr Karen Turner

## 3. Annual Report for the Year Ended 30 June 2023

### 3.1 *Mayor's Report 2022/2023*

The Mayor provided his report for the financial year 1 July 2022 to 30 June 2023 as depicted within the Annual Report.

### 3.2 *Acceptance of Annual Report 2022/2023*

Recommendation:	Moved: Emily McKelvie	Seconded: Sonya Dye
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*The Annual Report of the City of Bunbury for the year ending 30 June 2023 be received.*

**CARRIED**

## 4. Business of the Meeting

### 4.1 Questions of Which Notice Has Been Given

The following persons gave written notice of questions as below. The questions were responded to by the Mayor.

#### **Brian Rettinger**

Brian Rettinger requested that the preamble to his questions also be included in the minutes as follows:

*The Bunbury Visitor Centre, "or BVC" was formerly located in an accessible central CBD location, namely in the Old Train Station, until early November 2021. Over the years it attracted many visitors there, up to 5000 to 6000 per month during its peak periods.*

*However, a security incident occurred there at that time. I will not discuss all the here, but in response to the threat, I understand that the BVC staff locked the front door to keep out a potential intruder outside. Apparently, this person required medical attention so a BVC staff member called Triple Zero to request urgent assistance.*

*On 4 November 2021, all the BVC staff were transferred "temporarily" to the ground floor of the City's Admin Building, initially for their safety and well-being. However, this move was to an inappropriate location because very few visitors went there. Unfortunately, the City's Management allowed BVC's staff to work there for over 15 months, in spite of several attempts by Bunbury's community and local businesses to convince the City to find another more appropriate location in the CBD for the BVC. After obtaining more than 160 signature on a petition, a Special Electors Meeting was held on 7 November 2022, wherein in an overwhelming majority of the community and local business attendees voted for the BVC to be located back into the CBD, either at or within a 500 metre radius from the Old Train Station.*

*Additionally, Cr. Gabi Ghasseb conducted his own business survey by personally visiting about 50 local businesses. The results were that all the businesses except one favoured a CBD location for the BVC.*

*But, in spite of all the efforts made by the community, the City adopted a plan in March 2023 to split-up the VC staff into two different locations for 12 months as a "trial" to see which site received more visitors. We already know that the History & Heritage Museum in the CBD is receiving far more visitors than the Dolphin Discovery Centre, which is NOT in the CBD and it is subject to seasonal variations with visitors, whilst the History Museum is not.*

*The outcome is that we've lost over 2 years in trialling various "temporary" locations for the BVC staff and it is not effectively servicing our visitors. The City is ignoring the "common sense" solution of reestablishing a visible and accessible BVC office in the CBD, and has ignored all the earlier recommendations made by the community and local businesses. This is NOT being democratic nor effective.*

*In being a local tour operator for 7 years, my professional recommendation is to relocate the BVC staff members back to their former office at the Old Train Station, but only after it gets a facelift and when any potential safety and security issues are satisfactorily addressed by the City. Simply put, productive time servicing our visitors at the BVC is not effective because there is no better location for the office than the easily accessible and highly visible Old Train Station.*

*The relevant question now is does the City have a commitment to re-activate “Places” like the former BVC office? I hope so, for the sake of both Bunbury and our future visitors. It’s time now to become a Visitor centric city and treat the needs and expectations of our future visitors as a top priority.*

**Question 1**

When will Visitor stats be presented to Council for the two (locations) for Bunbury’s Visitor Centre Personnel (Dolphin Discovery Centre and Bunbury Museum and Heritage Centre)?

**Response (Mayor)**

*The trial is to conclude in March 2024 so a report will more than likely be presented to Council in April 2024 once the metrics have been produced based on available information.*

**Question 2**

When will the Bunbury Visitor Centre personnel be in one location, preferably at a location in the CBD that is accessible with parking?

**Response (Mayor)**

*The outcome of the Visitor Centre trial, is to be presented to Council in 2024, and will inform a Council Decision on whether the Visitor Centre will remain in two locations or return to a single location, and where that location will be.*

**Question 3 (Statement)**

I refer the Councillors, Mayor and CEO to the outcomes of the Special Elector’s Meeting held on 7 November 2022. The overwhelming majority of attendees want the Bunbury Visitor Centre to be located back in the CBD (where the Visitors are).

**Response (Mayor)**

*At the Ordinary Council Meeting held 29 November 2022, motions from the Special Meeting of Electors were presented to Council. At this Meeting, it was decided (264/22):*

1. *Defer the Council decision 177/22 of 16 August 2022, until a report has been received following a twelve-month temporary relocation as proposed in point 2 (below).*
2. *Support a twelve-month temporary relocation at two sites for Visitor Information Services, being:*
  - (i) *Primary Accredited Visitor Centre & administrative centre co-located at the Bunbury Museum and Heritage Centre, Arthur Street, Bunbury.*
  - (ii) *Satellite visitor service co- located with the Bunbury Dolphin Discovery Centre, Koombana Drive, Bunbury.*
3. *Agree to the relocation costs for the Visitor Information service to be funded from existing project PR-5082 Relocate Bunbury Visitor Centre*
4. *Requests that the Chief Executive Officer provides a further report back to Council following the twelve-month temporary relocation, detailing visitor numbers, visitor satisfaction and any other relevant matters.*
5. *Notes that a budget request to fund the development of a Bicentennial Square precinct plan (which includes the Old Railway Station and bus station) will form part of the 2023/24 budget deliberations.*

6. *Notes that community safety concerns are to be considered and addressed within the draft Community Safety Plan to be completed for Elected Member consideration in June 2023*

**John and Susan Collins**

Mr Collins requested that the preamble to his questions also be included in the minutes as follows:

*Mr Mayor, our questions relate to the Specified Area Rate, Pelican Point Grand Canals.*

*We are ratepayers in the Pelican Point Grand Canals estate since the 2014/15 financial year.*

*We have referenced the City of Bunbury report titled “2014/15 Statement of Proposed Rates for General Rates, Minimum Rates and Specified Area Rates”.*

**Question 1**

In which financial year was the Specified Area Rate, *Pelican Point Grand Canals*, first introduced.

***Response (Mayor)***

*1998/1999*

**Question 2**

How much is the rate yield for the 2023/24 financial year?

***Response (Mayor)***

*\$56,081.00*

**Question 3**

Can you provide the evidence that fully explains the basis upon which the Specified Area Rate for the last three (3) financial years has been increased from 0.01216 to 0.01277 to 0.01366 (rate in \$)?

***Response (Mayor)***

*The Specified Area Rate has been increased by the general rate increase each year. 2.5% in 2021/2022, 5% in 2022/2023 and 7% in 2023/2024*

**Question 4**

Is the Specified Area Rate the same for all properties in the Grand Canals Specified Area?

***Response (Mayor)***

*The Specified Area Rate is the same for all properties.*

*The amount paid varies as it's based on each properties Gross Rental Value (GRV) multiplied by a rate in the dollar.*

**Question 5**

How many properties located in the Grand Canals Specified Area are situated on

- a canal lot, and on
- a non-canal lot?

***Response (Mayor)***

*86 canal lots, and 69 non-canal lots*

**Question 6**

Ratepayers and residents of properties which are on non-canal lots do not benefit to the same extent, if at all, as those on canal lots in many respects, especially in having direct access to the canal waterways from the canal walls and/or a private jetty.

Why then, should ratepayers of non-canal lots be contributing to the periodic dredging, clearing and maintenance of the canal waterways?

**Response (Mayor)**

*The Specified Area Rate was levied on all properties in the Grand Canal Pelican Point Development.*

*Although non-canal lots do not have direct access to the canal they do benefit from having the canal waterways in the development, satisfying Section 6.37(1) of the Local Government Act 1995.*

**Bernhard Bischoff**

**Question 1**

Has the City Council, in relation to the planned development at the Buswell Foreshore, taken account of the outstanding historic significance and subsequent opportunities of the area at the western end of the Foreshore, where a cairn and plaque commemorate Stirling's pegging of his selection, granted to him as Leschenault Loc. 26 in 1841, the pegging which from all evidence lead to the beginning of Bunbury and the opening up of the region in March 1830?

**Response (Mayor)**

*The current works at Frank Buswell Foreshore are on the eastern half of the foreshore, includes the replacement of the seawall and footpath. Other works include the replacement of playground equipment at a location to be determined following community consultation. There are no proposed works where the cairn and plaque are located. No further acknowledgements have been planned or budgeted at this stage but may be included in future Bunbury Heritage Trail reviews and subject to engagement with the community.*

**Lloyd Parker**

**Question 1**

Can the City of Bunbury suggest to the Bunbury Herald not to use plastic bags during non winter season? i.e rubber bands.

**Response (Mayor)**

*While the City has no enforcement capacity in this space, as part of our commitment to advocate for an environmentally sustainable community, the City could reach out to local organisations (such as the Bunbury Herald) and provide suggestions on plastic alternatives.*

**Question 2**

Will the Bunbury Council Consider planting palm trees in the nature strip along Koombana Bay beach?

**Response (Mayor)**

*The City's Greening Plan Bunbury is the guiding principle for our tree planting program. The City plants the appropriate trees for the location, should additional planting take place at Koombana Bay the tree selection will be determined by the best species for the location. Prior to planting trees in an area a detailed precinct plan outlining tree species and location will be undertaken.*

**Mike Fenton**

**Question 1**

In 2017, Bunbury Mayor Brennan stated, "... "The City is happy to be part of the conversation, .... We won't take carriage for dealing with homelessness ... We'll be at the table involving ourselves in that conversation..."

Can Council please:

- a) List the events/occasions on which City of Bunbury was at the table conversing about homelessness/rough sleepers during the two calendar years ending 31st Dec 2022 and 2023;
- b) Table/circulate for public access any agendas/Minutes/notes recording the events/occasions listed in a) above.

**Response (Mayor)**

*City Officers regularly catch up with various stakeholders and agencies for informal catch ups in person and via phone. There are no minutes of these meetings.*

*Other Meetings were organised by external bodies, at which the City of Bunbury was a stakeholder. Minutes of these meetings are not available for distribution as the content of those meetings deal with confidential information related to identities of Homeless people. City Officers had to sign a confidentiality waiver before they could attend these meetings.*

*Groups coordinated by the WA Alliance to End Homelessness involve all the support agencies and City of Bunbury is a member of these groups.*

<b>Group</b>	<b>Frequency</b>	<b>Start Date</b>	<b>Time</b>	<b>Location</b>
<b>Rough Sleeper Coordination Group "RSCG" (Grassroots style)</b>	Fortnightly	August, 2021	1.5 hours	Rotates between agencies
<b>Improvement Team (strategic level)</b>	Monthly	February, 2022 *	1 hour	Microsoft Teams

*City Officers also attended:*

- *WA Alliance to End Homelessness Strategy Review on 7 December 2023 which went for 4 hours*
- *Shelter WA Bunbury Support Group Catch Up on 17 May 2023*
- *Shelter WA Strategic Catch Up with CoB on 19 May 2023 for 1.5 hours.*

*In 2023, the City prepared a Community Safety & Crime Prevention Plan and this process included a Community Safety Advisory Group which held meetings. The Department of Communities and Dept Communities and Anglicare were Stakeholders at these meetings. These occurred on: 11 August 2023; 16 June 2023; 2 June 2023; and 12 May 2023. Additionally there were Community Interviews and Focus Groups for the Community Safety & Crime Prevention Plan that were facilitated by the City of Bunbury and Edith Cowan University held on: 18 May 2023; 5 April 2023; 31 March 2023; and 30 March 2023. The Community Safety and Crime Prevention (CSCP) Plan: [Community-Safety-and-Crime-Prevention-Plan-2023.pdf \(bunbury.wa.gov.au\)](https://www.bunbury.wa.gov.au/Community-Safety-and-Crime-Prevention-Plan-2023.pdf)*

*Additionally Homelessness is a regular item on the Rangers Monthly Meeting Agenda however this is generally related to specific issues.*



*At the Ordinary Council Meeting held 12 December 2023, Council Decided (269/23)*

*“That the City of Bunbury establish a “Homelessness and Housing Solutions Working Group”. A Report on and Terms of Reference for this is Working Group currently being prepared by for presentation to Council.*

**Question 2**

An unused, large building and its adjoining residence (Lots 34-38), stand on the corner of Forrest Ave and Alexander St. They previously housed Bunbury's Fire Station, its personnel and equipment, 24/7.

Can Council please name the registered owner/s of those properties as recorded in State Government Title Deed Records.

**Response (Mayor)**

*There are five lots in Forrest Avenue (corner Alexander) which are managed by the Fire and Emergency Services Ministerial Body.*



**Question 3**

A dangerous, recurring overgrowth at Picton Crescent caused a major traffic hazard late last year. Its source of origin was a private residence in Picton Crescent. It was cleaned up (including chipping) before Christmas by City of Bunbury personnel.

Can Council please table at the 2024 Annual Electors' Meeting the COB Invoice (appropriately redacted) which was issued to recover costs from the owner of the same Picton Cr premises whose vegetation and trees caused this traffic hazard?

**Response (Mayor)**

*This work was undertaken as a road safety issue and staff dealt with vegetation that was contained in the road reserve or overhanging the road reserve which is an area that we are responsible for.*

*No invoice has been sent to the property owner.*

## **4.2 Questions from Electors at the Meeting**

The following persons asked questions at the meeting from the floor. Where questions were taken on notice, the answers are now provided within these minutes.

### **Jane Anderson**

#### **Question 1**

With reference to the recent passing of the motion for a City of Bunbury working group to address Homelessness, can the Council investigate whether there is any actual evidence of PFAS contamination that would prevent habitation of the fire station with the view of it being considered a suitable site for a much needed emergency shelter?

#### **Response**

*The question was taken on notice at the meeting. A subsequent response is detailed below.*

*The City does not have any control over the fire station land located on Forrest Avenue as this is managed and owned by the Fire and Emergency Services Ministerial Body and therefore the City is not able to confirm if the site is contaminated. Once the Council Homelessness and Housing Solutions Working Group has finalised its terms of reference, a clearer picture can be provided on the City's role in this area.*

### **Steve Larsson**

#### **Question 1**

What work is the City undertaking to deal with the weed problems seen on verges around a number of the City's intersections?

#### **Response**

*The question was taken on notice at the meeting. A subsequent response is detailed below.*

*The City undertakes regular weed mitigation and control activities for road reserve and verges in accordance with the City's Weed Management Plan. The Plan is underpinned by site and weed prioritisation. Sites that are highly prioritised include sites with functional values, aesthetic values or that are a risk to community safety (e.g. fire hazard). Weeds are prioritised according to their listing under the Biosecurity and Agriculture Management Act 2007 (BAM Act), where the City is legally obligated under the Act to control these weeds. Other common weeds (e.g. Fleabane, Caltrop, Dandelion, Flat Weed, Blue Lupin and many more) are a lower priority and are controlled as required, depending on the species and season. Weed control in road reserves and verges includes twice-annual spraying of City controlled road reserves and verges (autumn and spring) alongside year-round hand weeding.*

### **4.3 Motions of Which Notice Has Been Given**

Prior to the meeting, the following persons gave notice of motions that they wished to move at the meeting:

1. Mr John Collins
2. Mr Bernhard Bischoff

Each motion and their outcomes are detailed below.

#### **Motion 1**

John Collins moved, and Steve Larsson seconded a motion as follows:

***That Council request the CEO:***

- 1. To have relevant Officers complete a comprehensive review of the Specified Area Rate, Pelican Point Grand Canals according to Section 6.37 of the Local Government Act.***
- 2. That Section 6.37 (1) be applied fairly to ratepayers or residents of non-canal lots within the area, and that they be subsequently removed from any financial obligation in the specified area, as from the financial year 2024/25.***
- 3. That ratepayers or residents of canal lots, who are or will be, the direct beneficiaries and users of the canal waterways facility, bear the contribution costs for their on-going dredging, clearing and maintenance as from the financial year 2024/25.***

John Collins requested that the following comments as made by himself be included in the minutes of the meeting:

*Bunbury is my birthplace. I attended Bunbury Senior High School. My further education and career has taken me to many parts of Australia. Now, as a ratepayer in Pelican Point Grand Canals, I am passionate to preserve the amenity and facility of the natural environment in which I live.*

*My property at 7 Sabina Way is a “dry lot”, which means it does not have a canal frontage. We receive no direct benefit from the canal waterways. There is no “ratepayer only” access for us to use the canal system by way of a pathway, a jetty or a ramp. Our access to the canal waterways is the same as any member of the public, and they don’t pay anything.*

*In these circumstances, then clearly to me, there is no immediate and tangible basis to apply Section 6.37(1) of the Local Government Act. I request that all ratepayers of “dry lots” be removed from the Pelican Point Grand Canals Specified Area Rate.*

Steve Larsson requested that the following comments as made by himself be included in the minutes of the meeting:

*My name is Steve Larsson and I have lived in Bunbury since 1961 some 63 years ago.*

*I have been a very active member of the community over that time with a long association with the Bunbury Football Club and being a past president of the Pelican Point Golf Estate residents committee.*

*Pelican Point Grand canals has wonderful facilities including the Riviera boat ramp, several BBQ areas the San Marco Promenade Park and Playground and is surrounded by a dual use path.*

*I must say that currently the lawns and riverbanks are in a very poor state, and I have been in contact with Bunbury City Council staff regarding this issue.*

*Members of the public do not pay to use any of these facilities and rightly so.*

*There is no facility especially for the benefit and enjoyment of ratepayers of non-canal lots.*

*My Residence in Epacris Elbow is not on the canals.*

*I believe that the specified Area rates I have paid in the last 5 years, is simply a subsidy for those living on the canals.*

*I do not receive any benefit nor have any access to the canals for the money I pay.  
It is an unfair Levy and should be removed.*

*I second the motion.*

The Mayor put the motion to vote and it was **CARRIED** to become the Electors' Decision.

## **Motion 2**

Bernhard Bischoff moved, and Sonya Dye seconded a motion as follows:

***The Council consider setting aside an area at the western end of Frank Buswell Foreshore for a memorial where, among other things, Governor Stirling's contribution to Bunbury and the Region can be explained.***

The Mayor put the motion to vote and it was **CARRIED** to become the Electors' Decision.

#### **4.4 Motions from Electors**

The Mayor called for motions from the floor.

##### **Motion 3**

Michael Buswell moved, and Jane Anderson seconded a motion as follows:

***That Council investigate and endorse the Nuytsia Floribunda as the City's Floral Emblem.***

The Mayor put the motion to vote and it was **CARRIED** to become the Electors' Decision.

##### **Motion 4**

Lloyd Parker moved, and Steve Larsson seconded a motion as follows:

***That the City of Bunbury contact the Bunbury Herald suggesting not to use plastic bags during non-winter seasons and use an alternative such as rubber bands.***

The Mayor put the motion to vote and it was **CARRIED** to become the Electors' Decision.

***Note that pursuant to section 5.33 of the Local Government Act 1995, all decisions made at an electors' meeting are to be considered at the next Ordinary Council Meeting or, if that is not practicable, at the first Ordinary Council Meeting after that meeting or at a special meeting called for that purpose, whichever happens first.***

#### **5. Closure**

The Mayor closed the meeting at 7:27pm thanking those in attendance for their contributions.

Confirmed this day, 20 February 2024 to be a true and correct record of proceedings of the City of Bunbury Annual General Meeting of Electors held 30 January 2024

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Jaysen de San Miguel  
**MAYOR**