



## City of Bunbury Council

### Minutes

24 September 2024



**CITY OF BUNBURY**

4 Stephen Street  
Bunbury WA 6230  
Western Australia

*Correspondence to:*  
Post Office Box 21  
Bunbury WA 6231

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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 community and their culture; 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

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## 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 community and their culture; 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**

Any plans or documents contained within this Agenda and any associated Appendices are Copyright of the City of Bunbury. The content is protected by Australian and International copyright trademark. Content must not be modified or reproduced without written authorisation of the City of Bunbury.

### **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 7000.

## **3. Announcements from the Presiding Member**

Nil

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## 4. Attendance

<b>Council Members:</b>	
Presiding Member:	Mayor J de San Miguel
Members:	Deputy Mayor T Smith
	Councillor B Andrew
	Councillor T Brown
	Councillor M Kozisek
	Councillor M Quain
	Councillor K Turner
	Councillor M Steck
	Councillor P Ramesh
	Councillor G Ghasseb
<b>Executive Leadership Team (Non-Voting)</b>	
Chief Executive Officer	Mr A Ferris
A/Director Infrastructure	Ms A Clemens
Director Corporate and Community	Ms K Strachan
Director Sustainable Communities	Mr A McRobert
<b>City of Bunbury Officers (Non-Voting)</b>	
Manager Governance and Integrated Planning	Mr G Golinski
Manager Finance	Mr D Ransom
Governance Officer	Mr L Murphy
<b>Others (Non-Voting)</b>	
Members of the Public	6

### 4.1 Apologies

Cr Steele was an apology for the meeting.

### 4.2 Approved Leave of Absence

Nil

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### 4.3 Attendance at Previous Meetings

\*Data begins from 1 July 2023.

Meeting type	Mayor Miguel	Deputy Mayor Smith	Cr Andrew	Cr Brown	Cr Ghasseb	Cr Kozisek	Cr Quain	Cr Ramesh	Cr Steck	Cr Steele	Cr Turner
Ordinary Council Meeting	18/20	20/20	20/20	14/15	19/20	19/20	19/20	14/15	17/20	19/20	20/20
Special Council Meeting	6/6	6/6	6/6	2/2	5/6	6/6	6/6	2/2	5/6	6/6	6/6
Agenda Briefing	17/20	19/20	20/20	14/15	16/20	19/20	19/20	15/15	14/20	15/20	20/20
Audit Committee	4/4	1/1	2/2	N/A	4/4	1/1	3/4	N/A	3/4	N/A	1/1
Bunbury Events Advisory Committee	N/A	N/A	N/A	N/A	1/1	N/A	2/3	2/2	1/1	N/A	3/3
CEO Performance Review Committee	2/2	1/1	N/A	N/A	1/2	2/2	1/1	N/A	0/2	1/2	N/A
Disability Access and Inclusion Committee	N/A	N/A	2/2	N/A	1/2	N/A	N/A	N/A	N/A	N/A	2/2
Heritage Advisory Committee	N/A	4/4	N/A	2/3	N/A	3/4	1/1	N/A	1/1	N/A	N/A
International Relations Committee	N/A	2/2	N/A	2/2	0/2	N/A	N/A	2/2	N/A	N/A	N/A
Policy Review and Development Committee	N/A	5/5	N/A	N/A	4/4	4/5	5/5	N/A	N/A	5/5	N/A
Youth Advisory Council Committee	N/A	N/A	1/1	N/A	N/A	N/A	1/1	N/A	N/A	N/A	2/2

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## 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 Andrew declared an impartiality interest in item 10.1.6 New Council Policy: Personal Memorials in Public Spaces as he is a member of the Bunbury Cemetery Board.

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## Declaration of Interest Form

Sections 5.65, 5.66, 5.67 & 5.68 Local Government Act 1995

This form is for use at meetings of the City of Bunbury Council its Advisory Committees and Working Groups.

**Directions:**

1. Complete this form and give it to the Presiding Member or an officer at the meeting before the meeting commences.
2. If required, leave the meeting when the agenda item in which you have an interest is discussed
3. The Presiding Member will call you back into the meeting at the conclusion of the discussion, debate and vote on the item.

Discloser's Name:	.....				
Discloser's Title:	<input type="checkbox"/> Mayor <input type="checkbox"/> Councillor <input type="checkbox"/> Committee Member (where not an elected councillor or City employee) <input type="checkbox"/> City of Bunbury Employee - <i>please state your position title below:</i> .....				
Name & Date of Meeting:	<b>Type of Meeting (tick one)</b> <input type="checkbox"/> Council Meeting (this will also apply to any corresponding agenda briefing session) <input type="checkbox"/> Committee of Council: (insert name of Committee below) .....	<b>Date of Ordinary Council Meeting:</b> ...../...../..... <b>Date of Committee Meeting:</b> ...../...../.....			
Insert the heading (or title) of the agenda report in which you wish to disclose an interest AND state the type of Interest (please tick one of the boxes in Part A or Part B)	<b>Part A (Financial Interest/Proximity Interest)</b> If you consider your interest (Part A) to be trivial you can request to stay and participate in the discussion and vote on the matter. For your request to be considered, you must complete Part C of this form and disclose the full extent of your interest. You will be required to leave the room while your request is put to the vote, and if the meeting agrees with your request you will be called back in.				
	<b>Part B – Impartiality Interest</b> Disclosing an Impartiality Interest (Part B) does not prevent you from participating in the discussion and voting on the matter. Your interest will be recorded in the minutes of the meeting. (Clause 22 Local Government (Model Code of Conduct) Regulations 2021 refers)				
	Item No.	Agenda Title	Part A Fin	Part B Prox	Part C Imp
					Trivial
State the Nature of Your Interest – if you have ticked Part C above outline why you consider your interest to be trivial/insignificant	Item No.	Nature of Interest/Reason for Interest to be Trivial			
		.....			
		.....			
Signature:	.....				

## **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**

### **6.2 Responses to Public Questions Taken 'On Notice'**

Nil

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## **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 3 September 2024 have been circulated.

#### **Recommendation**

The minutes of the Ordinary meeting of the City of Bunbury Council held 3 September 2024 be confirmed as a true and accurate record.

*Voting Requirement: Simple Majority Required*

#### **Outcome of Meeting 24 September 2024**

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

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

#### **Council Decision 194/24**

**The minutes of the Ordinary meeting of the City of Bunbury Council held 3 September 2024 be confirmed as a true and accurate record.**

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

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### 7.1.2 Minutes – Council Advisory Committees

<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Various
<b>Executive:</b>	Alan Ferris, Chief Executive Officer
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 7.1.2-A: Policy Review and Development Committee Minutes

#### Summary

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

- Title: Policy Review and Development Committee Minutes  
Author: Liam Murphy, Governance Officer  
Appendix: 7.1.2-A

#### Council Committee Recommendation

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

- Policy Review and Development Committee Minutes 28 August 2024

*Voting Requirement: Simple Majority*

#### **Outcome of Meeting 24 September 2024**

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

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

#### **Council Decision 195/24**

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

- Policy Review and Development Committee Minutes 28 August 2024**

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

## **8. Petitions, Presentations, Deputations and Delegations**

### **8.1 Petitions**

Nil

### **8.2 Presentations**

Nil

### **8.3 Deputations**

The following persons requested to address Council in relation to item 10.4.2 *City of Bunbury Strategic Advocacy Priorities*.

- John Evans
- Ingrid Hilario
- Jane Anderson

The Mayor put a motion to approve the deputation requests and allow a period of up to 10 minutes to present to Council, which was carried unanimously.

#### **Council Decision 196/24**

***Pursuant to clause 6.9 (2)(b) of Council's Standing Orders, Council approves the following persons' deputation requests to address Council in relation to item 10.4.2 City of Bunbury Strategic Advocacy Priorities and allows a period of up to 10 minutes each to present to Council.***

- ***John Evans***
- ***Ingrid Hilario***
- ***Jane Anderson***

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

### **8.4 Council Delegates' Reports**

### **8.5 Conference Delegates' Reports**

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## **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 employee recommendations listed for item 10.1.1, 10.1.2, 10.1.3, 10.1.4, 10.1.5, 10.1.6, 10.3.1, 10.3.3, 10.3.4, 10.3.5, and 10.4.1.

Items 10.3.2 and 10.4.2 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 Steck and seconded by Cr Andrew.

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## 10. Reports

### 10.1 Review of Council Policy: Sustainability (listed as 10.1.1 in the agenda)

<b>Fine No.</b>	COB/306
<b>Applicant:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Saphron Wheeler, Environmental Sustainability Officer
<b>Responsible Manager:</b>	Aaron Lindsay, Manager Projects and Asset Management
<b>Executive:</b>	Aileen Clemens, A/Director Infrastructure
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.1-A: Revised Council Policy Sustainability

#### Summary

This report is presented to Council by the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy: Sustainability.

#### Committee & Executive Recommendation

That Council adopt revised Council Policy: Sustainability as presented at Appendix 10.1.1-A.

*Voting Requirement: Simple Majority Vote*

#### Strategic Relevance

Pillar: Performance  
Aspiration: Leading with purpose and robust governance  
Outcome 13: A leading local government  
Objective 13.1: Provide strong and accountable leadership and governance.

Pillar Planet  
Aspiration A healthy and sustainable ecosystem.  
Outcome 5 A natural environment that is cared for and preserved.  
Objective 5.1 Sustainably manage, conserve and enhance our natural habitats.  
Objective 5.2 Encourage the adoption of sustainable practices.  
Objective 5.3 Develop a sustainable, low waste, circular economy.  
Objective 5.4 Conserve and manage water resources.  
Objective 5.4 Move to net zero gas emissions.

#### Regional Impact Statement

N/A

#### Background

On 14<sup>th</sup> December 2021, an Agenda Item was raised regarding the Sustainability and Climate Change Action Frameworks, with the Council Decision (278/21) as follows:

*“That Council request the Chief Executive Officer prepare a City of Bunbury Sustainability Strategy for Council consideration, including climate change actions and recommendations based on informed corporate net zero emission target scenarios.”*

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This policy relates to Council Decision (278/21) in that the Policy informed the focus of the Sustainability Strategy (now *Sustainability and Environment Strategy 2023-2028*) through establishing a sustainability definition and model, along with guiding principles for Council and the organisation.

This policy was first endorsed by Council at the Ordinary Council Meeting held 28 June 2022, and is now due for its bi-annual review.

### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

### **Legislative Compliance**

N/A

### **Officer Comments**

Officers have reviewed the Policy and suggest only minimal changes to ensure references to legislative, industry, and organisational compliance requirements are up to date.

A copy of the revised policy with tracked changes is attached at appendix 10.1.1-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

This matter is presented to Council by the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Any revisions to the policy will take effect immediately following Council's determination.

### **Outcome of Meeting 24 September 2024**

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

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

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**Council Decision 197/24**

**That Council adopt revised Council Policy: Sustainability as presented at Appendix 10.1.1-A.**

CARRIED UNANIMOUSLY

10 votes “for” / Nil votes “against”

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**10.2 Review of Council Policy: Reserve Areas Set Aside for the Riding of Horses** (listed as 10.1.2 in the agenda)

<b>Fine No.</b>	COB/306
<b>Applicant:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Mark Allies, Team Leader Community Safety & Emergency Management
<b>Responsible Manager:</b>	Sarah Upton, Manager Community Wellbeing
<b>Executive:</b>	Andrew McRobert, Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.2-A: Reserve Areas Set Aside for the Riding of Horses

**Summary**

This report is presented to Council by the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy: Reserve Areas Set Aside for the Riding of Horses.

**Committee & Executive Recommendation**

That Council note the review of existing Council Policy: Reserve Areas Set Aside for the Riding of Horses, with no changes recommended.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar: Performance  
Aspiration: Leading with purpose and robust governance  
Outcome 13: A leading local government  
Objective 13.1: Provide strong and accountable leadership and governance.

**Regional Impact Statement**

N/A

**Background**

This policy was last reviewed by Council in October 2021 and was presented to the Policy Review and Development Committee for discussion and review as part of Council's policy review schedule.

**Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

**Legislative Compliance**

N/A

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### **Officer Comments**

Officers have reviewed the Policy and suggest that the content is appropriate and does not require amendment.

A copy of the current policy is attached at appendix 10.1.2-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

This matter is presented to Council by the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Any revisions to the policy will take effect immediately following Council's determination.

### **Outcome of Meeting 24 September 2024**

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

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 198/24**

**That Council note the review of existing Council Policy: Reserve Areas Set Aside for the Riding of Horses, with no changes recommended.**

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

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**10.3 Review of Council Policy: Food Regulation Compliance and Enforcement** (listed as 10.1.3 in the agenda)

<b>Fine No.</b>	COB/306
<b>Applicant:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Johan van Zyl, Team Leader Environmental Health
<b>Responsible Manager:</b>	Sarah Upton, Manager Community Wellbeing
<b>Executive:</b>	Andrew McRobert, Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.3-A: Food Regulation Compliance and Enforcement

**Summary**

This report is presented to Council by the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy: Food Regulation Compliance and Enforcement.

**Committee & Executive Recommendation**

That Council note the review of existing Council Policy: Food Regulation Compliance and Enforcement, with no changes recommended.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar: Performance  
Aspiration: Leading with purpose and robust governance  
Outcome 13: A leading local government  
Objective 13.1: Provide strong and accountable leadership and governance.

**Regional Impact Statement**

N/A

**Background**

This policy was last reviewed by Council in August 2022 and was presented to the Policy Review and Development Committee for discussion and review as part of Council’s policy review schedule.

**Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

**Legislative Compliance**

N/A

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### **Officer Comments**

Officers have reviewed the Policy and suggest that the content is appropriate and does not require amendment.

A copy of the current policy is attached at appendix 10.1.3-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

This matter is presented to Council by the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Any revisions to the policy will take effect immediately following Council's determination.

### **Outcome of Meeting 24 September 2024**

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

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 199/24**

**That Council note the review of existing Council Policy: Food Regulation Compliance and Enforcement, with no changes recommended.**

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

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#### 10.4 Review of Council Policy: Tree Management (listed as 10.1.4 in the agenda)

<b>File Ref:</b>	COB/306; COB/802; COB/6306
<b>Applicant/Proponent:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Kale Faulkner, Coordinator Parks and Reserves
<b>Responsible Manager:</b>	Tristan Davenport, Acting Manager Infrastructure Services
<b>Executive:</b>	Aileen Clemens, Acting Director Infrastructure
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.4-A Tree Management Council Policy

#### Summary

This report is presented to Council by the Policy Review and Development Committee to facilitate a review of the Council’s current Tree Management Policy.

#### Committee & Executive Recommendation

That Council endorse the revised Council Policy: Tree Management as presented at appendix 10.1.4-A.

*Voting Requirement: Simple Majority*

#### Strategic Relevance

Pillar	Place
Aspiration	An integrated, Vibrant and well-planned City
Outcome 8	A place with attractive and welcoming community spaces, where people want to live
Objective 10.1.1	Beautifying Streetscapes

#### Regional Impact Statement

Nil

#### Background

This policy was last reviewed in July 2021 and was presented to Council as part of a biennial policy review process.

#### Council Policy Compliance

This report facilitates the review of an existing Council Policy.

#### Legislative Compliance

Nil

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### **Officer Comments**

Officers have reviewed the current policy and suggested changes to be in line with the WALGA Street trees guidance report and City of Melville’s Tree Policy as recommended in the WALGA document.

A copy of the revised policy with tracked changes is attached at appendix 10.1.4-A

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

This policy is presented to Council by the Policy Review and Development Committee for consideration

### **Applicant Consultation**

Not applicable

### **Timeline: Council Decision Implementation**

Following Council endorsement, any revisions will become effective immediately.

### **Outcome of Meeting 24 September 2024**

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

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

<p><b>Council Decision 200/24</b></p>
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<p><b>That Council endorse the revised Council Policy: Tree Management as presented at appendix 10.1.4-A.</b></p>
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<p>CARRIED UNANIMOUSLY 10 votes “for” / Nil votes “against”</p>
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**10.5 Review of Council Policy: Bunbury Museum, Heritage Centre, and Local Studies Policy**  
(listed as 10.1.5 in the agenda)

<b>Fine No.</b>	COB/306
<b>Applicant:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Georgia-Mae O’Brien, A/Manager Community Connection
<b>Responsible Manager:</b>	Georgia-Mae O’Brien, A/Manager Community Connection
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.5-A: Bunbury Museum, Heritage Centre, and Local Studies Policy

**Summary**

This report is presented to Council by the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy: Bunbury Museum, Heritage Centre, and Local Studies Policy.

**Committee & Executive Recommendation**

That Council note the review of existing Council Policy: Bunbury Museum, Heritage Centre, and Local Studies Policy, with no changes recommended.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar: Performance  
Aspiration: Leading with purpose and robust governance  
Outcome 13: A leading local government  
Objective 13.1: Provide strong and accountable leadership and governance.

**Regional Impact Statement**

N/A

**Background**

This policy was last reviewed by Council in September 2021 and was presented to the Policy Review and Development Committee for discussion and review as part of Council’s policy review schedule.

**Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

**Legislative Compliance**

N/A

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### **Officer Comments**

Officers have reviewed the Policy and suggest that the content is appropriate and does not require amendment.

A copy of the current policy is attached at appendix 10.1.5-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

This matter is presented to Council by the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Any revisions to the policy will take effect immediately following Council's determination.

### **Outcome of Meeting 24 September 2024**

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

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 201/24**

**That Council note the review of existing Council Policy: Bunbury Museum, Heritage Centre, and Local Studies Policy, with no changes recommended.**

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

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**10.6 New Council Policy: Personal Memorials in Public Spaces** (listed as 10.1.6 in the agenda)

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Policy Review and Development Committee
<b>Responsible Officer:</b>	Georgia-Mae O’Brien, A/Manager Community Connection
<b>Responsible Manager:</b>	Georgia-Mae O’Brien, A/Manager Community Connection
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.1.6-A Council Policy Personal Memorials in Public Spaces Appendix 10.1.6-B Application Form

**Summary**

This report is presented to Council by the Policy Review and Development Committee (PRDC) to consider a new Council Policy: Personal Memorials in Public Spaces.

A copy of the proposed policy is presented at Appendix 10.1.6-A.

**Committee & Executive Recommendation**

That Council endorse the proposed Council Policy: Personal Memorials in Public Spaces as presented at appendix 10.1.6-A.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.1	Provide strong, accountable leadership and governance

**Regional Impact Statement**

This Policy applies only to the City of Bunbury.

**Background**

The City of Bunbury does not have current a policy that relates to personal memorials in public spaces. In recent history there have been several requests to have personal memorials placed in public spaces, with requests including trees, benches, and plaques.

Whilst the City primarily supports memorials being placed in pre-existing memorial sites such as cemeteries, the City is also conscious that members of our community build strong connections to various sites across the City. In aligning with other local governments, the most appropriate way to ensure that these memorials are placed in such a way that supports the broader community of Bunbury is to create a policy that assesses each application against a set of criteria.

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The policy is intended to be inclusive of all members of our community, whilst ensuring it is reflective of those members of our community that had a strong connection to the location or site the memorial is requested for.

Notwithstanding the above, it is also recognised that the installation of memorials within public open space must be managed in a way to maintain local amenity, ensure the safety of residents and minimise maintenance requirements.

### **Council Policy Compliance**

This report is presented to Council to consider a new Council policy.

### **Legislative Compliance**

*Local Government Act 1995*

### **Officer Comments**

The purpose of the Personal Memorials in Public Spaces policy is to provide residents of Bunbury a clear process on how to request personal memorials in public spaces within the City.

When drafting this policy, several other local government's policies were reviewed to determine efficacy of criteria, process, and costs, There is no universal approach to personal memorial policies, with each local government having different criteria, costs, and processes. The key themes show the importance of allowing community members the opportunity to make an application and provide evidence to support the deceased's connection to the proposed site and their community.

The proposed policy allows the CEO to decide on the outcome of applications but allows for community members to request a review by council should they disagree with outcome. The proposed policy also includes that community consultation may be required depending on the requested site/location of the memorial.

### **Analysis of Financial and Budget Implications**

The proposed policy includes an application fee – this is currently undefined, however in line with other local governments, the proposed fee would be \$150. The cost of the memorial will depend on several factors and will need to be assessed on a case-by-case basis.

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

This matter is prescribed to Council by the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

No applicable.

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**Timeline: Council Decision Implementation**

Immediately following Council decision.

**Outcome of Meeting 24 September 2024**

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

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 202/24**

**That Council endorse the proposed Council Policy: Personal Memorials in Public Spaces as presented at appendix 10.1.6-A.**

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

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## 10.7 Council Meeting Schedule for 2025 (listed as 10.3.1 in the agenda)

<b>File Ref:</b>	COB/3667
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Liam Murphy, Governance Officer
<b>Responsible Manager:</b>	Greg Golinski, Manger Governance
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

### Summary

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* requires a local government to each year give public notice of the dates on which Ordinary Council Meetings are to be held for the next 12 months. The purpose of this report is for Council to consider the meeting schedule for 2025.

### Executive Recommendation

That Council:

1. Adopt a three-weekly Council Meeting Schedule for 2024, beginning 28 January 2025 and ending 16 December 2025, incorporating a two-week recess period aligning with the Term 2 school holidays, in the following pattern:  
Week 1: Agenda Briefing  
Week 2: Ordinary Council Meeting  
Week 3: No meeting
2. Note that each meeting will take place on a Tuesday in the Council Chambers, 4 Stephen Street Bunbury, commencing at 5.30pm.
3. Request that the Chief Executive Officer undertake all statutory advertising in this regard.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar: Performance  
Aspiration: Leading with purpose and robust governance.  
Outcome 13: A leading local government.  
Objective 13.1: Provide strong, accountable leadership and governance.

### Regional Impact Statement

Nil

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## **Background**

Council currently operates on a three-weekly meeting schedule, incorporating, Council Agenda Briefing Sessions (week 1), Ordinary Meetings (week 2), and Elected Member Strategic Briefings (week 3). Council has historically gone into recess over the Christmas / New Year period, with the last Ordinary Meeting of Council typically being held in mid-December, reconvening in January.

At the Ordinary Council Meeting held on 10 November 2020, Council resolved to move from a fortnightly cycle of meetings to a three-weekly meeting cycle. This decision was made given the decline in items and duration of meetings, and the ability for the third week to be utilised for information strategic meetings between the Council and the Executive.

The 2023 and 2024 schedules, based on a rolling three-weekly cycle, also included a two-week mid-year recess, which aligned with the mid-year school holidays.

## **Council Policy Compliance**

Nil

## **Legislative Compliance**

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* requires local governments to give public notice of the dates on which it intends to hold its Ordinary Council meetings for the ensuing 12 month period.

## **Officer Comments**

Officers are proposing that Council continue the existing three-weekly schedule, incorporating a mid-year recess aligning with the term 2 school holidays (5 July to 20 July 2025). The proposed schedule will provide for a total of 16 Ordinary Council Meetings.

Currently, an informal Strategic Workshop is held in the third week of the three-weekly cycle. It is suggested that a discussion be held with the Council to determine the Strategic Workshop format for 2025. There is no requirement for Strategic Workshop dates to be advertised to the public and they will not be included in the public schedule.

## **Analysis of Financial and Budget Implications**

All advertising costs can be accommodated within the 2024/25 budget.

## **Community Consultation**

Not Applicable

## **Elected Member/Officer Consultation**

Nil

## **Applicant Consultation**

Not applicable

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### **Timeline: Council Decision Implementation**

All relevant statutory advertising will be made as soon as practicable following Council's decision in this regard.

### **Outcome of Meeting 24 September 2024**

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

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 203/24**

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

**1. Adopt a three-weekly Council Meeting Schedule for 2024, beginning 28 January 2025 and ending 16 December 2025, incorporating a two-week recess period aligning with the Term 2 school holidays, in the following pattern:**

**Week 1: Agenda Briefing**

**Week 2: Ordinary Council Meeting**

**Week 3: No meeting**

**2. Note that each meeting will take place on a Tuesday in the Council Chambers, 4 Stephen Street Bunbury, commencing at 5.30pm.**

**3. Request that the Chief Executive Officer undertake all statutory advertising in this regard.**

CARRIED UNANIMOUSLY

10 votes "for" / Nil votes "against"



**10.8 Rate Exemption Application – 4 Trusty Street, Withers & 4A Trusty Street, Withers** (listed as 10.3.3 in the agenda)

<b>File Ref:</b>	COB/1130
<b>Applicant/Proponent:</b>	South West Refuge Inc
<b>Responsible Officer:</b>	Leonie Barwick, Team Leader Corporate Revenue
<b>Responsible Manager:</b>	David Ransom, Finance Manager
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

**Summary**

An application for rate exemption has been received from South West Refuge, trading as Harbour Refuge & Support Services for 4 Trusty Street & 4A Trusty Street, Withers, totalling \$3,365 per annum under Section 6.26 (g) of the *Local Government Act 1995* – land used exclusively for charitable purposes. South West Refuge current have 6 exempt properties within the City of Bunbury.

**Executive Recommendation**

That Council grants a rate exemption to South West Refuge under Section 6.26 (g) of the Local Government Act 1995 for 4 Trusty Street & 4A Trusty Street, Withers effective from 1 July 2024.

*Voting Requirement: Simple Majority*

**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

**Regional Impact Statement**

Accepting the rate exemption application from South West Refuge will reduce the City’s rate revenue but will not have a regional impact.

**Background**

South West Refuge have advised they are a not-for-profit organisation and that the properties are used to provide Safe houses for Women & Children escaping family and/or domestic violence.

**Council Policy Compliance**

Council does not have a policy for the exemption of rates as this is provided for under Section 6.26 of the *Local Government Act 1995*.

---

## **Legislative Compliance**

The *Local Government Act 1995* – Section 6.26 (g) states:

### 6.26. Rateable land

- (1) *Except as provided in this section all land within a district is rateable land.*
- (2) *The following land is not rateable land -*
  - (g) *land used exclusively for charitable purposes.*

## **Officer Comments**

South West Refuge have provided the requested supporting documentation for their application and based on the internal assessment by officers, meets all criteria for a rate exemption. This assessment is based on the WALGA “Rate Exemptions Guidelines” which have been developed in consultation with the WA Rates Officer’s Association.

Should the application be declined, the organisation has the option to take this matter to the State Administrative Tribunal (SAT).

All rate exempt properties are reviewed on a 2 yearly basis. The City currently has 434 properties that are exempt which is a loss of rate income of \$1,673,854 per annum.

The City has made numerous representations to the Department of Local Government, Sport and Cultural Industries on the growth of the rate exemption applications and the impact this has on other ratepayers.

## **Analysis of Financial and Budget Implications**

Approval of this exemption will result in a reduction of rates income of \$3,365 per annum.

As the proposed exemption is to be granted effective from 1 July 2024, this application, if approved will have an effect on the forecast Closing Surplus Position to 30 June 2025.

## **Community Consultation**

There is no requirement for community consultation on this application.

## **Councillor/Officer Consultation**

Councillors have previously been briefed on rate exemptions under the *Local Government Act 1995*.

## **Applicant Consultation**

Not Applicable.

## **Timeline: Council Decision Implementation**

The Applicant will be notified of Councils decision and that the exemption will apply from 1 July 2024.

## **Outcome of Meeting 24 September 2024**

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

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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 204/24**

**That Council grants a rate exemption to South West Refuge under Section 6.26 (g) of the Local Government Act 1995 for 4 Trusty Street & 4A Trusty Street, Withers effective from 1 July 2024.**

CARRIED UNANIMOUSLY

10 votes "for" / Nil votes "against"

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**10.9 Request for Quotation - Supply & Delivery of Two Side Loader Compactor Waste Trucks**  
(listed as 10.3.4 in the agenda)

<b>File Ref:</b>	COB/6729
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Karen Urkko, Contracts and Procurement Officer Corrie Nottle, Manager Waste Operations & IBS Karen McQueen, Coordinator IBS
<b>Responsible Manager:</b>	David Ransom, Manager Finance
<b>Executive:</b>	Aileen Clemens, Acting Director Infrastructure
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Confidential Appendix 10.3.4-A: Evaluation Report

**Summary**

The City of Bunbury issued a Request for Quotation COB/6729 via Vendor Panel on the WALGA Panel list (PSP006) Fleet and (PSP006) (NPN04-13) Trucks with a view to engaging a suitably qualified supplier to supply and deliver two side loader compactor waste trucks to replace BY2892A and BY749.

The City received two (2) tender submissions and it is recommended that Council accept the response recommended in the *Confidential Appendix 10.3.4-A Evaluation Report*.

**Executive Recommendation**

That the Council:

1. Accepts the recommendation as contained in the *Confidential Appendix 10.3.4-A*
2. Authorise the Chief Executive Officer to;
  - a. negotiate and agree minor variations with the recommended respondent; and
  - b. enter into a contract with the recommended respondent
3. Upon resolution of the recommendation, directs that the successful respondents' name, and the estimated total consideration under the resulting contract be made public, and included within the minutes of this meeting

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Provision
Aspiration	Performance: Leading with purpose and robust governance
Outcome No 13	A Leading Local Government
Objective No 13.3	Effectively manage the City's resources

**Regional Impact Statement**

Not applicable for this procurement.

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## Background

Please refer to the attached “commercial in confidence” Evaluation Report for information relating to this tender.

As this tender was advertised on Vendor Panel to the WALGA Prequalified Supplier Panel list (PSP006) Fleet and (PSP006) (NPN04-13) Trucks, public advertisements in newspapers were not required. The tender document was made available via the City’s procurement portal through Vendor Panel.

A total of twelve suppliers viewed the advertisement and at closing two responses were received.

Tenders Received from:
AV TRUCKS SERVICES PTY LTD [ABN 17 009 090 466] (TRADING UNDER IVECO TRUCKS AUSTRALIA PTY LTD [ABN 86 004 065 061]) 485 Great Eastern Highway, REDCLIFFE WA 6104
PENSKE AUSTRALIA PTY LTD, (PERTH) [ABN 47 073 690 990] 22 Stockyards Lane, HAZELMERE WA 6055

The tenders were evaluated using the following criteria:

Qualitative Criteria	Weighting
Alignment to Specification	30%
Lead Time	20%
<b>Price</b>	<b>50%</b>
<b>Total</b>	<b>100%</b>

## Council Policy Compliance

Tendering for goods and services is conducted in accordance with:

- Purchasing Council Policy
- Access and Inclusion Policy
- Local Supplier Preference Council Policy
- Statement of Business Ethics

## Legislative Compliance

The total consideration under the resulting contract is greater than \$400,000, or \$1,200,000 for a multi-year contract. Therefore, in accordance with section 5.43(b) of the *Local Government Act 1995* (the Act) read with Delegation 1.1.12, the quotation is required to go before the

Council.

The request was conducted in accordance with:

- Local Government (Functions and General) Regulations 1996, r11(2) When tenders have to be publicly invited (exemptions); and
- Local Government Act 1995.

With regard to COB/6729 Supply & Delivery of Two Side Loader Compactor Waste Trucks, City officers have complied with abovementioned legislative requirements.

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### **Officer Comments**

All members of the evaluation panel have signed a declaration of confidentiality and interest to ensure probity.

Details of the evaluation and officer comments can be viewed in *Confidential Appendix 10.3.4-A*.

### **Analysis of Financial and Budget Implications**

The budget for this procurement is \$1,040,000 through PR-5251. Any additional funds required are to be drawn from the Waste Reserve.

### **Community Consultation**

Community consultation was not applicable for this tender.

### **Councillor/Officer Consultation**

Consultation has taken place with the Manager Waste Operations and Infrastructure Business Services, Coordinator IBS, Fleet Officer and Supervisor Waste Operations to ensure the resulting contract delivers a good community outcome.

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

If endorsed by Council, the City anticipates that this Contract will be awarded within two weeks, with the current lead time of 7-10 months for delivery of the trucks.

### **Outcome of Meeting 24 September 2024**

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

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

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**Council Decision 205/24**

**That the Council:**

- 1. Accepts the recommendation as contained in the Confidential Appendix 10.3.4-A**
- 2. Authorise the Chief Executive Officer to;**
  - a. negotiate and agree minor variations with the recommended respondent; and**
  - b. enter into a contract with the recommended respondent**
- 3. Upon resolution of the recommendation, directs that the successful respondents' name, and the estimated total consideration under the resulting contract be made public, and included within the minutes of this meeting**

CARRIED UNANIMOUSLY

10 votes "for" / Nil votes "against"

For transparency, the successful respondent was Iveco Trucks Australia PTY LTD [ABN 86 004 065 061]. The estimated total consideration is \$1,000,514.

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**10.10 Schedule of Accounts Paid for the period 1 August 2024 to 31 August 2024** (listed as 10.3.5 in the agenda)

<b>File Ref:</b>	COB/6615	
<b>Applicant/Proponent:</b>	Internal Report	
<b>Responsible Officer:</b>	David Ransom, Manager Finance	
<b>Responsible Manager:</b>	David Ransom, Manager Finance	
<b>Executive:</b>	Karin Strachan, Director Corporate and Community	
<b>Authority/Discretion:</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
<b>Attachments:</b>	Appendix 10.3.5-A Schedule of Accounts Paid	

**Summary**

The City of Bunbury "*Schedule of Accounts Paid*" covering the period 1 August 2024 to 31 August 2024 is attached at Appendix 10.3.5-A. The schedule contains details of the following transactions;

1. Municipal Account – payments totalling \$21,102,379.44
2. Trust Account – payments totalling \$61,497.65
3. Visitor Information Centre Trust Account – payments totalling \$2,157.00

**Executive Recommendation**

The Schedule of Accounts Paid for the period 1 August 2024 to 31 August 2024 be received.

**Outcome of Meeting 24 September 2024**

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

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 206/24**

The Schedule of Accounts Paid for the period 1 August 2024 to 31 August 2024 be received.

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

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**10.11 Proposed Change to Parking Time Limit on Edward Street** (listed as 10.4.1 in the agenda)

<b>File Ref:</b>	COB/6805
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Jordan Jones, Surveillance & Parking Solutions Officer
<b>Responsible Manager:</b>	Mark Allies, a/Manager Community Wellbeing
<b>Executive:</b>	Andrew McRobert, Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 10.4.1-A: Survey Result Data

**Summary**

The purpose of this item is for the review of the timeframe for parking on Edward Street, Bunbury. The review stems from increased local business activity on and around Edward Street, and numerous complaints being received from members of the public.

**Executive Recommendation**

That Council agrees to adopt a new two-hour (2P) parking timeframe for Edward Street, Bunbury based on the feedback received from community consultation.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	People
Aspiration	A safe, healthy and connected community.
Outcome 4.	A compassionate and inclusive community.
Objective 4.1	Listen and respond to community needs at all stages of life.
Pillar	Place
Aspiration	An integrated, vibrant, and well-planned city.
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	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.
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.
Pillar	Performance
Aspiration	Leading with purpose and robust governance.
Outcome 14.	A well-informed community that is deeply engaged in decision making.
Objective 14.1	Effectively inform and engage the community about local issues, facilities, services and events.

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## **Regional Impact Statement**

The new timeframe (2P) on Edward Street will increase turnover of available parking bays for members of the public utilising local businesses and services.

## **Background**

The City of Bunbury is in receipt of numerous complaints regarding the availability of parking on Edward Street, Bunbury. Despite increased, regular patrols, the parking is often subject to vehicles overstaying the current four-hour (4P) timeframe.

With an increase of local traffic to the area, Community Consultation has been undertaken to understand the needs of the local community members that frequent Edward Street.

## **Council Policy Compliance**

The *City of Bunbury Parking Local Law 2023* states:

### 2.7 Application of signs

- (2) For the purposes of this local law a sign may, by the use of any symbol or other traffic control device specified in accordance with AS 1742.11-2016 –
  - (a) prohibit or regulate parking and stopping; or
  - (b) specify maximum times; or
  - (c) specify permitted classes of vehicles.

## **Legislative Compliance**

Section 3.1 of the *City of Bunbury Parking Local Law 2023* states:

- (2) The local government may by resolution establish, determine, vary and indicate by signs
  - (a) parking facilities; or
  - (b) permitted times and conditions of stopping and parking which may vary with the locality; or
  - (c) permitted persons who may stop or park their vehicles; or
  - (d) permitted classes of vehicles which may stop or park; and (e) the manner of stopping or parking.
- (3) Where the local government makes a determination under this clause it shall erect signs to give effect to the determination.

## **Officer Comments**

We have sought feedback from local businesses, customers, and residents, on the current parking timeframes on Edward Street, Bunbury. We have gathered input from those directly impacted to determine the most suitable parking arrangements for Edward Street. The collated data shows a majority of 94% of effected local community members, suggest a 2-hour timeframe will alleviate the current lack of parking availability.

The new 2P timeframe will help facilitate churn and increase parking capacity along Edward Street, whilst also assisting the City to achieve parking compliance in the area. A 2P restriction facilitates easier enforcement with Smart Parking sensors being able to report overstays at more frequent intervals.

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### **Analysis of Financial and Budget Implications**

Sufficient funds are held within current parking reserves to facilitate the amendment to street signage and required changes within the Smart Parking Software system.

The City also has an established budget for parking signage maintenance that is managed by the Infrastructure team and can be utilised to fund this project.

### **Community Consultation**

To enable the community to contribute to the Council’s decision making, through open and accountable processes, the City of Bunbury offered a Community Consultation period between 16 July 2024 and 12 August 2024. During this period, we received a total of 195 responses from Business Owners, Employees, Customers and Residents.

### **Councillor/Officer Consultation**

This process has been completed in consultation with Manager Community Wellbeing and Team Leader Rangers & Emergency Management who are responsible for the management and enforcement of Parking within the City of Bunbury.

### **Applicant Consultation**

Not applicable

### **Timeline: Council Decision Implementation**

As soon as practicable following Council’s decision on this matter.

### **Outcome of Meeting 24 September 2024**

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

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 207/24**

**That Council agrees to adopt a new two-hour (2P) parking timeframe for Edward Street, Bunbury based on the feedback received from community consultation.**

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

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## 10.12 Appointment to Morrissey Homestead Board (listed as 10.3.2 in the agenda)

<b>File Ref:</b>	COB/3667
<b>Applicant/Proponent:</b>	Morrissey Homestead
<b>Responsible Officer:</b>	Liam Murphy, Governance Officer
<b>Responsible Manager:</b>	Greg Golinski, Manger Governance
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

### Summary

The purpose of this report is to facilitate Council making new appointments to the Morrissey Homestead Board.

### Executive Recommendation

That Council nominates Councillor \_\_\_\_\_ as a member of the Morrissey Homestead Board, and Councillor \_\_\_\_\_ as a deputy member.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar: Performance  
Aspiration: Leading with purpose and robust governance.  
Outcome 13: A leading local government.  
Objective 13.1: Provide strong, accountable leadership and governance.

### Regional Impact Statement

Nil

### Background

The Morrissey Homestead Board is not a committee of Council established pursuant to the provisions of section 5.8 of the *Local Government Act 1995* (the Act), but is an external board of management that are either constitutionally required to have City of Bunbury Councillors as members, or have requested that Council nominate an elected representative to become a member.

At the 7 November 2023 Ordinary Council Meeting, Cr Steele was nominated as member of the Morrissey Homestead Board, and Cr Turner as a deputy member.

### Council Policy Compliance

Nil

### Legislative Compliance

Nil

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### **Officer Comments**

Officers have received correspondence from the Morrissey Homestead Board advising that the current Councillor representatives are no longer able to attend meetings due to other commitments, and therefore request new Councillor representatives.

Morrissey Board meetings are held on the third Monday of each month at 12:00pm to 2:00pm.

A review into arrangements for Council committees, working groups, and external advisory groups will be undertaken prior to the 2025 Local Government Election.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not Applicable

### **Elected Member/Officer Consultation**

Nil

### **Applicant Consultation**

Not applicable

### **Timeline: Council Decision Implementation**

Morrissey Homestead will be made aware of Council's appointments in this regard immediately following appointment.

### **Outcome of Meeting 24 September 2024**

The Mayor called for nominations for Councillor representatives on the Morrissey Homestead Board. Cr Steck nominated to be a member, and Cr Ghasseb nominated to be a deputy member.

The recommendation (with nominees) was moved by Cr Steck and seconded by Cr Ghasseb.

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

#### **Council Decision 208/24**

**That Council nominates Councillor Steck as a member of the Morrissey Homestead Board, and Councillor Ghasseb as a deputy member.**

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

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**10.13 City of Bunbury Strategic Advocacy Priorities** (listed as 10.4.2 in the agenda)

<b>File Ref:</b>	COB/5571
<b>Applicant/Proponent:</b>	Internal Report
<b>Responsible Officer:</b>	Coni Zangari - Senior Strategic Partnerships, Advocacy and Funding Officer
<b>Responsible Manager:</b>	Felicity Anderson, Manager Economic Growth
<b>Executive:</b>	Andrew McRobert, Director Sustainable Development
<b>Authority/Discretion</b>	<input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Nil

**Summary**

The purpose of this report is for Council to endorse the City of Bunbury’s strategic advocacy priorities for 2024/25. The advocacy priorities identified are in-line with the agreed CEO KPI requirements and will be reported on quarterly as part of these requirements.

**Executive Recommendation**

That Council endorse the City of Bunbury’s strategic advocacy priorities as presented in this report.

*Voting Requirement: Simple Majority*

**Strategic Relevance**

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13:	A leading local government
Objective 13.1:	Provide strong, accountable leadership and governance.

**Regional Impact Statement**

Our advocacy efforts to Federal and State governments will influence and raise awareness of the strategic advocacy priorities noted in this report. These priorities provide a unified approach, seeking to influence key stakeholders around matters critical to helping Bunbury fulfil our purpose of ‘Building a Better Bunbury.’

**Background**

The City of Bunbury Advocacy and Stakeholder Management Policy states that the City’s strategic advocacy priorities are to be reviewed annually. A workshop was held with Council on 20 August 2024 to present the updated advocacy priorities for 2024/25. The purpose of the workshop was to present elected members with a clear summary of key information and recommendations and to facilitate informed decision-making by providing direction and guidance for the City’s advocacy efforts.

The strategic advocacy priorities presented at the elected member workshop are noted in the table below.

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<b>Advocacy Topic</b>	<b>The City of Bunbury is advocating for</b>
Advocate for increased investment in infrastructure, services and land releases to enable housing options in Bunbury.	State and Federal government to commit direct investment into housing options within the City of Bunbury, including where State government funded projects impact on housing availability in Bunbury.
Advocate for sustainability, climate change initiatives and a South West regional waste management solution.	The City to be a leader in sustainability, achieve corporate net zero emissions and acquire funding for the BHRC Waste Management Facility as a key regional waste solution for the South West.
Advocate for funding for a Bunbury destination marketing campaign to leverage from the investment being made in the BORR.	State government commitment of capital to fund tourism and signage infrastructure with the goal of building awareness of Bunbury as a preferred visitation destination for those using the completed Bunbury Outer Ring Road.
Advocate for initiatives to revitalise Bunbury to attract investment and economic growth.	Enhance the liveability of the City and ensure Bunbury remains a premier regional city for living, working and investing.
Advocate for a Tourism Precinct that creates a gateway entry into Bunbury.	Invigorating Bunbury tourism by providing opportunities for visitors to experience our leading tourist assets in one location.

### **Council Policy Compliance**

No Council Policy applies in this instance.

### **Legislative Compliance**

Not applicable.

### **Officer Comments**

It is requested that Council endorses the strategic advocacy priorities noted in this report on the basis that to formally advocate priorities as a City, we are supporting the needs, desires and wants of our Bunbury community by being their voice. The City advocates daily across all pillars of the Corporate Business Plan, to support achieving the outcomes of our Strategic Community Plan.

### **Analysis of Financial and Budget Implications**

Not applicable.

### **Community Consultation**

Community priorities as identified in the *MARKYT® Community Scorecard*.

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### **Councillor/Officer Consultation**

Elected Members were presented with the City of Bunbury’s strategic advocacy priorities for feedback and consultation at a workshop held 20 August 2024.

### **Applicant Consultation**

The Chief Executive Officer, Director Sustainable Development, Director Corporate and Community and Director Infrastructure participated in an advocacy workshop held 23 July 2024 with the Manager Economic Growth and the Senior Strategic Partnerships, Advocacy and Funding Officer.

### **Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.

### **Outcome of Meeting 24 September 2024**

The CEO provided an additional attachment following the publication of the agenda titled *Appendix 10.4.2-A 2024-2025 Strategic Advocacy Priorities*

The following persons provided deputations in relation to this item:

- John Evans
- Ingrid Hilario
- Jane Anderson

The recommendation (as printed) was moved by Cr Andrew and seconded by Cr Ramesh.

During debate, an amendment to include an additional point to the recommendation was agreed to by the mover and seconder of the motion as follows:

1. *Request the CEO prepare a report to Council regarding the City’s advocacy in relation to homelessness, domestic violence, and safety for the 15 October 2024 Ordinary Council Meeting.*

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

#### **Council Decision 209/24**

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

- 1. Endorse the City of Bunbury’s strategic advocacy priorities as presented in this report.**
- 2. Request the CEO prepare a report to Council regarding the City’s advocacy in relation to homelessness, domestic violence, and safety for the 15 October 2024 Ordinary Council Meeting.**

CARRIED UNANIMOUSLY

8 votes “for” / 2 votes “against”

Mayor Miguel and Councillors Andrew, Brown, Kozisek, Quain, Ramesh, Smith and Turner voted “for”

Councillors Ghasseb and Steck voted “against”

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## **11. Applications for Leave of Absence**

### **11.1 Cr Quain**

Cr Quain requests a leave of absence from all Council-related business on 15 October 2024.

Section 2.25 of the *Local Government Act 1995* allows a council to grant leave of absence to one of its members provided that the period of leave does not exceed six (6) consecutive ordinary meetings of the Council.

#### **Executive Recommendation**

Pursuant to Section 2.25 of the *Local Government Act 1995*, Cr Quain is granted leave of absence from all Council-related business on 15 October 2024.

#### **Outcome of Meeting 24 September 2024**

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

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

#### **Council Decision 210/24**

**Pursuant to Section 2.25 of the Local Government Act 1995, Cr Quain is granted leave of absence from all Council-related business on 15 October 2024.**

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

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**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**

**15.1 Matters for which the Meeting may be Closed**

Nil

**15.2 Public Reading of Resolutions that may be made Public**

Nil

**16. Closure**

The Mayor declared the meeting closed at 6:43pm.

Confirmed this day, 15 October 2024 to be a true and correct record of proceedings of the City of Bunbury Council Meeting held 24 September 2024.

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Jaysen de San Miguel  
Mayor

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