



City of Bunbury Council

Notice of Meeting and Agenda 15 October 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

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’).

City of Bunbury Council Notice of Meeting

The next Ordinary Meeting of the City of Bunbury Council will be held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on Tuesday, 15 October 2024 at 5.30pm.



Alan Ferris
Chief Executive Officer
(Date of Issue: 10 October 2024)

Agenda

15 October 2024

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

Council Members:

Mayor Jaysen de San Miguel
Deputy Mayor Tresslyn Smith
Councillor Ben Andrew
Councillor Gabi Ghasseb
Councillor Parthasarathy Ramesh
Councillor Michelle Steck
Councillor Cheryl Kozisek
Councillor Marina Quain
Councillor Karen Steele
Councillor Karen Turner
Councillor Todd Brown

1. Declaration of Opening / Announcements of Visitors

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

4. Attendance

4.1 Apologies

4.2 Approved Leave of Absence

Cr Quain is on an approved leave of absence for 15 October 2024.

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.”



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:	Type of Meeting (tick one) <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)	Date of Ordinary Council Meeting:/...../..... Date of Committee Meeting:/...../.....																														
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)	Part A (Financial Interest/Proximity Interest) 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.																															
	Part B – Impartiality Interest 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)																															
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State the Nature of Your Interest – if you have ticked Part C above outline why you consider your interest to be trivial/insignificant	<table border="1"> <thead> <tr> <th>Item No.</th> <th>Nature of Interest/Reason for Interest to be Trivial</th> </tr> </thead> <tbody> <tr> <td> </td> <td>.....</td> </tr> <tr> <td> </td> <td>.....</td> </tr> <tr> <td> </td> <td>.....</td> </tr> </tbody> </table>	Item No.	Nature of Interest/Reason for Interest to be Trivial																								
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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

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 24 September 2024 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the City of Bunbury Council held 24 September 2024 be confirmed as a true and accurate record.

Voting Requirement: Simple Majority Required

7.1.2 Minutes – Council Advisory Committees

Applicant/Proponent:	Internal Report
Author:	Various
Executive:	Alan Ferris, Chief Executive Officer
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 7.1.2-A: Audit Committee Minutes 24 September 2024

Summary

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

- Title: Audit Committee Minutes 24 September 2024
Author: Greg Golinski, Manager Governance and Integrated Planning
Appendix: 7.1.2-A

Council Committee Recommendation

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

- Audit Committee Minutes 24 September 2024

Voting Requirement: Simple Majority



Audit Committee

Minutes

24 September 2024

City of Bunbury
4 Stephen Street
Bunbury WA 6230
Western Australia
Correspondence to:
Post Office Box 21
Bunbury WA 6231



Audit Committee Terms of Reference

The duties and responsibilities of the committee will be:

- a) *Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits and matters related to financial management;*
- b) *Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions;*
- c) *Liaise with the CEO to ensure that the local government does everything in its power to:*
 - *assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and*
 - *ensure that audits are conducted successfully and expeditiously;*
- d) *Examine the reports of the auditor after receiving a report from the CEO on the matters to:*
 - *determine if any matters raised require action to be taken by the local government; and*
 - *oversee the implementation of any action so determined in respect of those matters;*
- e) *Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time;*
- f) *Review the scope of the internal audit plan and program and its effectiveness;*
- g) *Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or the CEO;*
- h) *Review the level of resources allocated to internal audit and the scope of its authority;*
- i) *Review reports of internal audits, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;*
- j) *Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs;*
- k) *Review the local government's draft annual financial report, focusing on:*
 - *accounting policies and practices;*
 - *changes to accounting policies and practices;*
 - *the process used in making significant accounting estimates;*
 - *significant adjustments to the financial report (if any) arising from the audit process;*
 - *compliance with accounting standards and other reporting requirements; and*
 - *significant variances from prior years;*
- l) *Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;*
- m) *Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference;*
- n) *Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;*
- o) *Review the annual Compliance Audit Return and report to the council the results of that review,*
- p) *Having regard to the culture and capability of the organisation, consider the CEO's reviews of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews;*
- q) *Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;*
- r) *Oversee the implementation of any action required following receipt of the review of the appropriateness and effectiveness of the local government's systems and procedures in regard to risk management, internal control and legislative compliance;*
- s) *Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the financial management systems and procedures;*
- t) *Oversee the implementation of any action required following receipt of a review of the appropriateness and effectiveness of the financial management systems and procedures.*

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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 cultures; and to Elders past, present and emerging.

Audit Committee Minutes 24 September 2024

Members of the public to note that recommendations made by this committee are not final and will be subject to adoption (or otherwise) at a future meeting of the Bunbury City Council.

1. Declaration of Opening

The Presiding Member declared the meeting open at 3.03pm.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

The Chair re-iterated the Better Practice Guide for Public Sector Audit Committees produced by the OAG as a useful resource and suggested that committee members and staff read it as appropriate.

4. Attendances

Committee Members:

Member Name	Representing
Mayor Jaysen Miguel	City of Bunbury
Cr Gabi Ghasseb (Presiding Member)	City of Bunbury
Cr Marina Quain	City of Bunbury
Cr Michelle Steck	City of Bunbury
Mr Stuart Eaton	Independent Member

Support Staff/Visitors:

Name	Title
Mr Greg Golinski	Manager Governance
Mr Alan Ferris	Chief Executive Officer
Mrs Karin Strachan	Director Corporate and Community Services
Mr David Ransom	Manager Finance
Mrs Maureen Keegan	Senior Governance Officer
Mrs Delise Fynn	Internal Auditor

4.1 Apologies

Mr John Barratt

4.2 Approved Leave of Absence

Nil

5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.

Cr Ghasseb declared a trivial financial interest in item 10.3 as he may be undertaking work for a person/group who have a lease with the City.

Cr Quain declared an impartiality interest in item 10.3 and she is a member of a sporting group who have a lease with the City.

6. Public Question Time

Not applicable to this committee.

7. Confirmation of Minutes

Committee Decision: Moved: Cr Quain Seconded: Mr Eaton

The minutes of the Audit Committee Meeting held on 25 June 2024 are confirmed as a true and accurate record.

CARRIED

8. Presentations

Nil

9. Method of Dealing with Agenda Business

Items were dealt with in the order they appeared in the agenda.

10. Reports

10.1 Employee Annual Leave Balances

File Ref:	COB/6817
Applicant/Proponent:	Internal
Responsible Officer:	Delise Fynn, Internal Auditor
Responsible Manager:	Greg Golinski, Manager Governance & Integrated Planning
Executive:	Karin Strachan, Director Corporate and Community
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Information Purposes
Attachments:	Confidential Appendix 1: Annual Leave Report as at June 2024

Summary

The purpose of this report is to provide the Audit Committee (the Committee) with information relating to Annual Leave accruals for City staff.

Executive Recommendation

That the Audit Committee note the information provided within 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

N/A

Background

The CEO has previously been requested by the Committee to provide a recurring report concerning accrued staff leave. This was requested based on the risk presented to the City in carrying excessive leave liabilities.

This report fulfils this requirement and is provided bi-annually as at 30 June and 31 December each year.

Council Policy Compliance

There are no Council policies relating to this report.

Legislative Compliance

N/A

Officer Comments

The attached report (Confidential Appendix 1) details the City’s leave liabilities as at 30 June 2024, as well as trend data for earlier periods.

The figures represent liabilities in excess of annual entitlements (4, 5 or 6 weeks depending on the Officer) and also liabilities in excess of 8 weeks, which is defined by Fair Work Australia as being “excessive”.

Note that the total leave liability includes the annual leave loading of 17% and 14% on-costs being workers compensation and superannuation.

Analysis of Financial and Budget Implications

Nil

Community Consultation

N/A

Councillor/Officer Consultation

N/A

Applicant Consultation

N/A

Timeline: Council Decision Implementation

N/A

Outcome of Meeting – 24 September 2024

The executive recommendation as printed was moved by Cr Quain and seconded by Mr Eaton and was carried unanimously as follows:

That the Audit Committee note the information provided within this report.

10.2 Internal Audit Database

File Ref:	COB/6329
Applicant/Proponent:	Internal Audit
Responsible Officer:	Delise Fynn, Internal Auditor
Responsible Manager:	Greg Golinski, Manager Governance, and Integrated Planning
Executive:	Karin Strachan, Director Corporate Community
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Information Purposes
Attachments:	Confidential Appendix 2: Database of Audit Findings

Summary

The City of Bunbury has established a database and follow-up process to monitor and ensure that management’s actions to audit findings (both internal and external) have been effectively implemented.

The database (as presented at Confidential Appendix 2) is presented to the Audit Committee for information and discussion as necessary.

Executive Recommendation

That the Committee note the information provided in this report.

Voting Requirement: Simple Majority

Strategic Relevance

- | | |
|--------------|---|
| Pillar | Performance |
| Aspiration | Leading with purpose and robust governance. |
| Outcome | A leading local government |
| Objective 1. | Provide strong, accountable leadership and governance. |
| Objective 2. | Adopt innovations to improve business efficiencies and the customer experience. |
| Objective 3. | Effectively manage the City’s resources |

Regional Impact Statement

N/A

Background

The International Standards for the Professional Practice of Internal Auditing requires the Internal Audit Coordinator to establish a follow-up process to monitor and ensure that management actions have been effectively implemented or that senior management has accepted the risk of not acting.

Confidential Appendix 2 has been developed to capture audit findings from all engagements, both internal and external.

Council Policy Compliance

N/A

Legislative Compliance

The *International Standards for the Professional Practice of Internal Auditing 2500.A1*
 Management Policy: Internal Control

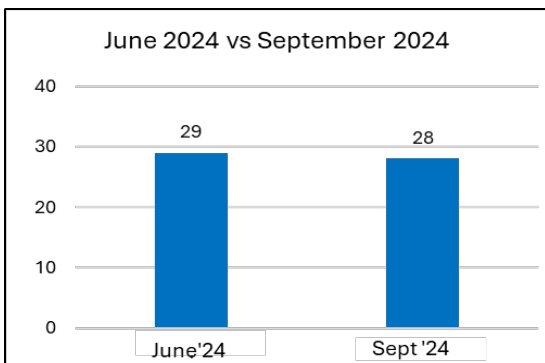
Officer Comments

Since the last audit committee meeting, findings from the Safety Management Audit and Payroll were added to the audit findings database. Subsequently, a total of 11 previous year findings were resolved:

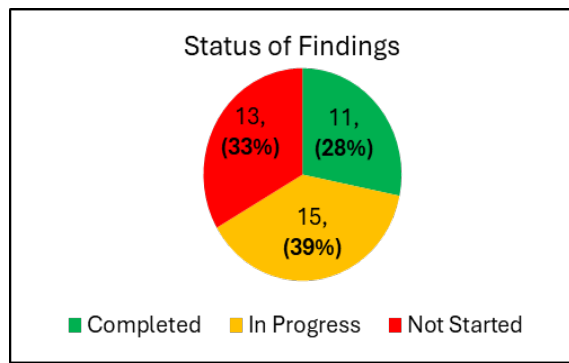
Area	Number of Findings Resolved
People and Safety	9
Community Connection	1
Digital Services	1
Total	11

There are currently 28 unresolved findings in the audit findings database. As shown in graph 2, 15 (39%) are “in progress” and 13 (33%) are “not started”. The reasons for the findings not yet addressed include:

- Financial considerations.
- Insufficient resources at present.
- Task cannot proceed until other tasks are completed.

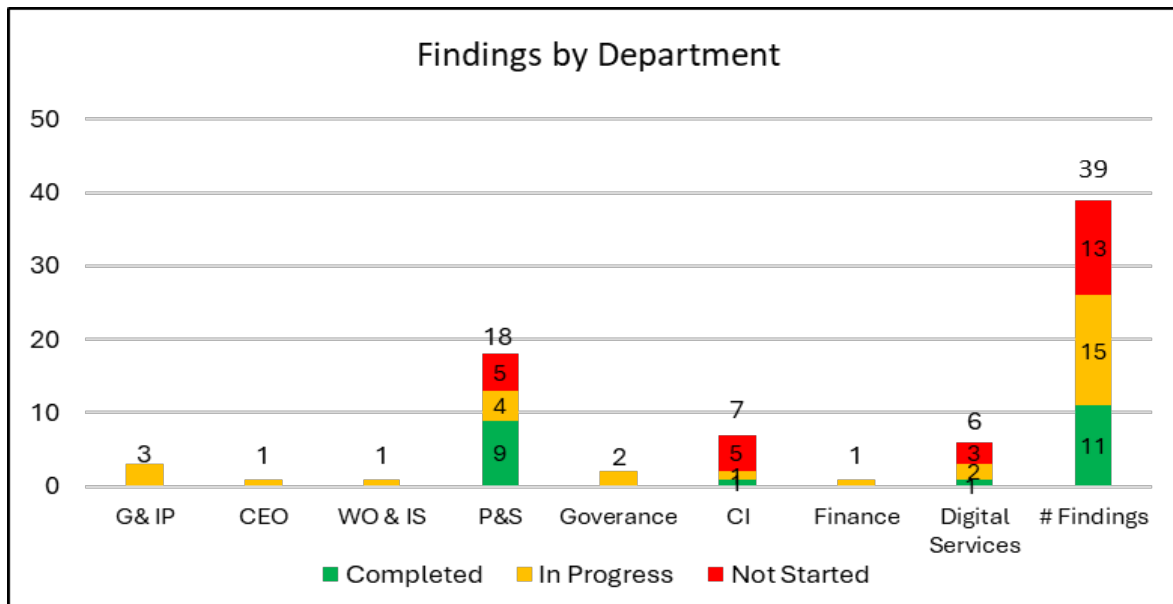


Graph 1



Graph 2

Graph 3 shows the number and status of findings per department. The database of findings is also attached for more detail.



Graph 3

Abbreviations:

- G&IP – Governance & Integrated Planning
- WO & IS – Waste Operations & Infrastructure Services
- P&S – People and Safety
- CI – Corporate Information

Analysis of Financial and Budget Implications

Any financial implications arising from the implementation of the recommendations will be considered independently in implementing the relevant aspects of each recommendation.

Community Consultation

N/A

Councillor/Officer Consultation

N/A

Applicant Consultation

N/A

Timeline: Council Decision Implementation

N/A

Outcome of Meeting – 24 September 2024

The executive recommendation as printed was moved by Mr Eaton and seconded by Mayor Miguel and was carried unanimously as follows:

That the Audit Committee note the information provided within this report.

10.3 Internal Audit Report – Leases

File Ref:	COB/5213	
Applicant/Proponent:	Internal	
Responsible Officer:	Delise Fynn, Internal Auditor	
Responsible Manager:	Greg Golinski, Manager Governance & Integrated Planning	
Executive:	Karin Strachan, Director Corporate and Community	
Authority/Discretion	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Legislative	<input type="checkbox"/> Review <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Attachments:	Confidential Appendix 3: Final Lease Internal Audit Report	

Summary

Internal audit has completed a review of the City of Bunbury’s lease management controls. The internal audit report summarises the findings identified during the review. This purpose of this report is to communicate how the City of Bunbury has addressed the findings.

A copy of the confidential Internal Audit Report is at Appendix 3.

Executive Recommendation

That the Committee:

1. Note the information within the Internal Audit Report at Appendix 3; and
2. Endorse the recommendations made within the report, noting these will be included in the City’s Audit Findings Database

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust government.
Outcome 1.	A leading local government
Objective 2.	Provide strong, accountable leadership and governance. Effectively manage the City’s resources

Regional Impact Statement

N/A

Background

The Lease Management audit was conducted in terms of the approved Internal Audit Plan for F24/25. An evaluation of the organisation's lease operations, with the aim of identifying opportunities for improvement was conducted.

During the preparation of the detailed scope, it was identified that the City of Bunbury is not the lessee to any non-government assets or services, therefore this audit covered the City's activities only as lessor and not as a lessee.

Council Policy Compliance

City of Bunbury Risk Management Framework

- Council Policy Risk Management
- City of Bunbury Risk Management Strategy
- City of Bunbury Risk Management Plan

City of Bunbury Compliance Framework

- Management Policy: Legislative Compliance

City of Bunbury Internal Control Framework

Legislative Compliance

Regulation 17 of the *Local Government (Audit) Regulations 1996*

r.17. CEO to review certain systems and procedures.

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –

(a) risk management; and
(b) internal control; and
(c) legislative compliance.*
- (2) *The review may relate to any or all the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Officer Comments

The lease management audit assessed key controls pertaining to the process, particularly ensuring that the obligations of the City as the lessor and the contracted lessees are being met.

The City of Bunbury acts as the lessor for 163 leases with agreements ranging from month-by month negotiations to 50 years. The property team currently manages 4 categories of leases, these are:

1. Sporting leases
2. Community leases
3. Commercial leases
4. Airport leases

In FY2023/2024, The City generated lease income of approximately \$885,744 (GST exclusive) from 87 properties. As per the Sporting and Community Leases and Licenses Policy, Sporting or community groups that enter a lease or license arrangement with the City will not be charged a rental fee.

Below is a summary of findings identified during the lease management audit, with management actions documented for each within Appendix 3:

1. Property inspections are not conducted.
2. Lease agreement supporting documentation.
3. List of assets the City is responsible for is not included in lease agreements.

Analysis of Financial and Budget Implications

Each finding/recommendation may have its own discrete financial implications.

Community Consultation

N/A

Councillor/Officer Consultation

N/A

Applicant Consultation

N/A

Timeline: Council Decision Implementation

N/A

Outcome of Meeting – 24 September 2024

A motion to suspend standing orders was moved by Mr Eaton and seconded by Cr Quain and was carried unanimously. Standing orders were suspended at 3.23pm.

Extensive discussion took place in relation to this item, as well as two questions asked by Cr Steck as below. Note that the answers to both questions was dealt with through the addition of a point 3 to the executive recommendation (see further below).

1. Is 24months an appropriate timeframe for implementing the recommendations found at item 4.1 within the internal audit report – lease management given the condition of some of the City’s properties?
2. Does the City provide copies of the Commercial Tenancy Act and associated documentation to its lessees when entering into a lease agreement?

A motion to resume standing orders was moved by Cr Quain and seconded by Mayor Miguel and was carried unanimously. Standing orders were resumed at 3.37pm.

The executive recommendation as printed was moved by Cr Quain and seconded by Mr Eaton. An amendment to add a point 3 to the motion was moved by Cr Quain and seconded by Cr Steck as follows:

3. *Request the CEO provide a detailed report to Council by latest 26 November 2024 detailing how the recommendations within the Internal Audit Report – Lease Management will be addressed, including timeframes and details of the processes around how the City manages its leases.*

The amendment was put to the vote by the Presiding Member and was carried unanimously.

The Presiding Member put the substantive motion to the vote and it was carried unanimously as follows:

That the Committee:

1. ***Note the information within the Internal Audit Report at Appendix 3; and***
2. ***Endorse the recommendations made within the report, noting these will be included in the City’s Audit Findings Database.***
3. ***Request the CEO provide a detailed report to Council by latest 26 November 2024 detailing how the recommendations within the Internal Audit Report – Lease Management will be addressed, including timeframes and details of the processes around how the City manages its leases.***

10.4 Risk Management Update

File Ref:	COB/6329		
Applicant/Proponent:	Internal		
Responsible Officer:	Jordan Hunt, Team Leader Integrated Planning		
Responsible Manager:	Greg Golinski, Manager Governance and Integrated Planning		
Executive:	Karin Strachan, Director Corporate and Communities		
Authority/Discretion	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review	
	<input type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial	
	<input type="checkbox"/> Legislative	<input checked="" type="checkbox"/> Information Purposes	
Attachments:	Nil		

Summary

The purpose of this Report is for the Audit Committee to receive an update as to the current status of the City’s Enterprise Risk Management Service.

Executive Recommendation

That the Audit Committee note the update in relation to the status of the City’s Enterprise Risk Management Service.

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

This Enterprise Risk Management (ERM) report provides an overview of the City of Bunbury's progress in implementing Risk Management as a service against plan. The report also provides further details of the key activities completed and in progress such as the revised risk appetite statement, development of the Pulse Risk Management software system, and assessment of the organisation’s strategic and operational risks.

Council Policy Compliance

Risk Management Council Policy
 Risk Management Framework

Legislative Compliance

The Enterprise Risk Management service is developed in the context of Regulation 17 of the *Local Government (Audit) Regulations 1996*.

Officer Comments

Progress against plan is detailed below:

Phase	Key Deliverables	Timeframe	Status
Phase 1: Establishment of the Enterprise Risk Management service	Development of Framework and Operational Risk Register, identification of Risk Owners, development of Risk Reporting Template (ELT), identification of Risk Team requirements (training, space).	March '23 - Jun '23	Completed
Phase 2: Establishment of the organisational risk approach	Development of process maps, trigger maps, Escalation Framework, and organisational tools & templates.	Jul '23 - Sept '23	Completed
Phase 3: Prepare for the implementation of Pulse Software	Identification of user needs, requirements and training, input of system information and update processes in line with software.	Oct '23 - Dec '23	Completed
Phase 4: Embedding of Enterprise Risk service and Pulse Software	Internal communications plan and engagement to effectively initiate the embedding of the Enterprise Risk Management service within the organisation.	Jan '24 - Jun '24	In progress (The City has commenced embedding ERM throughout the organisation. The Risk Team is working with Risk Owners to assess risks, capture control information, and learn the Pulse system.

Phase	Key Deliverables	Timeframe	Status
Phase 5: Establishment of Control Assurance Program (BAU)	Schedule, engagement plan and approach for continual improvement of risk controls	Jul '24 - Dec '24	Not started

Phase 2 Update:

Having now established the Risk Board and completed the review of the Risk Appetite statement, the focus of the Risk Team has shifted to the processes for identifying and assessing risks across the business as well as for monitoring and reporting risks in a standardised manner.

Progress is underway in developing the identification and assessment processes and tools of the risk management framework. The team is currently developing a comprehensive risk assessment template designed for staff use. The template is automated through SharePoint and facilitates the identification and evaluation of potential risks across various operations. Once completed by staff, the risk team will review these assessments to ensure accuracy and completeness. This process ensures that all relevant information is appropriately incorporated into the risk register, fostering a more thorough and organised approach to risk management.

The City of Bunbury has made significant progress in developing its monitoring and reporting processes for risk management, ensuring comprehensive oversight and accountability. One of the key advancements includes the development of standardised risk management reports tailored to meet the specific requirements of both the risk board and the audit committee. These reports provide consistent, clear, and detailed insights into risk exposure and mitigation strategies, facilitating more informed decision-making. Additionally, the standardised format ensures that all relevant stakeholders receive uniform information, thereby enhancing transparency and coherence in the organisation's risk management practices.

Phase 3 Update:

The Pulse Risk Management solution is a platform designed to enhance the City's risk identification, assessment, and mitigation capabilities. The system facilitates real-time monitoring, reporting, and analysis of risks, ensuring a proactive and data-driven approach to risk management. The design and build phase of the software has been completed, with the training and onboarding of staff now the focus of the team.

The organisation has made commendable progress towards embedding Risk Management as a service within its operations. The integration of the Pulse Risk Management software system, alignment of the risk appetite statement, review of risk registers, and establishment of the Risk Board contribute to a sustainable and proactive approach to enterprise risk management.

Phase 4 Update:

Initial reviews of the City’s strategic and operational risks have now been undertaken within Pulse. It was hoped that an initial system-generated Risk Management report would be made available for this meeting, however the City’s Risk Board (administrative) requested some further refinement with Director level oversight specifically as to the ratings of our operational risks. This will take place over the next few weeks with an initial report to be presented to the Audit Committee later in 2024. Subsequent to this, the identification of causes and controls against existing risks will help mature this process further.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Elected Member/Officer Consultation

This matter is presented to Council by the Audit Committee for information.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Not applicable

Outcome of Meeting – 24 September 2024

The executive recommendation as printed was moved by Mr Eaton and seconded by Cr Quain and was carried unanimously as follows:

That the Audit Committee note the update in relation to the status of the City’s Enterprise Risk Management Service.

11. Applications for Leave of Absence

Nil

12. Motions of which previous notice has been given

Nil

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

Nil

13.2 Questions from Members

Mr Eaton asked the following questions, which together with their responses are listed below:

1. With reference to financial statistics:

- a. Does the City currently produce structured financial trend analysis?**
- b. Is there any impediment for a financial statistical analysis report being developed with the Audit Committee and presented annually to the Audit Committee and Council in conjunction with the Annual Financial Report?**

CEO Response: The City's annual budget and long term financial plans each contain past and future financial trend analysis. Should the Audit Committee wish to have something specific developed in terms of financial trend analysis, this could be accommodated in consultation with the CEO.

2. Lease Audit (item 10.3)

"A high-level assessment of the City's compliance with relevant laws and regulations and their inclusion in relevant crown land lease agreements".

- a. Do the tests include whether leasing is permitted under relevant crown reserve management orders and consequently whether approval to lease has been granted by the Minister for Lands (or equivalent)?**

CEO Response: Yes. Testing includes both internal validation and with Landgate.

3. Provision of the Internal Audit Assessment / Scope of Tests

- a. Can internal audit tests assessments be provided as appendices to each internal audit reports.**

- i. This enables the Audit Committee and Council to understand the full scope of each internal audit.*
- ii. The provision of the full scope enables the Audit Committee and Council to additionally understand where positive outcomes are achieved where testing has not identified any issues.*

CEO Response: Yes. In future audit scopes will be provided to the audit committee packaged together with the final audit report.

4. With reference to the audit findings database

“13/08/2024: As per the Finance Manager, this issue is still ongoing. The City of Bunbury are firm on 50% and BHRC 46%. An email will be sent to the CEO of Harvey to reestablish the City's position”.

Seeking clarification. Is BHRC advocating 46% or is this Shire of Harvey?

CEO Response: The 46% is the Shire of Harvey's position not BHRC's. The review of the BHRC options and future operating model that an independent consultant has been engaged to do will review the split.

Cr Steck asked the following question, which together with its response is listed below:

- 1. Cr Steck asked when any reporting by the Optimisation Working Group would be coming back to Council?**

CEO Response: The optimisation working group formed part of the former CEOs KPIs, and was effectively superseded by elements of the CEOs current KPIs which cover similar philosophies but in different ways, for example the current requirement to prepare and present well-researched, strategic options in relation to financial aspects such as revenue-growth alternatives, efficiency proposals, expenditure scenarios including affordability assessments to Council.

Cr Quain asked if the next meeting can be held after 18 November as she will be on leave. The Manager Governance indicated yes, as it's unlikely to be before that date in any case being reliant on the availability of the OAG and the completion of the annual financial audit.

Cr Ghasseb asked can the offer by the COO of the OAG, Sandra Labuschagne to attend the next meeting of the Audit Committee be followed up. The CEO responded that yes it can.

14. New business of an urgent nature

Nil

15. Matters for which the meeting may be closed

Nil

16. Date of next meeting

TBC – late November pending completion of annual financial audit.

17. Close of Meeting

The Presiding Member closed the meeting at 3.58pm.

8. Petitions, Presentations, Deputations and Delegations

8.1 Petitions

Pursuant to clause 6.10(2) of the City of Bunbury Standing Orders, upon receiving a petition, the Council is to

- a) Receive the petition and refer to the relevant officer for a report to be submitted within the next two (2) rounds of Council meetings; or
- b) Reject the petition

8.2 Presentations

8.3 Deputations

8.4 Council Delegates' Reports

8.5 Conference Delegates' Reports

9. Method of Dealing with Agenda Business

10. Reports

10.1 Recommendations from Advisory Committees

Nil

10.2 Chief Executive Officer Reports

Nil

10.3 Director Corporate and Community

10.3.1 Monthly Financial Report for the period ending 31 August 2024

File Ref:	COB/6615
Applicant/Proponent:	Internal Report
Responsible Officer:	David Ransom, Manager Finance
Responsible Manager:	David Ransom, Manager Finance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.3.1-A - Statement of Comprehensive Income Appendix 10.3.1-B - Statement of Financial Activity Appendix 10.3.1-C - Statement of Net Current Assets Appendix 10.3.1-D - Statement of Financial Position Appendix 10.3.1-E - Capital Projects Expenditure Summary Appendix 10.3.1-F - Operating Projects Expenditure Summary Appendix 10.3.1-G - Monthly Community Financial Report

Summary

The following comments are provided on the key elements of the City's financial performance.

1. Statement of Comprehensive Income (**attached** at Appendix 10.3.1A)
Actual Financial Performance to 31 August 2024 (refer explanations within the report)
 - Actual operating income of \$62.08M is \$442K more than the year-to-date budgeted income of \$61.64M.
 - Actual operating expenditure of \$12.56M is \$247K under the year-to-date budgeted expenditure of \$12.81M.
 - Actual operating surplus of \$49.52M is \$689K more than the year-to-date budgeted operating surplus of \$48.83M.

2. Statement of Financial Activity (**attached** at Appendix 10.3.1-B)

Closing funding deficit to 30 June 2025 is forecast at \$44,482, due to end of year forecast movements, which will form part of the October Budget Review. This amount excludes any changes to the budgeted opening surplus position as at 1 July 2024 which is anticipated to be \$473K higher than expected and will be confirmed as part of the audit of the 2023/24 Financial Statements.

3. Statement of Financial Position (**attached** at Appendix 10.3.1-D)

The City's year-to-date actuals and end of financial year (F/Y) forecast balances are as follows:

	Year-to-date	Forecast
* Current Assets of \$85.44M includes:		
- Cash and Investments	\$31.67M	\$26.84M
- Rates Receivable	\$52.70M	\$1.93M
- Other Current Assets	\$1.07M	\$2.25M
* Current Liabilities of \$13.50M includes:		
- Trade and Other Payables	\$5.10M	\$8.48M

-	Annual Leave and LSL Provisions	\$5.56M	\$5.88M
*	Working Capital (Current Assets less Current Liabilities)	\$71.93M	\$13.67M
*	Equity (Total Assets less Total Liabilities)	\$544.67M	\$492.83M
4.	Capital Works (attached at Appendix 10.3.1-E)		
-	Actual capital works of \$3.22M is \$1.43M less than the year-to-date budgeted capital works of \$4.65M (refer explanation within report).		
-	The progress of capital works is monitored monthly.		
-	Capital works include a combination of funding sources including municipal, reserve and grant funds.		
5.	Operating Project Expenditure (attached at Appendix 10.3.1-F)		
-	Actual operating project expenditure of \$261K is \$259K less than the year-to-date budgeted operating project expenditure of \$520K.		
-	Operating projects include a combination of funding sources including municipal, reserve and grant funds.		

Executive Recommendation

The Financial Management Report for the period ending 31 August 2024 be received.

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

Background

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

- Statement of Comprehensive Income (attached at Appendix 10.3.1-A)
- Statement of Financial Activity (attached at Appendix 10.3.1-B)
- Statement of Net Current Assets (attached at Appendix 10.3.1-C)
- Statement of Financial Position (attached at Appendix 10.3.1-D)
- Capital Projects Expenditure Summary (attached at Appendix 10.3.1-E)
- Operating Projects Summary (attached at Appendix 10.3.1-F)
- Monthly Community Financial Report (attached at Appendix 10.3.1-G)

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

Council Policy Compliance

Not applicable.

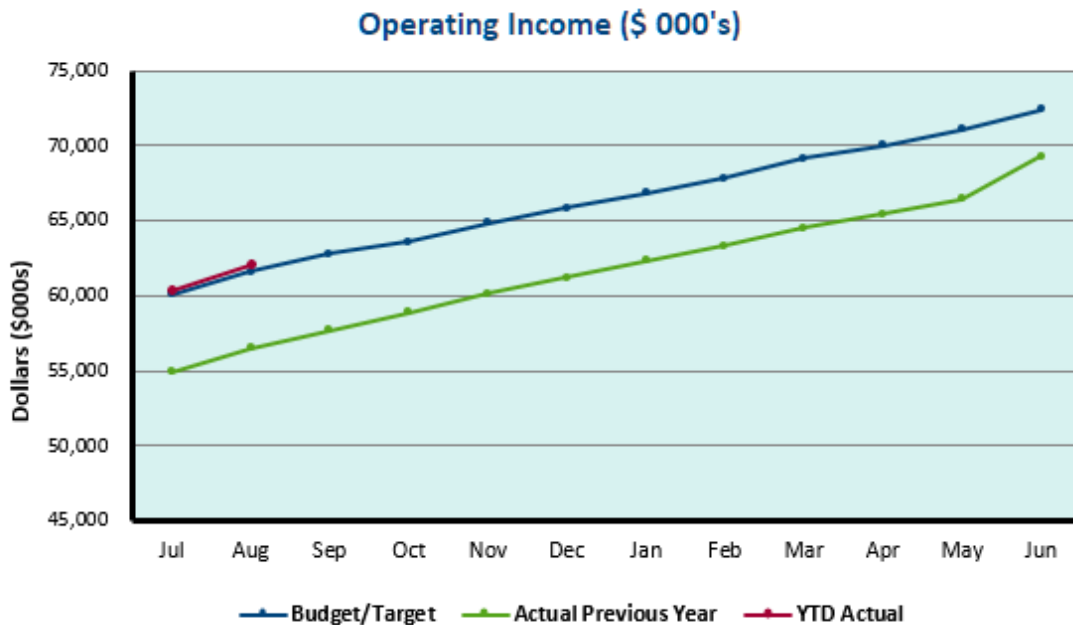
Legislative Compliance

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (attached at Appendix 10.3.1-B) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Special Council Meeting 23 July 2024, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$25,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2024/25.

Officer Comments

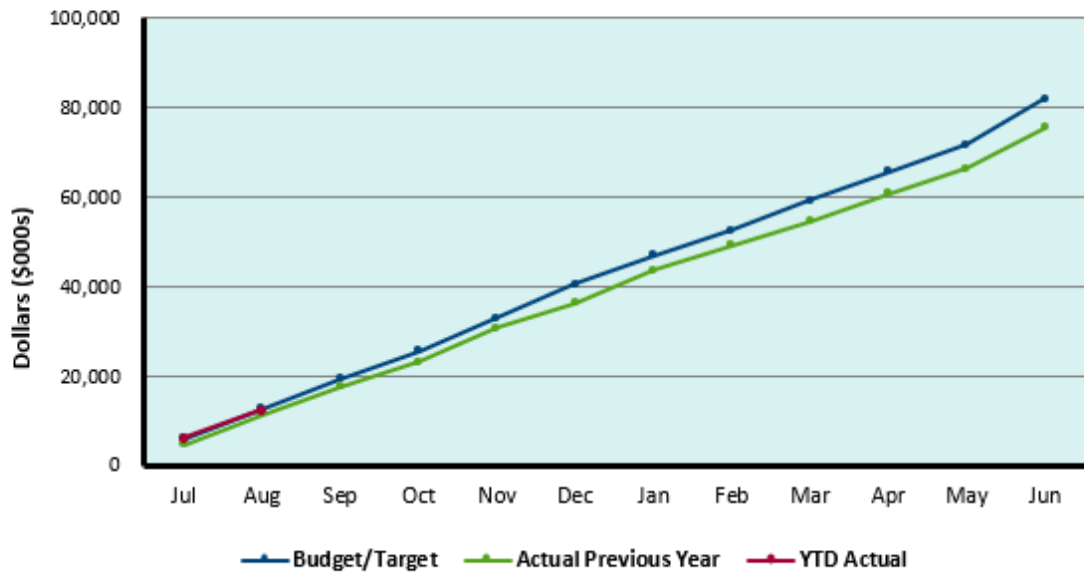
The Operating Income, Operating Expenditure and Capital Expenditure graphs provide an overview on how the actual income/expenditure is tracking to budget and the previous financial year. Comments are provided on each graph regarding the current financial position.



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

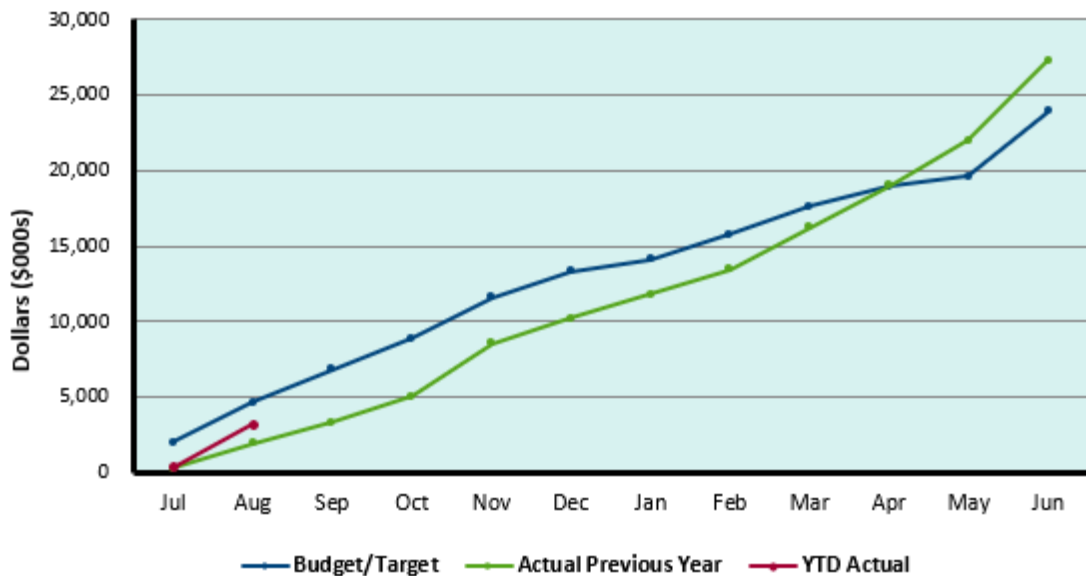
Actual operating income of \$62.08M is \$442K more than the year-to-date budgeted income of \$61.64M.

Operating Expenditure (\$ 000's)



Note: Actual operating expenditure is below the year-to-date budget by \$247K.

Capital Expenditure (\$ 000's)



Note: The actual capital expenditure at the end of August 2024 of \$3.22M is \$1.43M less than the year-to-date budget of \$4.65M. The monthly Capital Projects Summary report provides more detail on all capital projects.

The following is an explanation of significant variances identified in the statement of Financial Activity. Please refer to Appendices 10.3.1-E and 10.3.1-F for more detailed information regarding projects:

Statement of Financial Activity	YTD Actual to Budget Variance
Operating Revenue	
<i>Contributions Reimbursements and Donations</i> – Favourable year-to-date variance of \$175K mainly due to higher than expected, workers compensation reimbursements (\$96K), government paid parental leave (\$32K) and deceased estate donation to Bunbury Wildlife Park of (\$27K). End of year forecasts have been updated.	\$175,344 187%
Operating Expense	
<i>Utilities</i> – Unfavourable year-to-date variance due to higher electricity costs to date. This will be monitored over the coming months.	\$(44,332) 10%
Capital Expenses	
<i>Acquisition of Assets</i> – Favourable Year-to-date variance due to the timing of capital expenditure. The capital projects are monitored monthly. Key project variances include: PR-3720 Hands Oval Redevelopment - \$1.03M PR-2403 Replace Forrest Park Pavilion – \$436K	\$1,425,248 31%

Analysis of Financial and Budget Implications

This Financial Management Report on the financial performance of the City is provided for Councillors information and does not have any financial or budget implications for the 2024/25 financial year. Any forecasts changes noted will be included in the October 2024 Budget review.

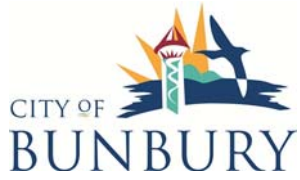
Community Consultation

There is no requirement for community consultation on this report. A Monthly Community Financial Report (attached at Appendix 10.3.1-G) has been prepared to give the community an easy-to-understand summary of the City’s financial performance. This report is made available on the City’s website for community information.

Councillor/Officer Consultation

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

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



STATEMENT of COMPREHENSIVE INCOME

Period Ending August 2024

Tuesday, 24 September, 2024

	Actual	Budget	% Var	Original Budget	Current Budget	Forecast
Rates						
Rates General Inc	49,551,409	49,549,799	0	49,549,799	49,549,799	49,549,799
Rates Interim Inc	26,812	30,740	13	141,197	141,197	141,197
Rates Specified Area Inc	61,272	61,272	0	61,272	61,272	61,272
	49,639,492	49,641,811	0	49,752,268	49,752,268	49,752,268
Operating Grants and Subsidies						
Operating Grant Inc	679,876	649,359	(5)	2,507,658	2,507,658	2,577,783
	679,876	649,359	(5)	2,507,658	2,507,658	2,577,783
Contributions Reimbursements and Donation						
Contribution Inc	56,295	35,000	(61)	119,050	119,050	132,550
Donation Inc	27,864	458	(5984)	3,500	3,500	31,000
Reimbursement Inc	184,811	58,168	(218)	308,834	308,834	441,022
	268,970	93,626	(187)	431,384	431,384	604,572
Fees and Charges						
Building and Planning Fee Inc	148,864	121,613	(22)	438,720	438,720	438,720
Fine and Penalty Fee Inc	14,539	22,865	36	80,000	80,000	80,000
General Hire Fee Inc	19,728	13,452	(47)	85,950	85,950	85,950
Miscellaneous Fee and Charge Inc	353,259	305,053	(16)	1,692,273	1,692,273	1,692,273
Parking Fee Inc	47,111	55,370	15	242,870	242,870	242,870
Property Lease and Rental Fee Inc	222,546	208,976	(6)	870,380	870,380	870,380
Rating Fee Inc	38,376	33,264	(15)	152,750	152,750	152,750
Sports Facility Fee Inc	857,293	695,195	(23)	4,135,750	4,135,750	4,135,750
Waste Collection Charge Inc	9,422,151	9,427,938	0	9,427,938	9,427,938	9,427,938
	11,123,868	10,883,726	(2)	17,126,631	17,126,631	17,126,631
Interest Received						
Cash and Investment Interest Inc	226,364	245,287	8	1,832,651	1,832,651	1,832,651
Rates Debtor Interest Inc	87,766	68,964	(27)	429,500	429,500	429,500
	314,129	314,251	0	2,262,151	2,262,151	2,262,151
Other Revenue						
Miscellaneous Inc	51,476	53,124	3	343,350	343,350	343,350
	51,476	53,124	3	343,350	343,350	343,350
Total	62,077,812	61,635,897		72,423,442	72,423,442	72,666,755

	Actual	Budget	% Var	Original Budget	Current Budget	Forecast
Employee Costs						
Other Employee Related Exp	(996,697)	(972,180)	(3)	(5,597,967)	(5,597,967)	(5,597,967)
Salary Accruals Exp	-	-	0	(362,721)	(362,721)	(362,721)
Salary Exp	(4,789,918)	(5,114,874)	6	(31,335,733)	(31,335,733)	(31,401,233)
	(5,786,615)	(6,087,054)	5	(37,296,421)	(37,296,421)	(37,361,921)
Material and Contracts						
Bank Fee and Charges Exp	(9,678)	(9,853)	2	(129,565)	(129,565)	(129,565)
Consultants Exp	(223,195)	(331,281)	33	(4,249,906)	(4,249,906)	(4,350,406)
Contractors Exp	(1,283,975)	(1,122,133)	(14)	(12,430,133)	(12,430,133)	(12,417,740)
Equipment Lease or Hire Exp	(26,180)	(29,291)	11	(80,250)	(80,250)	(80,250)
Fuel Exp	(86,199)	(95,341)	10	(607,145)	(607,145)	(607,145)
Material Exp	(273,909)	(354,527)	23	(2,542,302)	(2,542,302)	(2,542,302)
Software License or Maintenance Exp	(1,072,044)	(986,068)	(9)	(1,926,855)	(1,926,855)	(1,926,855)
	(2,975,180)	(2,928,494)	(2)	(21,966,156)	(21,966,156)	(22,054,263)
Insurance						
Insurance Exp	(413,477)	(409,716)	(1)	(836,211)	(836,211)	(836,211)
	(413,477)	(409,716)	(1)	(836,211)	(836,211)	(836,211)
Interest Expense						
Interest Accrual Exp	-	-	0	(901)	(901)	(901)
Interest Loan Borrowings Exp	(8,880)	(9,973)	11	(850,486)	(850,486)	(850,486)
	(8,880)	(9,973)	11	(851,387)	(851,387)	(851,387)
Utilities						
Electricity Exp	(270,342)	(214,694)	(26)	(1,879,000)	(1,879,000)	(1,879,000)
Gas Exp	(33,244)	(41,218)	19	(285,000)	(285,000)	(285,000)
Sewerage Exp	(14,629)	(16,206)	10	(84,250)	(84,250)	(84,250)
Water Exp	(183,109)	(184,875)	1	(676,350)	(676,350)	(676,350)
	(501,325)	(456,993)	(10)	(2,924,600)	(2,924,600)	(2,924,600)
Depreciation						
Depreciation Bridges Exp	(20,053)	(20,046)	0	(120,320)	(120,320)	(120,320)
Depreciation Building Exp	(446,017)	(445,838)	0	(2,676,102)	(2,676,102)	(2,676,102)
Depreciation Equipment Exp	(114,753)	(114,708)	0	(688,518)	(688,518)	(688,518)
Depreciation Furniture and Fittings Exp	(1,526)	(1,526)	0	(9,156)	(9,156)	(9,156)
Depreciation Lease Expense	(43,014)	(51,792)	17	(310,874)	(310,874)	(310,874)
Depreciation Marine Exp	(131,680)	(131,626)	0	(790,078)	(790,078)	(790,078)
Depreciation Open Space Exp	(228,127)	(228,036)	0	(1,368,761)	(1,368,761)	(1,368,761)
Depreciation Other Infrastructure Exp	(185,685)	(185,610)	0	(1,114,110)	(1,114,110)	(1,114,110)
Depreciation Pathways Exp	(230,630)	(230,538)	0	(1,383,780)	(1,383,780)	(1,383,780)
Depreciation Plant and Vehicle Exp	(150,891)	(150,830)	0	(905,348)	(905,348)	(905,348)
Depreciation Roads Exp	(673,620)	(673,350)	0	(4,041,722)	(4,041,722)	(4,041,722)
Depreciation Stormwater Exp	(205,124)	(205,042)	0	(1,230,745)	(1,230,745)	(1,230,745)
Depreciation Structures Exp	(67,770)	(67,742)	0	(406,618)	(406,618)	(406,618)
	(2,498,891)	(2,506,684)	0	(15,046,132)	(15,046,132)	(15,046,132)

City of Bunbury Statement of Comprehensive Income Period Ending August 2024	Year to Date			Tuesday, 24 September, 2024		
	Actual	Budget	% Var	Original Budget	Current Budget	Forecast
Other Expense						
Contrib, Donation and Sponsorship Exp	(128,178)	(236,543)	46	(1,947,191)	(1,947,191)	(1,977,120)
Elected Member Exp	(103,248)	(100,735)	(2)	(687,336)	(687,336)	(687,336)
Miscellaneous Exp	(141,721)	(69,768)	(103)	(341,916)	(341,916)	(399,416)
Taxation and Levy Exp	-	-	0	(88,495)	(88,495)	(88,495)
Write-Off Exp	(1,201)	-	0	(58,445)	(58,445)	(58,445)
	(374,348)	(407,046)	8	(3,123,383)	(3,123,383)	(3,210,812)
Total	(12,558,716)	(12,805,960)		(82,044,290)	(82,044,290)	(82,285,326)
OPERATING SURPLUS or (DEFICIT)	49,519,096	48,829,937		(9,620,848)	(9,620,848)	(9,618,571)

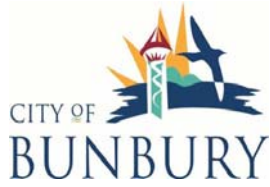
	Actual	Budget	% Var	Original Budget	Current Budget	Forecast
Grants and Contributions for the Development of Assets						
Capital Grant Subsidy and Contrib Inc	310,134	-	0	7,286,842	7,286,842	7,385,060
Self Supporting Loans - Debtors	-	-	0	(36,816)	(36,816)	(36,816)
Self Supporting Loans Inc	-	-	0	36,816	36,816	36,816
	310,134	-		7,286,842	7,286,842	7,385,060
Proceeds from Disposal of Assets						
Proceeds Land Disposal	-	-	0	150,000	150,000	150,000
Proceeds Plant and Vehicle Disposals	-	-	0	452,126	452,126	452,126
	-	-		602,126	602,126	602,126
Value of Assets Disposed						
Value of Plant and Vehicles Disposed	-	-	0	(377,301)	(377,301)	(377,301)
	-	-		(377,301)	(377,301)	(377,301)
Total	310,134			7,511,667	7,511,667	7,609,885
NET RESULT	49,829,230	48,829,937		(2,109,181)	(2,109,181)	(2,008,686)



STATEMENT of FINANCIAL ACTIVITY

Period Ending 31 August 2024

City of Bunbury Statement of Financial Activity Period Ending 31 August 2024	Year to Date			Tuesday, 24 September, 2024		
	Actual	Budget	% Var	Original Budget	Current Budget	End Year Forecast
Operating Revenues						
Grants and Subsidies - Operating	679,876	649,359	(5)	2,507,658	2,507,658	2,577,783
Contributions Reimbursements and Donations	268,970	93,626	(187) ⚠	431,384	431,384	604,572
Fees and Charges	11,123,868	10,883,726	(2)	17,126,631	17,126,631	17,126,631
Interest Received	314,129	314,251	0	2,262,151	2,262,151	2,262,151
Other Revenue	51,476	53,124	3	343,350	343,350	343,350
Total Revenues (Excluding Rates)	12,438,319	11,994,086		22,671,174	22,671,174	22,914,487
Operating Expenses						
Employee Costs	(5,786,615)	(6,087,054)	5	(37,296,421)	(37,296,421)	(37,361,921)
Material and Contracts	(2,975,180)	(2,928,494)	(2)	(21,966,156)	(21,966,156)	(22,054,263)
Depreciation	(2,498,891)	(2,506,684)	0	(15,046,132)	(15,046,132)	(15,046,132)
Interest Expense	(8,880)	(9,973)	11	(851,387)	(851,387)	(851,387)
Utilities	(501,325)	(456,993)	(10)	(2,924,600)	(2,924,600)	(2,924,600)
Insurance	(413,477)	(409,716)	(1)	(836,211)	(836,211)	(836,211)
Other Expense	(374,348)	(407,046)	8	(3,123,383)	(3,123,383)	(3,210,812)
Total	(12,558,716)	(12,805,960)		(82,044,290)	(82,044,290)	(82,285,326)
Funding Balance Adjustments						
Add Back Depreciation	2,498,891	2,506,684	0	15,046,132	15,046,132	15,046,132
Net Operating (Excluding Rates)	2,378,494	1,694,810		(44,326,984)	(44,326,984)	(44,324,707)
Movement in Non-Current Assets and Liabilities						
Movement in Non Current Provisions				62,100	62,100	62,100
Movement in Deferred Pensioner Rates	23,941					(0)
Total	23,941	(0)		62,100	62,100	62,100
Capital Revenues						
Grants and Contributions for the Development of Assets	310,134	(0)		7,286,842	7,286,842	7,385,060
Proceeds from New Debentures	(0)	(0)		4,000,000	4,000,000	4,000,000
Proceeds on Disposal of Assets	(0)	(0)		602,126	602,126	602,126
Transfers from Restricted Cash	(81,051)	(0)		5,034,495	5,034,495	4,938,605
Loan Repayments - Self Supporting	(0)	(0)		36,816	36,816	36,816
Total	229,083	(0)		16,960,279	16,960,279	16,962,607
Capital Expenses						
Acquisition of Assets	(3,223,136)	(4,648,384)	31 ⚠	(23,910,870)	(23,910,870)	(23,959,957)
Repayment of Debentures	(0)	(0)		(2,585,933)	(2,585,933)	(2,585,933)
Right of Use Lease Payments	(45,446)	(53,250)	15	(298,477)	(298,477)	(298,477)
Total	(3,268,583)	(4,701,634)		(26,795,280)	(26,795,280)	(26,844,367)
Total Net Operating and Capital	(637,065)	(3,006,824)		(54,099,885)	(54,099,885)	(54,144,367)
Rates	49,639,492	49,641,071	0	49,752,268	49,752,268	49,752,268
Add Surplus (Deficit) July 1 Brought Forward	4,347,617	4,900,127	11	4,347,617	4,347,617	4,347,617
Closing Funding Surplus (Deficit)	53,350,044	51,534,374		0	0	(44,482)



STATEMENT of NET CURRENT ASSETS

Period Ending 31 August 2024

Tuesday, 24 September, 2024

City of Bunbury Statement of Net Current Assets Period Ending 31 August 2024	Forecast Opening Balance	Actual	Tuesday, 24 September, 2024 Current Budget	End Year Forecast
Current Assets				
Cash Unrestricted	14,264,769	10,286,720	10,217,773	10,173,291
Cash Restricted	21,301,908	21,382,959	16,267,413	16,663,303
Trade and Other Receivables	4,037,504	53,617,950	4,037,504	4,037,504
Inventories	148,840	151,110	148,840	148,840
	39,753,021	85,438,738	30,671,530	31,022,938
Current Liabilities				
Trade and Other Payables	6,332,672	2,952,751	6,332,672	6,332,672
Contract Liabilities	2,150,946	2,150,946	2,150,946	2,150,946
Provisions	5,583,063	5,565,222	5,883,684	5,883,684
	14,066,681	10,668,919	14,367,302	14,367,302
NET CURRENT ASSETS	25,686,340	74,769,819	16,304,228	16,655,636
Less				
Cash - Restricted	21,301,908	21,382,959	16,267,413	16,663,303
Receivables	36,816	36,816	36,816	36,816
NET CURRENT ASSET POSITION	4,347,617	53,350,044	0	(44,482)



STATEMENT of FINANCIAL POSITION

Period Ending 31 August 2024

Tuesday, 24 September, 2024

Current Assets

Cash and Investments	35,566,677	31,669,679	26,485,186	26,836,594
Trade and Other Receivables	4,037,504	53,617,950	4,037,504	4,037,504
Inventories	148,840	151,110	148,840	148,840
	39,753,021	85,438,738	30,671,530	31,022,938

Current Liabilities

Trade and Other Payables	8,483,618	5,103,697	8,483,618	8,483,618
Current Provisions	5,583,063	5,565,222	5,883,684	5,883,684
Current Loan Liability	2,834,351	2,834,351	2,986,849	2,986,849
	16,901,032	13,503,270	17,354,151	17,354,151

Non Current Assets

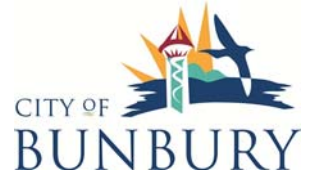
Non Current Receivables	4,387,628	4,363,687	4,350,812	4,350,812
Property, Plant and Equipment	235,729,343	234,973,141	230,934,040	230,934,040
Infrastructure	218,525,037	216,782,348	208,068,903	208,068,903
Work in Progress	29,006,983	32,230,119	52,917,853	52,666,940
	487,648,990	488,349,295	496,271,608	496,020,694

Non Current Liabilities

Non Current Payables	401,519	401,519	463,619	463,619
Non Current Provisions	647,211	647,211	647,211	647,211
Non Current Loan Liability	14,611,676	14,566,230	15,746,764	15,746,764
	15,660,406	15,614,959	16,857,594	16,857,594

Equity

Retained Surplus	197,230,820	246,978,999	198,240,919	197,941,162
Reserves - Cash Backed	19,386,692	19,467,743	16,267,413	16,667,664
Reserves - Asset Revaluation	278,223,062	278,223,062	278,223,062	278,223,062
	494,840,573	544,669,804	492,731,393	492,831,887



Capital Projects Summary

(With Comments)

Period Ending August 2024

Tuesday, 24 September, 2024

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Airport										
PR-5111 Bunbury Airport apron expansion	Progress 85%	15,151	182,218	-	0%	228,982	228,982	163,756	(65,226)	
<i>Project Progress Comments:</i>										
<i>Works in progress, anticipated completion September 2024. Linemarking and clean-up pending contractor availability.</i>										
PR-5112 Bunbury Airport compass swinging bay	Progress 85%	28,068	56,974	104,778	(46)%	104,778	104,778	104,778	-	
<i>Project Progress Comments:</i>										
<i>Works in progress, anticipated completion September 2024.</i>										
Total for Airport		43,219	239,192	104,778		333,760	333,760	268,534	(65,226)	
Bunbury Regional Art Gallery										
PR-5160 Purchase artworks for the City Art Collection 2024/25	Progress 10%	-	-	6,000	(100)%	40,000	40,000	40,000	-	
<i>Project Progress Comments:</i>										
<i>Acquisition policy is currently being reviewed due to organisational changes - three potential artworks identified for acquisition</i>										
Total for Bunbury Regional Art Gallery		-	-	6,000		40,000	40,000	40,000	-	
Bunbury Wildlife Park										
PR-5340 Bunbury Wildlife Park bulk feed storage	Progress 0%	-	-	-	0%	7,000	7,000	7,000	-	
<i>Project Progress Comments:</i>										
<i>Project not due to commence until October 2024</i>										
Total for Bunbury Wildlife Park		-	-	-		7,000	7,000	7,000	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Economic Development										
PR-3830 Subdivision and sale of part Lot 3 Blair Street	Progress 10%	23,355	-	-	0 %	221,332	221,332	221,332	-	
<i><u>Project Progress Comments:</u></i>										
<i>The City's Lawyer Jackson McDonald have been progressing Sales and Development contract negotiations working with CEO and Property Officers. Currently waiting a response from proposed purchasers Lawyer on current draft agreement.</i>										
<i>Meeting between Executive, officers and proposed purchaser was held 29 August at which subdivision aspects were discussed. Subdivision is progressing with no concern from either party. Currently waiting for Wester Power quote to inform next steps</i>										
PR-5078 Sale of Lot 618 (11) Nyabing Way	Progress 5%	4,450	-	-	0 %	4,455	4,455	4,455	-	
<i><u>Project Progress Comments:</u></i>										
<i>The site has been listed with an agent for sale and marketing. Other cost considerations for any sale:</i>										
<ul style="list-style-type: none"> <i>• Legal fees for preparing sale and development contracts</i> <i>• A current sworn valuation will be required (approx. \$2,000 per property). In accordance with s3.58 of the Local Gov't Act 1995, when advertising details of the disposal, a valuation carried out not more than 6 months before the proposed disposition is required.</i> <i>• Settlement agent fees</i> 										
PR-5082 Relocate Bunbury Visitor Centre	Progress 75%	-	-	-	0 %	84,399	84,399	84,399	-	
<i><u>Project Progress Comments:</u></i>										
<i>This matter was discussed at the Strategic Briefing 20 August with Elected Members. An Agenda item is currently before Council for decision. Implementation of Council decision will occur thereafter to complete this project.</i>										
Total for Economic Development		27,805	-	-		310,186	310,186	310,186	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Executive Leadership - CEO										
PR-5106 World Class South West Regional Gallery - Stage 1	Progress 15%	93,250	-	-	0%	225,000	225,000	225,000	-	
<i>Project Progress Comments:</i>										
<i>Preliminary project management framework discussions held, pending decision by Council at the November meeting regarding development of the new gallery.</i>										
<i>01/05/2024 - Feasibility Study approach confirmed through Council - BRAG Advisory Group in nomination/appointment stage, Special Counsel Art and Culture appointed to project manage feasibility study. Concept development approach being undertaken - further engagement with external stakeholders being undertaken, alignment with BRAG Advisory Group in progress</i>										
Total for Executive Leadership - CEO		93,250	-	-		225,000	225,000	225,000	-	
Executive Leadership - Infrastructure										
PR-3898 Construct heritage interpretation, Bunbury Timber Jetty	Progress 0%	-	-	-	0%	86,726	86,726	86,726	-	
Total for Executive Leadership - Infrastructure		-	-	-		86,726	86,726	86,726	-	
Fleet										
PR-4881 Replace corporate vehicles 2023/24	Progress 80%	102,768	149,946	-	0%	367,176	367,176	367,176	-	
PR-5251 Replace waste vehicles and plant 2024/25	Progress 35%	-	-	-	0%	1,085,939	1,085,939	1,085,939	-	
PR-5255 Replace corporate heavy plant 2024/25	Progress 30%	-	-	-	0%	533,800	533,800	533,800	-	
PR-5260 Replace corporate vehicles 2024/25	Progress 35%	-	-	-	0%	516,800	516,800	516,800	-	
Total for Fleet		102,768	149,946	-		2,503,715	2,503,715	2,503,715	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Information Technology										
PR-5122 Replace ranger infringement devices	Progress 10%	-	-	10,000	(100)%	20,000	20,000	20,000	-	
PR-5181 Expansion of CCTV Network 2024/25	Progress 0%	-	-	-	0%	50,000	50,000	50,000	-	
PR-5186 IT network and equipment renewals, as per AMP 2024/25	Progress 0%	-	-	40,000	(100)%	381,245	381,245	381,245	-	
Total for Information Technology		-	-	50,000		451,245	451,245	451,245	-	
Lead Department - Infrastructure Maintenance Servi										
PR-3720 Hands Oval Redevelopment	Progress 70%	3,006,350	1,960,158	3,000,000	(35)%	6,201,088	6,201,088	6,201,088	-	
<i>Project Progress Comments:</i>										
<i>Project will be delivered as two separable portions. Separable Portion 1 - will be complete by 27 September 2024 to enable grand finals. Separable Portion 2 - will be complete by 20 December 2024.</i>										
Total for Lead Department - Infrastructure Maintenance Servi		3,006,350	1,960,158	3,000,000		6,201,088	6,201,088	6,201,088	-	
Libraries & Learning										
PR-1418 Procure and install Radio Frequency Identification (RFID) and self loans technology at Bunbury Library	Progress 20%	-	-	10,000	(100)%	80,000	80,000	80,000	-	
<i>Project Progress Comments:</i>										
<i>RFQ being finalised for release to the WALGA preferred supplier list RFQ publication delayed - funds will need to be rolled over. RFQ finalised, assessments in process - budget review required as current funds will not cover project Preferred supplier identified, budget review request submitted to ensure coverage of works and implementation of the project</i>										
Total for Libraries & Learning		-	-	10,000		80,000	80,000	80,000	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Parks & Reserves										
PR-5114 Beautifying Bunbury Streetscapes 2023/24	Progress 0%	-	-	-	0%	10,318	10,318	4,373	(5,945)	
PR-5209 Implement Greening Bunbury Plan 2024/25	Progress 5%	16,979	11,728	-	0%	240,000	240,000	240,000	-	
<u>Project Progress Comments:</u>										
Planning phase. Contract Tree Watering and UFPP Pre-procurement. Tree Procurement										
PR-5214 Renew irrigation infrastructure 2024/25	Progress 5%	68,700	2,713	-	0%	230,000	230,000	230,000	-	
<u>Project Progress Comments:</u>										
Planning Phase. Renewals following playground upgrades are reliant on designs/path locations. Pelican Point Filtration - Not started VFD Installations (Bore sites) - Not started Ray Bain Systems Upgrade - Not started Bob Howells Systems Upgrade - Not started Ken Cantwell System Upgrade - Not started										
PR-5219 Renew open space infrastructure 2024/25	Progress 5%	3,165	-	40,000	(100)%	200,000	200,000	200,000	-	
PR-5223 Renew playground equipment, as per AMP 2024/25	Progress 5%	-	1,684	-	0%	400,000	400,000	400,000	-	
<u>Project Progress Comments:</u>										
Frank Buswell - Public consultation review Ken Cantwell - Not started Loughton - Not started										
PR-5305 Beautifying Bunbury Streetscapes 2024/25	Progress 0%	-	-	-	0%	200,000	200,000	205,945	5,945	
<u>Project Progress Comments:</u>										
Eelup RAB Makeover - Not started Koombana Landscaping - Not started Ocean Drive Temporary Caravan Parking Landscape - Not started Frank Buswell Landscaping - Not started										
Total for Parks & Reserves		88,843	16,125	40,000		1,280,318	1,280,318	1,280,318	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Project Coordination & Landscape Architecture Des										
PR-5038 Withers Regional Renewal	Progress 90%	77,157	12,214	-	0%	183,242	183,242	183,242	-	
<i>Project Progress Comments:</i>										
<i>Landscaping works complete. Awaiting Western Power to complete final electrical works.</i>										
PR-5090 Waterfront Public Art Installation	Progress 20%	150,000	-	-	0%	152,500	152,500	152,500	-	
<i>Project Progress Comments:</i>										
<i>Artist appointed, artwork in fabrication.</i>										
PR-5105 Renew foreshore marine walls 2023/24	Progress 100%	-	100,889	94,289	7%	94,289	94,289	94,289	-	
Total for Project Coordination & Landscape Architecture Des		227,157	113,104	94,289		430,031	430,031	430,031	-	

Property Management & Maintenance

PR-1543 Boulters Heights Redevelopment	Progress 5%	-	1,008	-	0%	675,469	675,469	675,469	-	
<i>Project Progress Comments:</i>										
<i>1. Design and construction of Boulters Height boardwalk and Staircase</i>										
<i>Stage 2. Procurement stage</i>										
<i>2. Lighting installation on Stage 1 Staircase- Haig Crescent to Prinsep Street. Not started.</i>										
<i>3. Planting and landscaping work as outlined in Boulters Height Master Plan. Not started.</i>										
PR-2403 Replace Forrest Park Pavilion	Progress 80%	347,872	473,959	910,000	(48)%	2,220,647	2,220,647	2,225,008	4,361	
<i>Project Progress Comments:</i>										
<i>Building in final stages of construction.</i>										
<i>Carpark upgrades have commenced.</i>										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Property Management & Maintenance										
PR-4696 Replace boardwalks, lookouts and beach access stairs 2023/24	Progress 95%	-	86,717	126,817	(32)%	126,817	126,817	126,817	-	
PR-5164 Renew or refurbish community, corporate, sport and leisure buildings, as per AMP 2024/25	Progress 10%	56,005	-	50,000	(100)%	500,000	500,000	500,000	-	
<u>Project Progress Comments:</u>										
1. Air conditioner unit at Bunbury Museum Reception area. Started.										
2. SSAC power upgradation- In progress.										
3. Old Station Café- Cool Room- Started										
4. BREC- Smoke and Thermal Detector Replacement. Started										
5. BREC- Orchestra Pit Lift Upgradation. Not started.										
6. SWSC Pool Liner Replacement- Started										
PR-5168 Refurbish City Facilities changerooms and public conveniences 2024/25	Progress 5%	5,536	5,808	-	0%	100,000	100,000	100,000	-	
<u>Project Progress Comments:</u>										
1. Hungry Hollow Toilet Block- Refurbish Roof Steel. Not started.										
2. Koolambidi Woola Toilet Block- Internal wall upgrade. Materials procured. Started.										
3. Hay Park Community Hall Toilets Internal fixture upgrade and repaint. Not started.										
PR-5176 Support the Stirling Street Arts Centre (Capital support) 2024/25	Progress 5%	-	-	-	0%	20,000	20,000	20,000	-	
PR-5190 City lighting expansion 2024/25	Progress 0%	-	-	-	0%	70,000	70,000	70,000	-	
<u>Project Progress Comments:</u>										
Path light- around Horseshoe lake and along the Duncan way the western path between Sandridge Rd and Duncan Way.										
PR-5195 Renew City Facilities lighting, as per AMP 2024/25	Progress 0%	-	12	-	0%	60,000	60,000	60,000	-	
<u>Project Progress Comments:</u>										
1. Admin Building internal light upgrade										

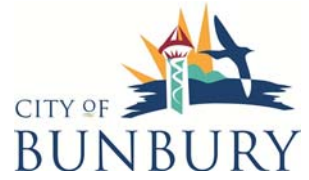
		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Property Management & Maintenance										
PR-5243 Replace boardwalks, lookouts, and access stairs 2024/25	Progress 5%	800	-	-	0%	150,000	150,000	150,000	-	
<i>Project Progress Comments:</i>										
<i>Design and construct Ramillies Street Beach Access Stair case</i>										
PR-5265 Renew South West Sports Centre (SWSC) plant and machinery 2024/25	Progress 10%	7,690	13,474	27,000	(50)%	180,000	180,000	180,000	-	
<i>Project Progress Comments:</i>										
<i>1. Supply and install of replacement public address system at the South West Sports Centre. Started.</i>										
<i>2. SWSC Fire Panel Upgrade and Smoke and thermal Detector Replacement. Not started.</i>										
<i>3. Replace the outdoor fan motors on CU-9 outdoor units serving childcare centre creche. Started.</i>										
PR-5323 Expansion of electric vehicle charging infrastructure 2024/25	Progress 0%	-	-	-	0%	40,000	40,000	40,000	-	
Total for Property Management & Maintenance		417,904	580,978	1,113,817		4,142,933	4,142,933	4,147,294	4,361	
Sport & Recreation										
PR-5130 South West Sports Centre Court Expansion	Progress 0%	-	-	-	0%	350,000	350,000	350,000	-	
<i>Project Progress Comments:</i>										
<i>Not commenced via preliminary estimation until April 2025 - and will be subject to review.</i>										
Total for Sport & Recreation		-	-	-		350,000	350,000	350,000	-	
Waste Services										
PR-5269 Renew bin enclosures 2024/25	Progress 0%	-	-	-	0%	40,700	40,700	40,700	-	
PR-5274 Annual bin replacement program 2024/25	Progress 0%	34,783	-	14,500	(100)%	66,500	66,500	66,500	-	
Total for Waste Services		34,783	-	14,500		107,200	107,200	107,200	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Works										
PR-4671 Traffic calming and minor intersection treatments 2022/23	Progress 10%	13,636	2,663	-	0 %	70,435	70,435	70,435	-	
<i>Project Progress Comments:</i>										
To be delivered in conjunction with PR-5296. 2024/25 - Xavier/Boyalla Not started.										
PR-4688 Repair jetties 2023/24	Progress 20%	32,871	20,680	-	0 %	45,000	45,000	86,120	41,120	
PR-4858 Expand cycleways (implement Bunbury Bike Plan) 2023/24	Progress 50%	119,374	38,197	60,000	(36)%	138,647	138,647	138,647	-	
<i>Project Progress Comments:</i>										
Stage 1 completed (Half way point). Stage 2 Started.										
PR-4871 Renew, resleeve and improve drainage network 2023/24	Progress 10%	-	32,980	-	0 %	122,690	122,690	122,690	-	
PR-4877 Renew / Upgrade Local Roads - Strickland Street	Progress 0%	-	-	-	0 %	200,000	200,000	200,000	-	
PR-4936 CBD Road Works	Progress 0%	-	675	-	0 %	400,000	400,000	400,000	-	
<i>Project Progress Comments:</i>										
Haley, Princep, Carmondy										
PR-5108 Dog Exercise Area and Park Renewal	Progress 90%	2,750	58,304	40,000	46 %	85,489	85,489	85,489	-	
<i>Project Progress Comments:</i>										
End of construction period, minor clean-ups and final invoicing to be completed - delayed due to tornado clean-up works.										
PR-5113 Blackspot Roadworks 2023/24	Progress 0%	18,182	-	100,000	(100)%	392,346	392,346	392,346	-	
<i>Project Progress Comments:</i>										
Austral Parade										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Works									
PR-5115 Regional Roadworks program - Casuarina Drive	Progress 0%	31,468	-	-	0%	90,000	90,000	90,000	-
<i>Project Progress Comments:</i> Pending services lowering									
PR-5117 Regional Roadworks program - Leschenault Drive	Progress 25%	-	-	-	0%	417,920	417,920	417,920	-
<i>Project Progress Comments:</i> Planning stages									
PR-5118 Regional Roadworks program - Bussell Highway	Progress 0%	7,273	-	-	0%	223,000	223,000	223,000	-
PR-5204 Leschenault Inlet wall repairs (south of storm surge barrier)	Progress 0%	-	-	-	0%	300,000	300,000	-	(300,000)
PR-5230 Expand path network 2024/25	Progress 0%	-	-	-	0%	520,000	520,000	520,000	-
<i>Project Progress Comments:</i> Clarke and Halsey - not started Cousins Avenue (Crampton to Cranbrook) - not started Cranbrook Way (Cousins to Parade) - not started Ocean Drive East - not started Bob Howells PAW - not started Whitley Place - not started Armanta Drive (Brittain to Twilight) - not started Joseph Buswell - not started Plaza Street - not started									
PR-5239 Renew and upgrade paths, as per AMP 2024/25	Progress 33%	878	8,408	-	0%	200,000	200,000	200,000	-
<i>Project Progress Comments:</i> Ecclestone East (Hands to Winton) - not started Fielder (Spencer to end) - not started PAW 1800 (Timperley to Willoughby) - Completed									

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Works									
PR-5247 Renew, resleeve and improve drainage network 2024/25	Progress 5%	682	-	15,000	(100)%	300,000	300,000	300,000	-
<u>Project Progress Comments:</u>									
Albert Road:									
Pump Upgrade - not started									
New Draft Tube - Not started									
Install and Ancillaries - Not started									
5 Mile Brook Works - Not Started									
General Pipe Maintenance - Not Started									
Creek Street Drainage - Not Started									
PR-5278 Renew and upgrade local roads (Industrial) as per AMP 2024/25	Progress 0%	-	-	-	0%	350,000	350,000	350,000	-
<u>Project Progress Comments:</u>									
Craigie/Profit/Wilson Stage 1									
PR-5291 Blackspot roadworks 2024/25	Progress 0%	-	-	-	0%	412,000	412,000	412,000	-
<u>Project Progress Comments:</u>									
Parade Road Lighting - Not started									
Ecclestone /Wisbey Roundabout - Not started									
PR-5296 Traffic calming and minor intersection treatments 2024/25	Progress 20%	6,364	1,726	-	0%	200,000	200,000	200,000	-
<u>Project Progress Comments:</u>									
Alyxia Drive - In Progress									
Armanta Drive - Not started									
Frankel Street - Not started									
Milligan Street - Not started									
Big Swamp - Not started									
Xavier/Boyalla - Not started									

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Works									
PR-5301 Reseal roads projects for Roads to Recovery 2024/25	Progress 0%	13,636	-	-	0%	650,000	650,000	723,193	73,193
<i>Project Progress Comments:</i>									
<i>Dixon Street - Not started</i>									
<i>Eccelstone Street - Not started</i>									
<i>Fielder Street - Not started</i>									
PR-5314 Renew and upgrade carparks 2024/25	Progress 0%	-	-	-	0%	75,000	75,000	75,000	-
<i>Project Progress Comments:</i>									
<i>Vat 2 / Jetty Road - Not Started</i>									
PR-5322 Netball Court Refurbishment	Progress 25%	-	-	-	0%	1,611,141	1,611,141	1,606,780	(4,361)
PR-5327 Roads projects for Regional Roadworks program 2024/25	Progress 0%	-	-	-	0%	558,000	558,000	558,000	-
<i>Project Progress Comments:</i>									
<i>Fielder Street – Spencer to end of Fielder - Not started</i>									
<i>Dixon Street – Kimber to Absolon - Not started</i>									
<i>Ecclestone Street – Hands to Brittain –Not started</i>									
<i>Spencer Street – Halsey to Mangles - Not started</i>									
<i>Parade Road – Lillydale to Bus Stop South of Crampton - Not started</i>									
<i>Bussell Highway – Timperley to Robertson (North bound) - Not started</i>									
<i>Strickland Street – Albert Road to King Road (East bound) - Not started</i>									
Total for Works		247,113	163,633	215,000		7,361,668	7,361,668	7,171,620	(190,048)
Capital Projects Expenditure Total		4,289,192	3,223,136	4,648,384	(31)%	23,910,870	23,910,870	23,659,957	(250,913)



Operating Projects Summary

(With Comments)

Period Ending August 2024

Tuesday, 24 September, 2024

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Bunbury Museum & Heritage Centre										
PR-3858 Acquire Bunbury Museum and Heritage Centre collection items	Progress 5%	-	80	1,500	(95)%	10,000	10,000	10,000	-	
<i>Project Progress Comments:</i>										
Collection items to be determine via acquisition reviews										
Total for Bunbury Museum & Heritage Centre		-	80	1,500		10,000	10,000	10,000	-	
Bunbury Regional Art Gallery										
PR-4386 Conduct Indigenous Arts Program at BRAG	Progress 10%	16,903	21,936	20,817	5 %	123,645	123,645	123,619	(26)	
<i>Project Progress Comments:</i>										
This program is continuing to be delivered with external funding secured to ensure it is operational for a further 3 years.										
PR-5100 Storage for cultural collections	Progress 20%	-	2,034	4,000	(49)%	21,930	21,930	21,930	-	
<i>Project Progress Comments:</i>										
Exploration of storage options being undertaken, including demountable options and pre-existing storage at the works depot.										
PR-5101 Frame Frank Norton artworks	Progress 90%	3,636	-	-	0 %	8,348	8,348	8,348	-	
<i>Project Progress Comments:</i>										
Tender for these works will be commenced in December 2023. Works have been professionally documented and framed. Bespoke crates have been manufactured, and all works are now stored in crates and housed as part of CoB Art Collection in BRAG. Labels have been printed for each work. A publication about the work is proposed to be printed. Final works to be completed by October 24										
PR-5349 Conduct Noongar Country art exhibition	Progress 45%	17,727	9,465	25,000	(62)%	85,000	85,000	97,000	12,000	
PR-5385 Indigenous Curatorial Development Residency Program	Progress 10%	-	-	-	0 %	-	-	70,000	70,000	
Total for Bunbury Regional Art Gallery		38,267	33,435	49,817		238,923	238,923	320,897	81,974	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Bunbury Wildlife Park									
PR-3294 Conduct Grandfamilies Fun Day	<i>Progress 0%</i>	-	-	-	0 %	14,750	14,750	14,750	-
<i>Project Progress Comments:</i>									
<i>Event in April 2025, not due to commence this project until December 2024</i>									
PR-5339 Renew wildlife park furnishings and equipment	<i>Progress 0%</i>	-	-	-	0 %	7,500	7,500	7,500	-
<i>Project Progress Comments:</i>									
<i>Scoping has commenced for items to be purchased.</i>									
Total for Bunbury Wildlife Park		-	-	-		22,250	22,250	22,250	-
Business Partners									
PR-5093 Volunteer awards program	<i>Progress 0%</i>	-	-	-	0 %	4,000	4,000	4,000	-
PR-5094 HRIS Learn Module content	<i>Progress 0%</i>	-	-	-	0 %	25,000	25,000	25,000	-
Total for Business Partners		-	-	-		29,000	29,000	29,000	-

	Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
City Planning								
PR-3584 Review Local Planning Strategy				0 %	100,000	100,000	100,000	-

Progress 5%

Project Progress Comments:

Preparing, adopting and maintaining (through regular amendment and periodic review) a local planning strategy and a local planning scheme is a legislative requirement – to be undertaken in accordance with the Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015. Maintaining the rigor of these documents over time and preparing for their formal review (major review scheduled for 2028) requires on-going monitoring supported by data and information from dedicated research and analysis.

While the ‘First Cycle’ Report of Review (minor review 2023/24) was undertaken without directly expending current project funds new research and analysis is required, and the following emerged as priorities to be carried out over the immediate term (and the focus of budget expenditure):

PR 3584 - Local Planning Strategy

- Audit (and recommendations): local public open space

PR 3585 - Local Planning Scheme

- Audit: short term housing rental market trends and analysis
- Review: Schedule 4 car parking table/standards

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
City Planning										
PR-3585 Review Local Planning Scheme	Progress 30%	-	-	-	0 %	50,000	50,000	50,000	-	
<u>Project Progress Comments:</u>										
<p>Preparing, adopting and maintaining (through regular amendment and periodic review) a local planning strategy and a local planning scheme is a legislative requirement – to be undertaken in accordance with the Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015. Maintaining the rigor of these documents over time and preparing for their formal review (major review scheduled for 2028) requires on-going monitoring supported by data and information from dedicated research and analysis.</p> <p>While the ‘First Cycle’ Report of Review (minor review 2023/24) was undertaken without directly expending current project funds new research and analysis is required, and the following emerged as priorities to be carried out over the immediate term (and the focus of budget expenditure):</p> <p>PR 3584 - Local Planning Strategy</p> <ul style="list-style-type: none"> - Audit (and recommendations): local public open space <p>PR 3585 - Local Planning Scheme</p> <ul style="list-style-type: none"> - Audit: short term housing rental market trends and analysis - Review: Schedule 4 car parking table/standards 										
PR-5006 Housing Strategy Focus Area 2.3 - Back Beach Precinct	Progress 30%	-	-	-	0 %	50,000	50,000	50,000	-	
<u>Project Progress Comments:</u>										
<p>The City is reviewing the Back Beach Structure Plan and working with landowners to discuss the future of the Precinct. Any changes or future scheme amendment is subject to the process outlined in the Planning and Development (Local Planning Scheme) Regulations which will be subject to public consultation.</p> <p>Funds are expected to be spent on engaging a consultant to assist with the scheme amendment which is likely to be next financial year.</p>										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
City Planning										
PR-5012 Ocean Beach Heritage Trail Implementation	Progress 80%	-	-	-	0 %	14,521	14,521	14,521	-	
<u>Project Progress Comments:</u>										
<i>Met with Elders on 30/1/2024 for recommended actions to progress project. Coordinating input with the Language Centre on Place Names (site visit 21/2/2024) and any associated stories then presenting to the Cultural Advisory Committee prior to signoff by Elders.</i>										
<i>No response from Language Centre as yet. This project will be carried forward to next financial year.</i>										
<i>Language Centre CEO and Community Development Officer - First Nations, are revisiting trail 28/6.</i>										
<i>Meeting with Community Development to discuss way forward for project.</i>										
PR-5096 City Centre Analysis and Urban Design Framework	Progress 30%	-	-	-	0 %	50,000	50,000	50,000	-	
<u>Project Progress Comments:</u>										
<i>This project has commenced (analysis of City Centre) and will be completed over two financial years. Funds will be spent next financial year on peer design review of document, assistance with the graphic design of the document and/or engagement with Aboriginal stakeholders.</i>										
PR-5097 Local Heritage Survey Report	Progress 5%	-	-	-	0 %	15,000	15,000	15,000	-	
<u>Project Progress Comments:</u>										
<i>Funding opens 2 September 2024. Preparing scope in accordance with guidelines.</i>										
PR-5332 Spencer/Blair Precinct Plan Engagement (JV)	Progress 0%	-	-	-	0 %	50,000	50,000	50,000	-	
Total for City Planning		-	-	-		329,521	329,521	329,521	-	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Community Development									
PR-4337 Prepare, Implement and Deliver Reconciliation Action Plan Initiatives	Progress 10%	3,459	6,000	6,000	0 %	20,215	20,215	19,775	(440)
<i>Project Progress Comments:</i> AACHWA sponsorship paid Preparation for Reconciliation Week 25 due to begin October/November.									
PR-5081 Implement Withers Placemaking	Progress 80%	4,805	-	1,500	(100)%	8,300	8,300	8,300	-
<i>Project Progress Comments:</i> Orders have been placed, contractor work currently in progress. Works delayed due to severe weather and resource availability - Grant acquittal extended to EOY 24 - resource limitation affecting outcomes related to the project									
PR-5348 Youth Initiatives - Youth Advisory Council of WA	Progress 5%	744	613	-	0 %	2,530	2,530	2,681	151
<i>Project Progress Comments:</i> Ongoing initiatives within YAC with Youth Officer									
PR-5352 Youth engagement initiatives	Progress 10%	-	3,510	1,000	251 %	10,000	10,000	10,000	-
<i>Project Progress Comments:</i> Youth activity held with local Aboriginal group to support young people's engagement with Noongar history/culture.									
Total for Community Development		9,007	10,123	8,500		41,045	41,045	40,756	(289)
Council Support									
PR-5132 Art, Photos and Honour Board - Council Chambers and Function Area	Progress 75%	10,897	-	-	0 %	14,568	14,568	14,568	-
<i>Project Progress Comments:</i> Procurement complete installation of honour boards to occur following the Noongar exhibition later this calendar year.									
Total for Council Support		10,897	-	-		14,568	14,568	14,568	-

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Data & Digital										
PR-4290 Develop new website and digital platform for City of Bunbury	<i>Progress 95%</i>	-	17,581	53,251	<i>(67)%</i>	53,251	53,251	53,251	-	
<i>Project Progress Comments:</i>										
<i>Majority of work has been completed with final testing underway</i>										
Total for Data & Digital		-	17,581	53,251		53,251	53,251	53,251	-	
Economic Development										
PR-1831 Ocean Pool feasibility study and concept design	<i>Progress 20%</i>	14,764	-	-	<i>0 %</i>	61,722	61,722	61,722	-	
<i>Project Progress Comments:</i>										
<i>Next stage of project scope and initiation document being prepared for acceptance to map feasibility including cultural consultation, relevant local authority engagement, location viability and funding opportunities.</i>										
PR-4249 Implement Economic Development Strategy	<i>Progress 10%</i>	6,310	28,222	30,000	<i>(6)%</i>	127,128	127,128	143,170	16,042	
<i>Project Progress Comments:</i>										
<i>A priority project for the City will be a Economic Development Strategy for the City.</i>										
<i>Supporting projects and activities aligned to the EDAP and key economic projects progressing such as land rationalisation, tourism plan, local partnerships will be delivered from this implementation project.</i>										
PR-5001 Implementation of the Bunbury Geographe Tourism Partnership Strategy	<i>Progress 10%</i>	-	-	30,000	<i>(100)%</i>	60,000	60,000	60,000	-	
<i>Project Progress Comments:</i>										
<i>MOU review commenced with current agreement due to cease in October 2024. Ongoing work assessing deliverables being undertaken by BGGC.</i>										

	Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
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Economic Development

PR-5095 Bicentennial Square Precinct Plan	Progress 30%	33,067	-	-	0 %	150,000	150,000	150,000	-
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Project Progress Comments:

The City has successfully secured funds with an additional \$100K to assist with the precinct planning for Bicentennial Square. A project control group has been formed in collaboration with SWDC and stakeholder engagement mapping has begun. Draft PID has been finalised and project schedule complete.

Contractors for Traffic Study and Geotech report have been appointed and those bodies of work are in progress. Request for quote for concept design is in draft.

A significant funding opportunity is also being pursued through the 'Regional Partnerships and Precincts Program' being offered through the federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts. The City is collaborating with the South West Development Commission and Regional Development Australia to progress a submission for funding through this program for future delivery of the project.

To date background and historical research have been undertaken in relation to Bicentennial Square and some preliminary design options investigated.

PR-5152 Bunbury Tourism Plan Working Group	Progress 80%	40	6,310	6,350	(1)%	6,350	6,350	6,350	-
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Project Progress Comments:

Tourism Plan development is on track and in draft. Working group is collaborating and meeting regularly and consultants presented research findings and draft opportunities in May. Plan is now in draft with working group conducting final review before taking to council strategic workshop for feedback.

The final plan will then be shared with the TWG and other Stakeholders. Once the Tourism Plan is completed the future of the TWG will be determined as per the Terms of Reference

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Economic Development									
PR-5156 Support ECU Creative Tech Village	Progress 95%	-	20,000	20,000	0 %	20,000	20,000	20,000	-
<i>Project Progress Comments:</i>									
<i>Through the City's support and funding a City of Bunbury Creative Lighting Report has been received and a Strategic Briefing is being organised for CTV to present this to the Elected Members in the near future. Date to be confirmed.</i>									
Total for Economic Development		54,181	54,532	86,350		425,200	425,200	441,242	16,042
Engineering Design									
PR-4627 Support Industry Road Safety Initiatives	Progress 0%	-	-	-	0 %	3,000	3,000	3,000	-
Total for Engineering Design		-	-	-		3,000	3,000	3,000	-
Executive Leadership - CEO									
PR-3875 Support Regional Cities Alliance	Progress 100%	-	15,000	15,000	0 %	15,000	15,000	15,000	-
PR-4504 Provide disaster assistance	Progress 0%	-	-	-	0 %	20,000	20,000	20,000	-
PR-4573 Contribution towards Busselton Margaret River Regional Airport Marketing Fund	Progress 100%	-	10,000	10,000	0 %	10,000	10,000	10,000	-
PR-5083 Discretionary funding allocation	Progress 5%	-	3,640	-	0 %	96,057	96,057	96,057	-
PR-5346 Economic Development Implementation Fund	Progress 5%	-	23,137	15,000	54 %	120,000	120,000	120,000	-
PR-5351 Innovative Industries of the Future Conference	Progress 5%	1,900	-	-	0 %	100,000	100,000	100,000	-
PR-5383 Strategic Reviews	Progress 5%	45,000	-	-	0 %	150,000	150,000	150,000	-
Total for Executive Leadership - CEO		46,900	51,777	40,000		511,057	511,057	511,057	-

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Executive Leadership - Sustainable Development									
PR-3868 Undertake City Parking Strategy	<i>Progress 25%</i>	15,750	-	-	0 %	58,182	58,182	58,182	-
<i>Project Progress Comments:</i>									
<i>Report received and reviewed by ELT.</i>									
Total for Executive Leadership - Sustainable Development		15,750	-	-		58,182	58,182	58,182	-
Financial Accounting									
PR-3168 Undertake GRV Property revaluation in accordance with legislation	<i>Progress 10%</i>	-	-	-	0 %	470,000	470,000	470,000	-
PR-4356 Contribute to a rail-line reinstatement trust with Arc Infrastructure	<i>Progress 0%</i>	-	-	-	0 %	13,462	13,462	13,462	-
PR-5073 Provide financial support to the BHRC	<i>Progress 10%</i>	47,000	-	-	0 %	47,000	47,000	47,000	-
Total for Financial Accounting		47,000	-	-		530,462	530,462	530,462	-
Fleet									
PR-2308 Replace corporate minor plant	<i>Progress 35%</i>	-	-	-	0 %	31,519	31,519	31,519	-
Total for Fleet		-	-	-		31,519	31,519	31,519	-
Information Technology									
PR-2249 Asset Replacement - Fixed and mobile phones and devices	<i>Progress 0%</i>	-	-	2,000	(100)%	20,000	20,000	20,000	-
<i>Project Progress Comments:</i>									
<i>Ongoing replacements as required</i>									

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Information Technology										
PR-5008 City of Bunbury "Project Shine" Transformation	Progress 60%	34,350	-	-	0 %	174,273	174,273	174,273	-	
<i>Project Progress Comments:</i>										
<i>Project progressing. Modules complete include HRIS, HCM analytics CX, Contracts). Project management and Risk to be completed.</i>										
PR-5150 Data Centre Exit & Cloud Migration	Progress 30%	-	-	40,000	(100)%	200,000	200,000	200,000	-	
<i>Project Progress Comments:</i>										
<i>Acquiring hardware taken longer than expected.</i>										
PR-5318 Ranger and emergency management two-way radio upgrade	Progress 0%	-	-	-	0 %	30,000	30,000	30,000	-	
Total for Information Technology		34,350	-	42,000		424,273	424,273	424,273	-	
Integrated Planning										
PR-4301 Undertake community satisfaction and perception survey	Progress 100%	-	-	-	0 %	-	-	30,000	30,000	
PR-4389 Review and development of City of Bunbury Strategic Plan in line with legislative requirements	Progress 5%	-	-	-	0 %	5,000	5,000	5,000	-	
<i>Project Progress Comments:</i>										
<i>Requirements being ascertained as to what the new Council Plan will need to include pending legislative reform in this area. Essentially the SCP and CBP as we know it will be combined into a new Council Plan. Engagement to commence in 2025 with target of new document being effective as at 1 July 2026, ie project will span 2 financial years.</i>										
Total for Integrated Planning		-	-	-		5,000	5,000	35,000	30,000	

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Lead Department - Community Connection										
PR-3840 Support King Cottage Museum	Progress 0%	-	-	-	0 %	31,544	31,544	31,544	-	
<i>Project Progress Comments:</i>										
24/25 Documentation is being collated for dissemination to relevant community groups.										
A review with Council is being planned for ongoing funding.										
PR-3844 Support Bunbury City Band	Progress 5%	10,000	-	-	0 %	10,000	10,000	10,000	-	
<i>Project Progress Comments:</i>										
24/25 Documentation is being collated for dissemination to relevant community groups.										
A review with Council is being planned for ongoing funding.										
PR-3848 Support Bunbury Regional Entertainment Centre (BREC) - operating and capital subsidies	Progress 5%	388,671	-	-	0 %	618,228	618,228	618,228	-	
<i>Project Progress Comments:</i>										
24/25 Documentation is being drafted for MOU for BREC to inc, operating and capital costs.										
PR-3852 Support Stirling Street Arts Centre (SSAC) - operating subsidy	Progress 0%	-	-	-	0 %	66,625	66,625	100,000	33,375	
<i>Project Progress Comments:</i>										
24/25 Documentation is being collated for dissemination to relevant community groups.										
A review with Council is being planned for ongoing funding - an increase to \$100k per annum is being requested as part of the October budget review										
PR-3860 Support RSL in the delivery of Anzac Day	Progress 5%	20,000	-	-	0 %	20,000	20,000	20,000	-	
<i>Project Progress Comments:</i>										
24/25 Documentation is being collated for dissemination to relevant community groups.										
A review with Council is being planned for ongoing funding.										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Lead Department - Community Connection									
PR-4349 Provide support to Bunbury Regional YouthCare	Progress 0%	-	-	-	0 %	12,000	12,000	12,000	-
<i>Project Progress Comments:</i>									
24/25 Documentation is being collated for dissemination to relevant community groups.									
A review with Council is being planned for ongoing funding.									
PR-4350 Youth Program Support (MOU)	Progress 5%	15,000	-	-	0 %	15,000	15,000	15,000	-
<i>Project Progress Comments:</i>									
Support Youth Programs.									
MOU - 2017/18 to 2023/24 - South West Clontarf Academy (Newton Moore College). 2023/2024 paid October 2023									
2024/25 onwards - will be paid to Clontarf - reviews occurring with Council for ongoing funding/MOU									
An additional amount will be requested at the October Budget review to be set aside for a "girls" program (to be identified by Council)									
PR-4517 Bunbury Geographe Seniors and Community Centre Financial Support	Progress 5%	50,000	-	-	0 %	50,000	50,000	50,000	-
<i>Project Progress Comments:</i>									
24/25 Documentation is being collated for dissemination to relevant community groups.									
A review with Council is being planned for ongoing funding.									
Total for Lead Department - Community Connection		483,671	-	-		823,397	823,397	856,772	33,375
Libraries & Learning									
PR-4554 Replacement of children's toys in City Library Children's Area	Progress 10%	-	-	-	0 %	3,000	3,000	3,000	-
PR-5333 Renew libraries furnishings and equipment	Progress 50%	-	-	1,000	(100)%	7,500	7,500	7,500	-
PR-5334 Replace library digital customer devices	Progress 50%	-	-	500	(100)%	5,000	5,000	5,000	-

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change		
Total for	Libraries & Learning	-	-	1,500		15,500	15,500	15,500	-		
Marketing & Communications											
	PR-4299 Bunbury Brighter Campaign		Progress 5%	-	-	-	0 %	102,393	102,393	102,393	-
Total for	Marketing & Communications	-	-	-		102,393	102,393	102,393	-		
Natural Environment & Sustainability											
	PR-2590 Participate in Peron Naturaliste Partnership		Progress 0%	-	45	19,617	(100)%	20,000	20,000	20,000	-
	PR-4456 Implement Sustainability Strategy Action Plan		Progress 90%	2,119	18,174	7,750	135 %	24,651	24,651	24,651	-
	PR-4604 Implement culling of introduced Corellas		Progress 0%	-	-	-	0 %	20,000	20,000	20,000	-
	PR-5128 Implement CHRMAP		Progress 5%	58,091	-	-	0 %	440,000	440,000	440,000	-
<i>Project Progress Comments:</i>											
<i>CHRMAP Summary and Short-term Action Plan finalised. Implementation progressing.</i>											
	PR-5129 Climate Action Plan Implementation		Progress 5%	25,007	-	-	0 %	250,000	250,000	250,000	-
Total for	Natural Environment & Sustainability	85,217	18,219	27,367		754,651	754,651	754,651	-		
Organisational Design											
	PR-5157 Role Clarity and Performance Framework		Progress 10%	-	-	-	0 %	90,000	90,000	90,000	-
<i>Project Progress Comments:</i>											
<i>The project has moved from Initiation to Planning.</i>											
Total for	Organisational Design	-	-	-		90,000	90,000	90,000	-		

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Place Activation									
PR-4160 Provide funding for "Minor Community Grants"	Progress 0%	-	-	-	0 %	10,000	10,000	-	(10,000)
PR-4189 Provide funding for a "Active Places" Grant Round	Progress 5%	2,500	1,400	-	0 %	5,000	5,000	5,000	-
PR-4190 Provide funding for a "Neighbourhood Connect" Grant Round	Progress 90%	-	-	-	0 %	22,000	22,000	-	(22,000)
PR-4198 Provide funding for a "Community Connect" Grant Round	Progress 90%	69,200	7,318	17,626	(58)%	162,000	162,000	114,000	(48,000)
PR-4211 Provide funding for "Signature Events" Grant Round	Progress 90%	262,568	28,000	72,266	(61)%	321,651	321,651	401,651	80,000
PR-4241 Funding to secure state, national and international sporting or cultural events	Progress 95%	10,000	-	-	0 %	106,922	106,922	106,922	-
PR-4658 Support incoming/outgoing delegations and activities that develop international relations	Progress 5%	382	123	-	0 %	25,000	25,000	25,000	-
PR-4762 Conduct City of Bunbury Staff Conference	Progress 0%	-	-	-	0 %	30,000	30,000	30,000	-
PR-5133 Support City of Bunbury Eisteddfod	Progress 0%	-	-	-	0 %	20,000	20,000	20,000	-
PR-5155 Support Greater Bunbury Rotary Club for Dunstan St Christmas Lights Event	Progress 95%	5,373	-	-	0 %	6,000	6,000	6,000	-
PR-5384 Christmas Lights Display	Progress 10%	-	-	-	0 %	-	-	2,500	2,500
Total for Place Activation		350,022	36,841	89,892		708,573	708,573	711,073	2,500
Project Planning & Assets									
PR-4589 Survey and monitoring of Pelican Point Grand Canals	Progress 0%	-	-	-	0 %	20,000	20,000	20,000	-
PR-5321 Koombana Bridge (Bridge 1319) renewals	Progress 0%	-	-	-	0 %	249,000	249,000	249,000	-
Total for Project Planning & Assets		-	-	-		269,000	269,000	269,000	-

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Property Management & Maintenance									
PR-4268 Renewable Energy and Energy Efficient Projects	Progress 70%	101,202	9,920	40,825	(76)%	136,084	136,084	136,084	-
<i>Project Progress Comments:</i>									
1. Renewable Energy and Energy Reduction Framework. Project Completed									
2. Administration Building Solar Panel Installation. Project Underway, expected completion November 2024									
PR-4673 Replace office furniture and equipment	Progress 10%	957	2,096	8,074	(74)%	40,372	40,372	40,372	-
<i>Project Progress Comments:</i>									
Replacing office furniture as required.									
PR-4935 Replace Christmas street decorations	Progress 5%	909	-	-	0 %	40,000	40,000	40,000	-
<i>Project Progress Comments:</i>									
New Decoration will be ordered at January 2025									
PR-5110 Replace CBD parking signs	Progress 75%	5,003	99	-	0 %	48,181	48,181	48,181	-
<i>Project Progress Comments:</i>									
Signage material procurement and signs fabrication done. Installation is underway.									
Carpark signs have been made and installed, waiting for confirmation of CBD street parking signs.									
Total for Property Management & Maintenance		108,071	12,115	48,899		264,637	264,637	264,637	-

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Rangers & Emergency Management										
PR-4947 Undertake Department of Fire and Emergency Services Mitigation Activity program	Progress 10%	-	-	-	0 %	175,957	175,957	175,957	-	
<i>Project Progress Comments:</i>										
<i>\$175,956 awarded in grant funding under the Mitigation Activities Fund (MAF) for treatments on Crown Land during the 24/25 Fire Season. CEO has signed Funding agreement and initial meeting held with contractor Arbor Guy who was awarded the contract. Actual works planned to commence in October with acquittal due 15 July 2025.</i>										
PR-5344 All West Australians Reducing Emergencies (AWARE) Program	Progress 85%	-	-	-	0 %	3,400	3,400	3,400	-	
<i>Project Progress Comments:</i>										
<i>At the Local Emergency Management Committee meeting on 29 August 2024, the draft Local Emergency Management Arrangements (LEMA) were endorsed for submission to State Emergency Management Committee for approval. Once approved the LEMA will be presented to Council for formal adoption. The acquittal of the grant is due end of Sept 2024.</i>										
Total for Rangers & Emergency Management		-	-	-		179,357	179,357	179,357	-	
Sport & Recreation										
PR-3829 Support South West Academy of Sport (SWAS)	Progress 100%	-	10,000	10,000	0 %	10,000	10,000	10,000	-	
<i>Project Progress Comments:</i>										
<i>Project completed - invoice paid for SWAS</i>										
PR-4532 Renew South West Sports Centre (SWSC) furnishings and equipment	Progress 5%	14,832	-	-	0 %	75,500	75,500	75,500	-	
<i>Project Progress Comments:</i>										
<i>Project pricing due to commence in September 2024</i>										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change	
Sport & Recreation										
PR-4717 Deliver Department of Sport and Recreation "Every Club" funding program	Progress 22%	-	14,724	8,716	69 %	38,460	38,460	38,460	-	
<i>Project Progress Comments:</i>										
<i>Club specific workshops being planned for delivery as well as Club Map assistance being provided to clubs.</i>										
PR-5086 Detailed Design Hay Park Indoor Courts	Progress 15%	1,200	-	40,000	(100)%	638,600	638,600	638,600	-	
<i>Project Progress Comments:</i>										
<i>Project Manager appointed by BBA and commencement of review of documents and functional design requirements being worked through with stakeholders</i>										
PR-5087 Prepare Sport & Recreation Facilities Plan	Progress 25%	-	-	-	0 %	40,000	40,000	40,000	-	
<i>Project Progress Comments:</i>										
<i>The next stage will be for a consultant to be appointed to conduct further engagement and draft the strategy with the procurement to be issued in September 2024.</i>										
PR-5154 Support Colts Cricket Club CSRFF application	Progress 20%	-	-	-	0 %	57,808	57,808	57,808	-	
<i>Project Progress Comments:</i>										
<i>The City was successful in its CSRFF application to support the Colts Cricket Club (although announced late). Grant agreement did not come in until May 2024 and this work will be carried out in and due for completion by end December 2024. Procurement to be issued in September.</i>										
PR-5336 Support Bunbury Tennis Club CSRFF application	Progress 50%	-	-	10,000	(100)%	10,000	10,000	10,000	-	
<i>Project Progress Comments:</i>										
<i>Invoice has been submitted for payment and processing.</i>										

		Committed	YTD Actual	YTD Budget	YTD %var	Original Budget	Revised Budget	End Year Forecast	Forecast Change
Sport & Recreation									
PR-5337 Support Bunbury Motorcross Club CSRFF application	Progress 0%	-	-	-	0%	45,000	45,000	45,000	-
<i>Project Progress Comments:</i>									
<i>Not due for commencement until September 2024 now that the club has found out it was successful in late August 2024.</i>									
PR-5338 Renew other sport and recreation furnishings and equipment	Progress 50%	-	-	-	0%	7,500	7,500	7,500	-
<i>Project Progress Comments:</i>									
<i>Not due for commencement until October 2024</i>									
PR-5350 Support Bunbury Central Croquet Club DLGSCI Club Night Light application	Progress 0%	-	-	-	0%	3,446	3,446	-	(3,446)
<i>Project Progress Comments:</i>									
<i>The club were not successful in their grant application so this money will be handed back at budget review.</i>									
Total for Sport & Recreation		16,032	24,724	68,716		926,314	926,314	922,868	(3,446)
Works									
PR-1168 Replace signs and linemarking	Progress 10%	8,736	1,462	2,500	(42)%	25,000	25,000	25,000	-
Total for Works		8,736	1,462	2,500		25,000	25,000	25,000	-
Operating Projects Expenditure Total		1,308,100	260,889	520,292	(50)%	6,886,073	6,886,073	7,046,229	160,156



MONTHLY COMMUNITY FINANCIAL REPORT

As at 31 August 2024

Highlighting how the City of Bunbury is tracking against financial ratios

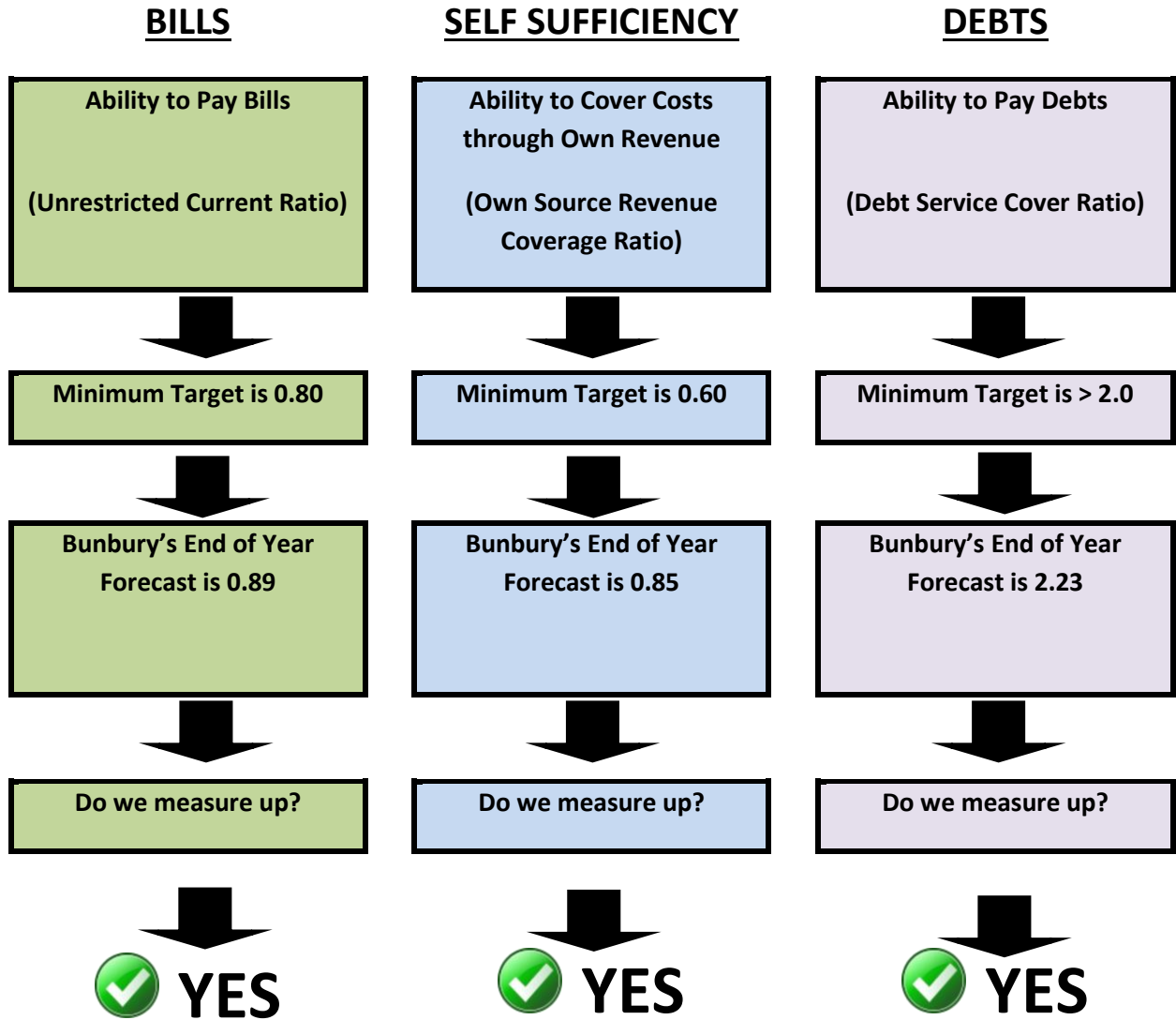


Financial Snapshot (Year to Date)	Actual (000's)
Operating Revenue	\$62,077
Operating Expenditure (Including Non-Cash Items)	\$12,558
Non-Cash Items	\$2,498
Capital Revenue	\$310
Capital Expenditure	\$3,223
Loan and Lease Repayments	\$45
Transfers (to)/from Restricted Cash	(\$81)
Unallocated Surplus Brought Forward 1 July 2024	\$4,347
Net Forecast Surplus Position at 30 June 2025	(\$44)

Did you know?

The City of Bunbury has issued 17,189 rate notices for the 2024/25 financial year. This amount includes Rates, Waste charges and the Emergency Service Levy that is collected on behalf of the State Government

➤ Financial Health Indicators



➤ Cash in the Bank (at 31 August 2024)



➤ How are we tracking against our budgeted targets?

Operating Surplus Ratio

A measure of the City's ability to cover its operational costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves.

Minimum Target is > 1

Bunbury's Performance is (0.11)

Do we meet the target?

 **NO**

The reason that the Operating Surplus Ratio does not meet the minimum target is that operating revenue doesn't exceed own source operating revenue. This is being addressed with the following actions:

1. All operating expenditure is subject to review with the aim to reduce costs.
2. A significant amount of operating expenditure is in depreciation (\$15.05M or 18% of total operating expenditure).
3. Operating revenue is also subject to review.

Asset Sustainability Ratio

Measures if the City is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out.

Depreciation for 2024/25 is \$15.05M.

Capital expenditure (renewal and upgrade) for 2024/25 is \$20.37M.

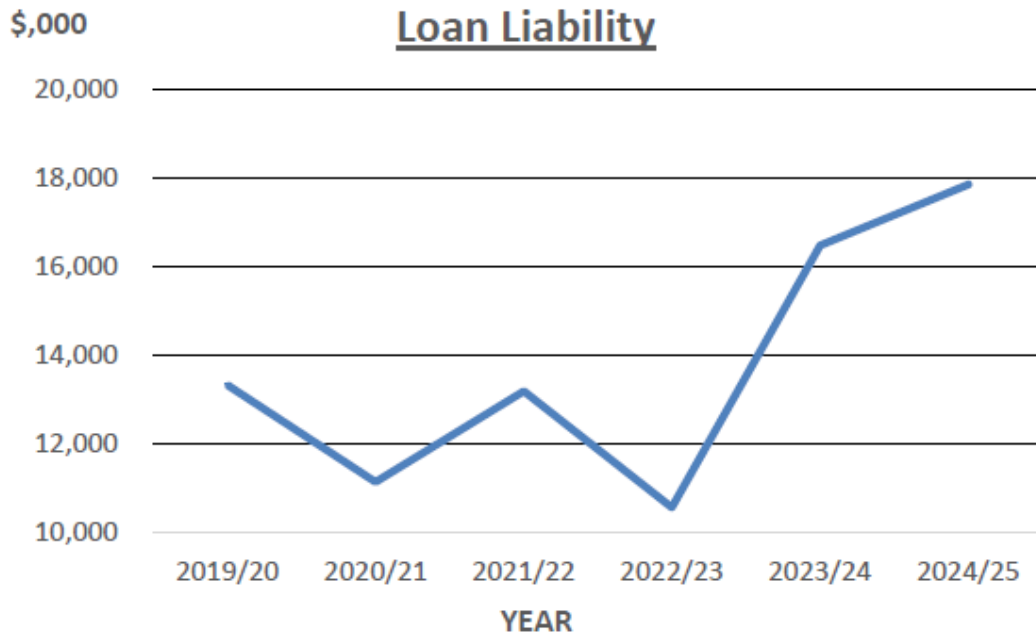
Minimum Target is > 0.90

Bunbury's Performance is 1.35

Do we meet the target?

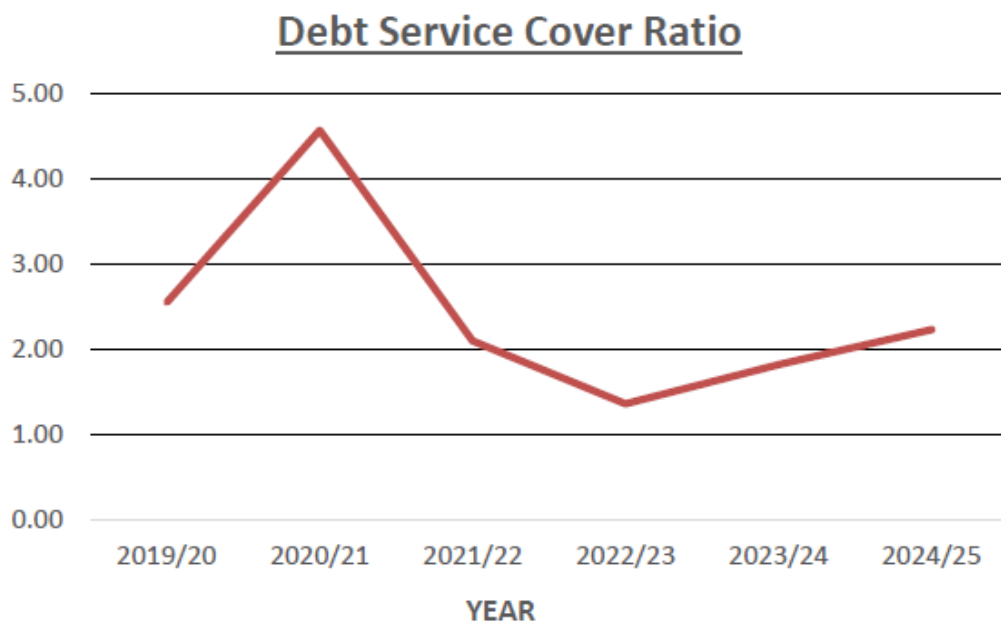
 **Yes**

➤ Debt Levels



The City requires \$4M in loan borrowings in 2024/25. As at 30 June 2025 the City's loan liability is forecast at \$17.86M. This includes the following loans:

- Infrastructure Assets - \$3M
- Netball Courts - \$1M



The Debt Service Cover Ratio measures the City's ability to service debt. The higher the ratio the stronger the position the City is in to repay annual principal and interest repayments.

Any feedback in this document is greatly appreciated and can be emailed to records@bunbury.wa.gov.au

10.3.2 RFT2324/030 Cleaning Services

File Ref:	RFT2324/030
Applicant/Proponent:	Internal
Responsible Officer:	Jane Parsons, Team Leader Procurement
Responsible Manager:	David Ransom, Manager Finance Aileen Clemens, Manager Infrastructure Maintenance Services
Executive:	Brendan Smith, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Confidential Appendix – 10.3.2-A – Evaluation Report

Summary

The City of Bunbury issued a Request for Tender RFT2324/030 to engage a suitably qualified contractor to provide cleaning services to City buildings, sporting grounds and public ablutions.

The City received 11 tender submissions, and it is recommended that Council accept the responses recommended in the Confidential Appendix 10.3.2-A.

Executive Recommendation

That the Council:

1. Accepts the recommendation as contained in the Confidential Appendix 10.3.2-A.
2. Authorise the Chief Executive Officer to:
 - a. negotiate and agree minor variations with the recommended respondents; and
 - b. enter into contracts with the recommended respondents.
3. Upon resolution of the recommendation, directs that the successful respondents' names, and the estimated total consideration under the resulting contracts be made public, and included within the minutes of this meeting

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 8.3	Maintain quality community buildings, halls and toilets.

Regional Impact Statement

The City's Buildings and Public Amenities (including ablutions) service the residents, tourists and personnel that utilise these facilities. Provision of properly serviced ablutions are a regulatory requirement of the Department of Health.

Background

The tender was advertised in the West Australian and the Bunbury South West Times newspapers on 15 May 2024 and 16 May 2024 respectively. The tender document was made available via the City’s procurement portal through Vendor Panel.

A total of 66 suppliers viewed the advertisement and at closing 11 responses were received.

Tenders Received from:
BIC SERVICES PTY LIMITED (TRADING AS BIC CONSOLIDATED) [ABN 40 003 700 301] Level 3, Suite 2, 1B Homebush Bay Drive, Rhodes NSW 2138
BRIGHTMARK GROUP PTY LTD [ABN 38 616 832 341] 102 Guger Street Claremont WA 6010
FM CONTRACT SOLUTIONS PTY LTD [ABN 56 609 597 140] Unit 10 / 8 Welshpool Rd East Victoria Park WA 6101
HT CLEANING SERVICES PTY LTD [ABN 31 137 424 947] Level 1, 21 Adelaide Street Fremantle WA 6160
ICONIC PROPERTY SERVICES PTY LTD [ABN 95 609 625 265] 620 Newcastle Street Leederville WA 6007
MARRAK HOLDINGS PTY LTD T/AS MARRAK CLEANING SOLUTIONS [ABN 38 628 796 127] 29 Halifax Drive Davenport WA 6230
OCS SERVICES PTY LTD [ABN 88 100 520 296] Ground Level, 183 Great Eastern Highway Belmont WA 6104
PARADIGM CLEANING & PROFESSIONAL SERVICES PTY LTD [ABN 17 603 305 219] 29 Shanahan Road Davenport WA 6230
DMC CORPORATION PTY LTD AS THE TRUSTEE FOR PANICH FAMILY TRUST TRADING AS DMC CLEANING [ABN 98 457 300 194] 5/40 Lord Street East Perth WA 6004
MICKAZ NOMINEES PTY LTD ATF THE TRUSTEE FOR THE FLYNN FAMILY TRUST T/AS SOUTH WEST CLEANING [ABN 19 312 674 323] 1 Cassia Place Glen Iris WA 6230
UNITING GLOBAL PTY LTD [ABN 86 625 464 780] 37 Kent Street, Busselton WA 6280

The tenders were evaluated using the following criteria:

Qualitative Criteria	Weighting
Relevant Experience and Key Personnel	20%
Tenderer/ Respondent Resources	20%
Demonstrated Understanding	15%
Environmental and Social Outcomes	5%
Price	40%
Total	100%

Council Policy Compliance

Tendering for goods and services is conducted in accordance with:

- Purchasing Council Policy
- Local Supplier Preference Council Policy
- Access and Inclusion 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 1.1.11, the Tender is required to go before the Council.

In terms of section 3.57 of the Act, a Local Government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods and service. Part 4 of the FG Regulations:

- requires that tenders be publicly invited for such contracts where the estimated cost of providing the required goods and/or service exceeds \$250,000; and
- under Regulations 11, 14, 18, 20 and 21A provides the statutory framework for inviting and assessing tenders and awarding contracts pursuant to this process.

With regard to RFT2324/030 City officers have complied with abovementioned legislative requirements.

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 10.3.2-A.

Analysis of Financial and Budget Implications

The Executive Recommendation can be funded within existing budget allocations.

Evaluation of the tender prices (and ranking) has been assessed but the results are "commercial in confidence" and can be viewed in Confidential Appendix – 10.3.2-A.

Community Consultation

Not applicable.

Councillor/Officer Consultation

Consultation took place with Manager Infrastructure Maintenance Services, and members of the Finance, Procurement and Property Maintenance and Management Team when preparing this recommendation.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

The Contract will commence 1 December 2024, at the end of the current contract.

10.3.3 Local Government Elections – Review of WALGA Advocacy Positions

File Ref:	COB/5134
Applicant/Proponent:	WALGA
Responsible Officer:	Maureen Keegan, Senior Governance Officer
Responsible Manager:	Greg Golinski, Manager Governance and Integrated Planning
Executive:	Karin Strachan, Director Corporate and Community
Authority/Discretion	<input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	10.3.3-A – Advocacy Positions for a New Local Government Act 10.3.3-B - WALGA submission: Local Government Reform Proposal (February 2022)

Summary

WALGA recently undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of legislative reforms to the Local Government electoral process.

All Local Governments in Western Australia are requested to provide a Council decision on WALGA's advocacy positions as they relate to Local Government Elections and convey this to WALGA by 28 October 2025 to be presented to the WALGA State Council December meeting.

Executive Recommendation

That Council recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. Participation – Council support advocacy position XX
2. Terms of Office - Council support advocacy position XX
3. Voting Methods - Council support advocacy position XX
4. Internal Elections - Council support advocacy position XX
5. Voting Accessibility- Council support advocacy position XX
6. Method of Election of Mayor - Council support advocacy position XX

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

Any changes to the Local Government Election process will impact all WA local governments.

Background

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Council Policy Compliance

Not applicable

Legislative Compliance

Local Government Amendment Act 2023.

Officer Comments

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary

5. The first past the post method of counting votes
The Local Government sector opposes the introduction of preferential voting, however if ‘first past the post’ voting is not retained then optional preferential voting is preferred.

Background	The first past the post (FPTP) method is simple, allows an expression of the electorate’s wishes and does not encourage tickets and alliances to be formed to allocate preferences.
State Council Resolution	February 2022 – 312.1/2022 December 2020 – 142.6/2020 March 2019 – 06.3/2019 December 2017 – 121.6/2017 October 2008 – 427.5/2008
Supporting Documents	Advocacy Positions for a New Local Government Act – Appendix 10.3.3-A WALGA submission: Local Government Reform Proposal (February 2022) - Appendix 10.3.3-B

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement	Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.
State Council Resolution	February 2022 – 312.1/2022 March 2019 – 06.3/2019 December 2017 – 121.6/2017

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement	The <i>Local Government Act 1995</i> should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.
Background	Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.
State Council Resolution	May 2023 – 452.2/2023 March 2019 – 06.3/2019 December 2017 – 121.6/2017 March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the ‘proportional’ part of the voting method for general elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors’ method), with regulations preventing a change in this method.

- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors’ method to all classes of local governments.

Analysis of Financial and Budget Implications

Not applicable

Community Consultation

Nil

Councillor/Officer Consultation

Opportunity for feedback by the Local Country Zones will be available.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Councils’ decision will be provided to WALGA by Monday 28 October 2024.



Advocacy Positions for a New Local Government Act

Key issues from recent inquiries into Local Government

December 2020

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 139 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,220 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

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Recommendations

New Local Government Act

That the State Government prepare a new Local Government Act as a priority.

Legislative Intent

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - i. Economic development
 - ii. Environmental protection, and
 - iii. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

Intergovernmental Cooperation

That a Partners in Government Agreement promoting a collaborative partnership approach be signed by the Premier, Minister for Local Government, Western Australian Local Government Association and Local Government Professionals WA at the commencement of each term of the State Government.

Elections

The Local Government sector supports:

1. Four year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

6. Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)
7. Local Governments to determine if the Mayor or President is elected by the Council or the community at large.
8. Continuation of the property franchise.

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation and,
2. Local Government be empowered to set fees and charges for Local Government services.

Road Funding

That the Government returns to Local Government at least 27 percent of motor vehicle licence fee collections.

Regional Collaboration

That:

1. Local Governments be empowered to form single and joint subsidiaries, and beneficial enterprises, and
2. Compliance requirements of Regional Councils be reviewed and reduced.

Community Engagement

The Local Government sector supports:

1. Responsive, aspirational and innovative community engagement principles
2. Encapsulation of aims and principles in a community engagement policy, and
3. The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans.

Roles and Responsibilities

That clarification of roles and responsibilities for mayors / presidents, councillors and CEO's be considered to ensure that there is no ambiguity.

External Oversight

The Local Government sector supports:

1. Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against elected members and undertake inquiries.
2. Remove the CEO from being involved in processing complaints
3. That an early intervention framework of monitoring to support local governments be provided with any associated costs to be the responsibility of the State Government.

Financial Management and Procurement

That the Local Government sector:

1. Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General;
2. Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General;
3. Supports Local Governments being able to use freehold land to secure debt;
4. Supports Building Upgrade Finance being permitted for specific purposes such as cladding, heritage and green improvements;
5. Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

Accountability and Audit

That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority and chair.

Background

Three significant inquiries relating to Local Government in Western Australia have released their final reports in August and September 2020.

This paper, which was endorsed by State Council on 2 December 2020 (Resolution 142.6/2020), aims to distil key issues raised by these reports and identify strategic advocacy positions of the Local Government sector to inform the strategic direction of legislative reform.

Local Government Review Panel

As part of the Review of the Local Government Act, the Local Government Review Panel was formed to guide the strategic direction of the review and to recommend high level guiding principles for a new act.

The [Local Government Review Panel Final Report](#) was released on 5 August 2020.

City of Perth Inquiry

The Authorised Inquiry into the City of Perth was announced on 24 April 2018 by the Minister for Local Government.

The report contains 341 recommendations, of which 132 have implications for the Local Government sector.

The [Report of the Inquiry into the City of Perth](#) was tabled in Parliament on 11 August 2020.

Select Committee into Local Government

The Legislative Council Select Committee into Local Government commenced on 26 June 2019.

The Committee had broad terms of reference to inquire into Local Government in Western Australia and made a number of recommendations relating to key Local Government sector issues.

The [Select Committee into Local Government Final Report – Inquiry into Local Government](#) was tabled in Parliament on 22 September 2020.

Key Issues

New Local Government Act

The Local Government Review Panel Final Report states:

When the Western Australia Government launched the Local Government Act Review its objectives were to produce ‘a new, modern Act that empowers local governments to better deliver for the community’, and that local government should be ‘Agile, Smart and Inclusive’. Those objectives remain valid.

Discussion

The current *Local Government Act 1995* was proclaimed in 1996 and has been effective at enshrining the general competence principle which has enabled Local Governments to govern in the best interests of their communities. However, over the last 25 years there has been significant regulation and compliance obligations added to the legislation.

The current Local Government Act contains ten parts and totals 490 pages. In addition, there are 13 sets of regulations comprising a further 460 pages. This is a legislative burden on the Local Government sector and requires a significant reduction and a move to a principle over prescription approach to a new Act.

The Local Government Act should facilitate Local Governments utilising their general competence powers within a legislative framework that provides for good governance and accountability to the community for decision-making. The Local Government sector seeks a reduced regulatory approach accompanied by best practice guidance, support and assistance.

With a State Election due in March 2021 it is appropriate for the sector to seek a commitment for the progression of a new Local Government Act.

Local Government Position:

That the State Government prepare a new Local Government Act as a priority.

Legislative Intent

The Local Government Review Panel Final Report recommends:

2. *The Panel recommends the following statement of intent (vision) for a new Act:*

An Act to provide for a system of local government relevant to Western Australia that develops and supports sustainable, accountable, collaborative and capable local governments through democratic representation, the provision of services, opportunities and enhanced well-being for each and every community.
3. *The Panel recommends the adoption of the following objectives for a new Act:*
 - a. *Democratic and accountable local government that recognises the diversity of and within Western Australia's communities.*
 - b. *Recognition of the specific needs and culture of Western Australia's Aboriginal people.*
 - c. *Promotion and improvement of the community's economic, social and environmental well-being.*
 - d. *An adaptive and forward-looking legislative framework, which supports and enables councils to provide local leadership for the whole community, and to collaborate with each other and with other key stakeholders at a regional level.*
 - e. *Open and transparent community participation in the decisions and affairs of local governments.*
 - f. *Enhanced capability of the local government sector, with a focus on continuous improvement and sustainability.*
 - g. *Efficient and effective service delivery and regulation that is responsive to current and future community needs.*
 - h. *Informed decision-making by local governments which is in the interest of their communities, within a legislative framework that supports balance and certainty in relation to the different interests of their communities.*
 - i. *Accountability of local governments to their communities through processes that demonstrate good governance.*
 - j. *Support for approaches and opportunities which foster collaboration and cooperation both within the local government sector and across all levels of Government.*
4. *The Panel recommends an Act that is considerably shorter, less prescriptive and minimises the use of regulations by establishing clear principles, robust processes, model charters, guidelines and templates.*
5. *The Panel recognises the diversity of local governments in Western Australia and supports a new Act which is responsive to this but does not recommend the adoption of a multi-tiered legislative framework.*
6. *The Panel recommends the inclusion of a statement of the role and principal functions of local governments that makes it clear their basic statutory responsibilities, retaining the overall power of general competency in the current Local Government Act.*

The Select Committee into Local Government recommends:

1. *The Government consider implementing a compliance regime that differentiates between local governments based on their size and scale where appropriate.*

Discussion

Throughout WALGA's consultation with the sector on the Local Government Act review, there has been overwhelming support for *principles over prescription*, an approach that avoids red tape and declutters the extensive regulatory regime. The following key principles are fundamental drivers of future Local Government legislation.

General competence

The Local Government Act is founded on the general competence powers principle, which gives Local Governments the legal capacity to do anything that is not prohibited by law. This principle is uniformly supported by the Local Government sector and that it should not be diluted by over-regulating the operations of Local Government.

The general competence principle recognises the democratic mandate of Local Government to represent, plan, and provides services for its community.

Flexible, principles-based legislative framework

The Local Government Act works well when Local Governments apply their general competence powers within a legislative framework that provides for good governance, with accountability to the community for decision-making.

The Local Government Act should focus on principles and objectives, not on process. Best practice, guidance material and smart people working together to solve problems drive innovation; prescriptive regulation drives compliance for the sake of compliance.

To focus on the process and not the principles and objectives risks embedding today's practice into legislation instead of allowing Local Governments the flexibility to innovate and adapt to new methods and new technologies. Not everything a Local Government should do needs to be legislated. Ultimately, Councils are considered to be generally competent and are accountable to the community through democratic elections held every two years.

Size and scale compliance regime

There is a marked appetite to differentiate between Local Governments based on size and scale. There is a significant difference in the compliance requirements of the City of Stirling compared to the Shire of Murchison. Areas such as the integrated planning and reporting framework, internal audits and model procurement policies are example areas that could be considered on a size and scale approach.

Promote enabling legislation

Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration the Local Government's role in creating a sustainable and resilient community through:

- Economic development
- Environmental protection, and
- Social advancement.

There is a need to provide enabling legislation with a 'menu of opportunities' for the sector. Legislation should enable Local Governments to carry out a range of activities, even though all Local Governments may not want to undertake the activity.

Reduce red tape

WALGA has called for the de-cluttering of the extensive regulatory regime that underpins the Local Government Act. The legislative and regulatory regime represents a considerable challenge to the delivery of effective and efficient governance.

The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

The State Government should not impose responsibilities to Local Governments without adequate resourcing. This principle is contained within the British Columbia Community Charter and is supported by the Local Government sector.

Local Government Position:

That the following key principles be embodied in the Local Government Act:

- 1. Uphold the general competence principle currently embodied in the Local Government Act**
- 2. Provide for a flexible, principles-based legislative framework**
- 3. Promote a size and scale compliance regime**
- 4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:**
 - i. Economic development**
 - ii. Environmental protection, and**
 - iii. Social advancement**
- 5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and**
- 6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.**

Intergovernmental Cooperation

The Local Government Review Panel Final Report recommends:

- 15 *The Panel recommends that the new Act include a set of principles for intergovernmental relations that make clear local government's role and obligations as part of the broader system of government, and that underpin a range of ongoing arrangements such as the State Local Government Partnership.*

Discussion

Local Government strongly supports the enhanced collaboration between State and Local Government, as two spheres of government responsible for delivering public infrastructure and services for the benefit of the Western Australian community.

A Partners in Government Agreement, to be signed by the Premier, Minister for Local Government and Local Government leaders should contain:

- A preamble highlighting the importance of collaboration and partnership
- Objectives and principles
- Meetings of the Partners in Government Group comprising senior State and Local Government decision makers
- Collaboration aims and ideals, and
- Key focus areas.

Collaboration and partnership between the State and Local Government sectors aims to leverage the strengths of both spheres of Government for the benefit of Western Australia: the State's leadership and policy direction, and Local Government's on-the-ground presence in every community in our large and diverse state.

Local Government Position:

That a Partners in Government Agreement promoting a collaborative partnership approach be signed by the Premier, Minister for Local Government, Western Australian Local Government Association and Local Government Professionals WA at the commencement of each term of the State Government.

Elections

The Local Government Review Panel Final Report recommends:

19. *Optional preferential voting be adopted in place of the current first past the post system.*
20. *The principle of one vote per person be included in the legislation, subject to Recommendation 21 below.*
21. *Property franchise voting should be replaced with the requirement for local governments to introduce mechanisms for regular and effective consultation with the business community.*
22. *Local government elections are held once every four years, two years after but to otherwise accord with the timing of the State election.*
23. *All local government elections should be overseen by the Western Australian Electoral Commissioner.*
24. *Provision in the new Act for electronic/online voting to be introduced in the future once the integrity of the process can be assured (including allowing for a pilot).*
25. *The Panel makes the following further recommendations in relation to elections:*
 - a. *Postal voting be required, with lodgement of these votes to be allowed in person on and before election day.*
 - b. *The election process extended to provide more time for the issuing and receipt of postal votes.*
 - c. *The information local government candidates must provide at nomination should be expanded to ensure that adequate information is given for voters to make an informed decision. Candidate nomination forms should also include declaration of membership of a political party and these forms should be published and available during the election period.*
 - d. *A caretaker policy should be introduced barring elected members up for re-election from representing the council at events, handing out council grants or donations and moving substantive notices of motion in the period before the election, and a requirement to comply with this policy should be included in the Code of Conduct.*
 - e. *The donor and the candidate should co-sign each declaration of a gift made.*
 - f. *Donations via crowd funding platforms should be regulated so far as possible.*
26. *In respect to elected member representation, the Panel recommends:*
 - a. *Population should be used to determine the number of elected member positions:*

- (i) *Population of up to 5,000 – 5 councillors (including President).*
 - (ii) *Population of between 5,000 and 75,000 – 5 to 9 councillors (including Mayor/President).*
 - (iii) *Population of above 75,000 – 9 to 15 councillors (including Mayor).*
- b. *Ward boundary reviews, to ensure equitable representation is maintained, should be conducted every four years by the Office of the Electoral Distribution Commissioners, with the support of the WAEC and should be conducted using similar processes and principles that are in place for state electoral boundaries as contained in the Electoral Act 1907.*
- c. *Current classification bands 3 and 4 should not have multiple wards unless the Local Government Commission permits it in the interests of ensuring local democracy is enabled in certain communities.*
- d. *The changes to wards and elected member numbers due to the above recommendations should be phased in.*

Discussion

The overwhelming majority of Local Governments support retaining four year terms with a half spill every two years. A principle of the current two year election cycle is to support the continuity of knowledge and experience of the Local Government. A key risk of a proposal for an all in/all out term is the loss of knowledge and the influence of a Council.

Promoting voting participation in Local Government elections is a priority and can be achieved through a range of voting options, such as:

- On-line voting
- Postal voting, and
- In-person voting.

In respect to voting methods, Local Governments over the past 40 years have experienced preferential voting, proportionate preferential voting and the current first past the post method. Due to its simplicity, and ease of understanding, the Local Government sector supports first past the post voting.

The Local Government sector opposes compulsory voting in Local Government elections.

In respect to Elected Member representation, the general competence principle should apply, enabling a Local Government to determine the appropriate number, between six and 15 elected members (including the Mayor/President), depending on local requirements. This philosophy also extends to the decision to have a Mayor or President elected by the Council or elected at large by the community.

The Local Government sector supports continuation of the status quo with regards to the property franchise.

Local Government Position:

The Local Government sector supports:

- 1. Four year terms with a two year spill**
- 2. Greater participation in Local Government elections**
- 3. The option to hold elections through**
 - Online voting**
 - Postal voting, and**
 - In-person voting**
- 4. Voting at Local Government elections to be voluntary**
- 5. The first past the post method of counting votes**
- 6. Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)**
- 7. Local Governments to determine if the Mayor or President is elected by the Council or the community at large**
- 8. Continuation of the property franchise.**

Rating Exemptions

The Local Government Review Panel Final Report recommends:

50(c) *The Economic Regulatory Authority (ERA) should be asked to undertake a review of the rating system, including a thorough examination of the case for the current wide range of exemptions.*

The Select Committee into Local Government recommends:

- 8 *Recognising that the current charitable purposes rate exemption produces perverse outcomes and may inappropriately shield commercial operations from paying rates, the Government clarify the charitable purposes rate exemption in any new local government Act.*
- 9 *The Government conduct a broad review of the rate exemptions to be included in any new local government Act.*

Discussion

Exemptions from rates represent significant revenue leakage for Local Government. Recent data indicates that revenue foregone represents approximately two percent of rate revenue. This shortfall in lost revenue must then be made up from other ratepayers.

Rating exemptions relating to charitable purposes are particularly concerning as this exemption has extended in scope beyond its original intent to provide rating exemptions for the commercial undertakings of not-for-profit organisations. For instance, Independent Living Units, which often cost far more than the median house, are often exempt from rates. The net result of this is that millions of dollars of revenue is lost to Local Government which then has to be recouped from other ratepayers, many of whom would not be in a position to afford an Independent Living Unit themselves.

The rating exemptions that are of concern for the sector relate to the following:

- Rating of Charitable Purpose properties
- Department of Housing: Leasing to Charitable Organisations
- Government Trading Entities
- State Agreement Act projects
- State Owned Unallocated Crown Land

On this basis, the Local Government sector supports an independent review of all rating exemptions to enhance equity among ratepayers in the community.

Local Government Position:

That an independent review of all rate exemptions be undertaken.

Fees and Charges

The Local Government Review Panel Final Report recommends:

- 51 *The Panel recommends that local governments should be able to set reasonable fees and charges according to a rating and revenue strategy, with the oversight of the Audit, Risk and Improvement Committee.*
- 52 *The Panel recommends that local governments and State Government apply cost recovery principles when setting fees and charges.*

Discussion

Fees and charges represent a significant source of discretionary revenue for Local Governments. Examples include dog registration fees, fees for building approvals and swimming pool entrance fees.

Currently fees and charges are determined by legislation or regulation, with an upper limit set by legislation, or by the Local Government. Fees mandated by legislation often do not keep pace with the cost of delivery meaning that ratepayers will subsidise particular activities without any ability to have input into the setting of the fee.

While cost recovery should be a consideration for the setting of fees and charges, there are some services that Local Governments may choose to subsidise to encourage activities with overall community benefit.

Setting fees and charges is a core government function and should be a deliberative decision of the Council.

Local Government Position:

That:

- 1. An independent review be undertaken to remove fees and charges from legislation and regulation and,**
- 2. Local Government be empowered to set fees and charges for Local Government services.**

Road Funding

The Select Committee into Local Government recommends:

7. *The Government consider returning to local governments at least 27 percent of motor vehicle licence fee collections.*

Discussion

Local Governments are responsible for 127,500km of roads in Western Australia, representing 88 percent of the public road network.

With a replacement value close to \$30 billion, the Local Government road network is a significant state asset that connects people and places and facilitates economic activity across all of Western Australia.

In their final report, the Select Committee into Local Government found that the shortfall between local government expenditure on road preservation and the amount required to maintain roads at their current condition has continued to increase over the past five years to \$155.74 million in 2018-19.

To that end, the Local Government sector advocates for road funding from the State Government to return to 27 percent of vehicle licence fees.

Local Government Position:

That the Government returns to Local Government at least 27 percent of motor vehicle licence fee collections.

Regional Collaboration

The Local Government Review Panel recommends:

12. *The Panel recommends that the new Act should promote and mandate expanded regional cooperation between local governments by:*
 - a. *Making increased collaboration a specific objective and principle.*
 - b. *Providing an improved model of joint (regional) subsidiaries that can be used for strategic planning, resource sharing, shared services delivery and commercial enterprises (see also Recommendations 14 and 39).*
 - c. *Requiring regional cooperation as part of IPR (see also Recommendation 35).*
13. *The Panel recommends that consideration also be given to the potential need for a new form of 'regional authority' to enable collaboration on specific issues between governments and with other key stakeholders.*
14. *The Panel recommends:*
 - a. *The regional council model is discontinued.*
 - b. *A flexible model of joint (regional) and single (local) subsidiaries be introduced in order to enable:*
 - (i) *collaboration between local governments; and/or*
 - (ii) *involvement of local government in economic development including commercial activities.*
40. *The Panel recommends that the new Act should provide the freedom for local governments to be involved in commercial activities where it is in the public interest and subject to competitive neutrality principles.*
41. *The Panel recommends that 'beneficial enterprises' not be introduced as a new mechanism for local government commercial activities, but that instead an updated and more flexible subsidiary model should provide for the following:*
 - a. *Local government autonomy to establish a single or joint subsidiary to:*
 - (i) *Carry out any scheme, work or undertaking on behalf of the council;*
 - (ii) *Manage or administer any property or facilities on behalf of the council;*
 - (iii) *Provide facilities or services on behalf of the council; and/or*
 - (iv) *Carry out any other functions on behalf of the council.*
 - b. *The subsidiary to be established through a charter.*
 - c. *The charter to be certified by an independent and suitably experienced legal practitioner as within power and National Competition Policy.*
 - d. *Public notice of the proposal to establish the subsidiary to ensure that there are no private operators that would be significantly disadvantaged.*
 - e. *The subsidiary to be able to undertake commercial activities (within the limits of competitive neutrality and a thorough risk assessment).*

- f. *The subsidiary to have the ability to acquire, hold, dispose of or otherwise deal with property.*
 - g. *Dividends able to be paid to member local governments.*
 - h. *The requirement for employees of the subsidiary to be employed under the same award or agreement conditions as the relevant local government/s and within the jurisdiction of the Western Australian Industrial Relations Commission.*
 - i. *No requirement for ministerial approval at the outset, but reserve powers for the Minister for Local Government to intervene if issues arise should be included.*
42. *The Panel recommends local governments should utilise the subsidiary models and, as a general rule, should not form entities outside this, such as under the Associations Incorporation Act, except as a means of establishing or maintaining partnerships with other local or regional organisations in those instances where the local government is not the dominant party.*

Discussion

The Local Government sector supports streamlined and effective regional collaboration to leverage economies of scale, combined resources and enhanced accountability.

Regional collaboration provides many benefits for the community, including:

- Efficient service delivery leveraging economies of scale
- Enhanced accountability for specific functions, and
- Reduced risk by quarantining ratepayer funds in a separate legal entity

Flexibility for local governments to select and adapt the most suitable collaborative model to local circumstances is crucial for the benefits of regional collaboration to be realised. While competitive neutrality is important, and should be respected, the ability to undertake commercial activities is important, particularly to address instances of market failure.

The subsidiary model, governed by a charter, provides simplicity and can be customised to meet local and service delivery needs.

The beneficial enterprises model provides for a commercial focus while increasing accountability and reducing risk by quarantining ratepayer funds.

To that end, the local government sector supports the ability to utilise a range of fit-for-purpose regional collaborative models.

Local Government position

That:

- 1. Local Governments be empowered to form single and joint subsidiaries, and beneficial enterprises, and**
- 2. Compliance requirements of Regional Councils be reviewed and reduced.**

Community Engagement

The Local Government Review Panel Final Report recommends:

33. *The Panel recommends that the following community engagement principles should be included in the new Act:*
- a. *Councils actively engage with their local communities;*
 - b. *Councils are responsive to the needs, interests and aspirations of individuals and groups within its community;*
 - c. *Community engagement processes have clearly defined objectives and scope;*
 - d. *Participants in community engagement have access to objective, relevant and timely information to inform their participation;*
 - e. *Participants in community engagement are representative of the persons and groups affected by the matter that is the subject of the community engagement;*
 - f. *Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement; and,*
 - g. *Participants in community engagement are informed of the ways in which the community engagement process will influence council decision-making.*
34. *The Panel recommends a Community Engagement Charter be required as a mechanism for guiding and enhancing community participation in local decision-making, and that a model charter be prepared to set parameters and provide guidance on mechanisms to be used.*
35. *The Panel recommends the Annual Electors' Meeting is replaced by an Annual Community Meeting whereby:*
- a. *As a minimum, councils provide information on their achievements and future prospects;*
 - b. *Councils report on the local government's financial performance and performance against relevant Council Plans;*
 - c. *Both the mayor/president and the Chair of the Audit Committee address the meeting;*
 - d. *There is ample time for questions; and,*
 - e. *Wider community participation is encouraged through different delivery mechanisms.*

Discussion

With a local presence in every community in Western Australia, community engagement is core business for Local Government.

Principles and methods supporting responsive, aspirational and innovative community engagement are supported. Local Governments are often on the frontier of innovative community engagement methods, such as participatory budgeting and deliberative democracy.

To that end, the Local Government sector supports community engagement aims and principles to be encapsulated in a policy. However, the content of such a policy should not be prescribed; Local Governments, with knowledge and regular touchpoints with their communities, are best placed to determine the content of a community engagement policy.

An optional Annual Community Meeting is supported, at which Local Governments could present their annual report, financial performance and recent achievements, and outline their future prospects and plans.

Local Government Position:

The Local Government sector supports:

- 1. Responsive, aspirational and innovative community engagement principles**
- 2. Encapsulation of aims and principles in a community engagement policy, and**
- 3. The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans.**

Roles and Responsibilities

The Local Government Review Panel Final Report recommends:

28. *The Panel recommends significant changes in the Act to the current statements of roles and responsibilities for mayors/presidents, councillors and CEOs and that the Act should include a new statement of responsibilities for the 'council' which captures the roles and responsibilities of all councillors acting collectively as the council.*

29-32. *Revised statements of roles and responsibilities that are specific to address the following issues:*

- *Community leadership*
- *Strategic planning*
- *Continuous improvement*
- *Executive function (for mayors/presidents)*
- *Guiding the CEO (for mayors/presidents)*
- *Training*

The Select Committee into Local Government Report recommends:

26. *The Government clarify the roles of council and the chief executive officer, and the distinction between governance and operational matters, in any new local government Act.*

Discussion

The *Local Government Act 1995* is predicated on separate roles and responsibilities for Elected Members and the administration, as summarised in the Second Reading Speech:

*'The new Act will provide a clear distinction between the representative and policy making role of the elected Councillors and the administrative and advisory role of the chief executive officer and other staff.'*¹

The Inquiry Report's recommendations for training and induction are reflective of the mandatory training and continuing professional development requirements introduced in the *Local Government Legislation Amendment Act 2019*.

WALGA has long advocated for absolute certainty in responsibilities and separation of powers associated with employees. Appointing and dismissing senior designated employees falls within the function of the CEO.

From this perspective, clarification of roles and responsibilities requires similar consideration of a clearly defined separation of powers between the governing body and the administration.

¹ Government of Western Australia, Local Government Bill Second Reading, 31 Aug. 1995 pp. 7547-7551

Local Government Position:

That clarification of roles and responsibilities for mayors / presidents, councillors and CEO's be considered to ensure that there is no ambiguity.

External Oversight

The Local Government Review Panel Final Report recommends:

57. *The Panel recommends that there should be an early intervention framework of monitoring to support local governments. The department should have additional powers to appoint and support the monitor with councils responsible for the direct costs of the monitor.*
58. *The Panel recommends the Minister should have the power to direct local governments and make declarations in respect to the Local Government Act during a declared state of emergency.*
59. *The Panel recommends establishing an Office of the Independent Assessor that should:*
 - a. *Be an independent body to receive, investigate and assess complaints against elected members and undertake inquiries. This removes the CEO from being involved in processing and determining complaints.*
 - b. *Be a statutory appointment by the Governor.*
 - c. *Upon assessment, refer the complaint back to the council (behaviour-related), the State Administrative Tribunal (SAT) (serious breaches), or to another appropriate body (such as, Corruption and Crime Commission, Public Sector Commission, Ombudsman) according to the subject of the complaint.*
 - d. *Replace the Standards Panel by investigating and making determinations on Rules of Conduct breaches. SAT will determine the penalties.*
 - e. *Amongst other powers, have the power to investigate, to order compulsory mediation and to deal with abuses of process.*
 - f. *Be required to notify the CEO and council of any matters on a confidential basis.*

The City of Perth Inquiry Report recommends:

- 323-332. *An Office of Inspector of Local Government (Inspector) be established as an independent statutory office, responsible to the Minister for Local Government.*

The Select Committee into Local Government Report recommends:

25. *The Government give active consideration, as part of the review of the Local Government Act 1995, to establishing a new independent statutory body to regulate and support the local government sector.*

Discussion

The recommendation from the Local Government Act Review Panel to replace the Standards Panel with an Office of the Independent Assessor is worth supporting. The proposal is to set-up an independent body to receive, investigate and assess complaints against elected members and undertake inquiries. This removes the CEO from being involved in processing and determining complaints, which has previously put the CEO in an invidious position.

An early intervention framework of monitoring to support Local Governments should also be provided, with costs to be the responsibility of the State Government.

Local Government Position:

The Local Government sector supports:

- 1. Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against elected members and undertake inquiries.**
- 2. Remove the CEO from being involved in processing complaints**
- 3. That an early intervention framework of monitoring to support local governments be provided with any associated costs to be the responsibility of the State Government.**

Financial Management and Procurement

The Local Government Review Panel Final Report recommends:

43. *The Panel recommends the following financial management principles be included in the new Act:*
- a. *Councils should have regard to achieving intergenerational equity, including ensuring the following:*
 - (i) *Policy decisions are made after considering their financial effects on future generations*
 - (ii) *The current generation funds the cost of its services, and*
 - (iii) *Long life infrastructure may appropriately be funded by borrowings*
 - b. *Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with the council's financial policies and strategic plans*
 - c. *Financial risks are monitored and managed prudently having regard to economic circumstances*
 - d. *Financial policies and strategic plans, including the Revenue and Rating Strategy and Investment policy, seek to provide stability and predictability in the financial impact on the community; and*
 - e. *Accounts and records that explain the financial operations and financial position of the council are kept.*
44. *Having regard to the need for sound financial decision-making and accountability, the Panel recommends the following:*
- a. *Local governments should be required to adopt or justify departures from a model investment policy to the Audit, Risk and Improvement Committee and relevant State Government Agency.*
 - b. *Local governments should be able to use freehold land to secure debt.*
 - c. *Debt should not be used for recurrent expenditure except in an emergency situation.*
 - d. *Notice should continue to be required to be given for borrowings not included in the local government's annual budget.*
 - e. *Building upgrade finance is permitted for specific purposes such as cladding, heritage and green improvements.*
 - f. *Local governments should adopt program budgeting to more clearly show the actual cost of delivering a service or undertaking an activity.*
 - g. *Local governments should report on the percentage of their expenditure spent on local businesses in their annual report.*
45. *The Panel recommends that local government procurement thresholds, rules and policies are, where applicable, aligned with the State Government, including (but not limited to):*
- a. *Tender threshold (currently \$250,000);*

- b. *Procurement rules and methods for goods and services under the tender threshold;*
 - c. *Procurement policies, including sustainable procurement, procuring from disability enterprises, buy local (where 'local' refers to Western Australia or a specific region of the state determined by the local government) and Aboriginal businesses; and*
 - d. *Using TendersWA as the primary tender platform.*
46. *The Panel recommends the development of a model procurement policy for all local governments. If a local government chooses to deviate from the policy it should to be required to explain its reasoning to the responsible State Government agency.*
 47. *The Panel recommends enhancing legislation to regulate and guide the establishment and management of panel contracts.*
 48. *The Panel recommends a requirement for local governments to have an open register of local businesses with local governments determining what is considered 'local' to their community.*
 49. *The Panel recommends breaches of the local government procurement rules to be referred to the Office of the Independent Assessor to use the appropriate powers under the new Local Government Act.*

The Select Committee into Local Government recommends:

12. *The Government give active consideration to providing, through the Department of Local Government, Sport and Cultural Industries, an accounting advice helpdesk service to the local government sector similar to the service provided by the Department of Treasury to the State government sector.*
13. *The Government:*
 - *consider reducing the financial reporting requirements on local governments*
 - *in doing so, take into account the information provided by the Office of the Auditor General, set out at Appendix 3 and Appendix 4 of this report.*
14. *The Department of Local Government, Sport and Cultural Industries and the Government consider the introduction of tiered financial reporting for local governments.*

The City of Perth Inquiry Report recommends:

188. *The State Government consider amendments to the Local Government Act 1995 to provide for better practice financial management through the establishment of Local Government Financial Management Instructions (similar to the Treasurer's Instructions for State Government) that establish a minimum set of standards and*

requirements for the financial administration of local government (Financial Management Instructions).

189. *The “WA Accounting Manual” be reviewed, updated and promulgated by the Department within the next 12 months.*
190. *The Minister for Local Government consider prescribing the format of the annual budget and financial report to provide consistency across local government.*

Discussion

The sector has considered a number of the recommendations from the reports and supports reviewing the financial reporting requirements for Local Governments.

Model Financial Statements

WALGA has recently formed a Sector Reference Group to review the current financial ratios and to suggest more appropriate ratios. The Reference Group believes the first action to be taken should be for the Department of Local Government to prepare a Model set of Financial Reports for the Local Government sector. This is to enable consistent financial reporting across the sector which would then allow for ratios to be more meaningful for sector analysis.

The following is an excerpt of notes from the group;

The Working Group discussed the possibility of progressing this resolution as soon as possible, rather than waiting for the work on financial ratios to be completed. It was decided that this should be actioned as a priority. A signal from the Minister for Local Government as to whether this proposal is supported will assist in guiding the group’s next steps, noting that the actual development of a model set of accounts would take time and resources. The group also noted that the Office of Auditor General (OAG) have made complementary recommendations relating to financial reporting. For example, in the [Audit Results Report – Annual 2018-19 Financial Audits of Local Government Entities](#), it was recommended that DLGSC re-assess the amount of detail required to be included in annual financial reports.

Resolved:

That WALGA advocates to the Minister for Local Government that the Department of Local Government to prepare a Model set of Financial Reports for the Local Government sector, in consultation with the Office of the Auditor General.

The concept on a model set of accounts is not new. Every other State produces one in some form. This document would be produced annually by the Department and be endorsed by the OAG.

The proposal would involve a detailed set of accounts, including notes, would be available to the industry in March of each year. The document would provide a template for Statements and Notes. These items would include references to legislation and Accounting Standards so the user can gain an appreciation as to why the information is required. Accompanying text could provide a greater understanding of the information and the cross referencing to other information. For example, the note on calculating financial ratios would include how those ratios are calculated, hence doing away with the need for Departmental Guidance Notes.

The benefits that would accrue to the Local Government sector and the community would be substantial. One set of model reports that could provide clear outcomes, rather than waiting for the annual audit to see if a Local Government had interpreted the standards and legislation correctly. Small Local Government would benefit as they may not have qualified accountants on staff and this would provide cost savings. Accessing information about each Local Government would be simplified. The audit process would also be simplified. All of these measures have the ability to lower costs incurred by Local Government in producing the annual financial report.

Use of Debt

The sector's long held position is that the Act should allow Local Governments to use freehold land, in addition to its general fund, as security when borrowing. Currently a Local Government can only borrow against its cash. In most cases this is sufficient, however there have been examples of Local Governments borrowing for large scale infrastructure projects that would benefit from being able to use their freehold land as security.

Building Upgrade Finance

Building Upgrade Finance would enable Local Governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, Local Governments have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, BUF is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market and achieve economic growth.

Procurement

WALGA has consistently supported the alignment of the tender threshold with that of the State Government and broadly supports the principle that suppliers of goods, services and works competing for contracts will benefit where procurement processes across State and Local Government has more similarities than differences.

Local Government Position:

That the Local Government sector:

- 1. Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General;**
- 2. Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General;**
- 3. Supports Local Governments being able to use freehold land to secure debt;**
- 4. Supports Building Upgrade Finance being permitted for specific purposes such as cladding, heritage and green improvements;**
- 5. Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.**

Accountability and Audit

The Local Government Review Panel Final Report recommends:

53. *The Panel recommends the role of audit committees be expanded to become Internal Audit, Risk and Improvement Committees and:*
 - a. *The majority of the Committee members, including the Chair, should be independent of the local government and should be drawn from a suitably qualified panel.*
 - b. *To address the impost on small local governments, the committee could be established on a regional basis.*

54. *The Panel recommends the main roles of the Audit, Risk and Improvement Committee should include:*
 - a. *Developing an audit plan which focuses on compliance, risk (including procurement), financial management, fraud control, governance and delivery of Council Plans;*
 - b. *Identifying continuous improvement opportunities and monitoring programs and projects in this area;*
 - c. *Conducting the mandatory internal audits as outlined in the audit plan; and*
 - d. *Providing advice to the council in relation to these matters.*

The Select Committee into Local Government recommends:

11. *The Government give active consideration to facilitating, through the Department of Local Government, Sport and Cultural Industries, a shared internal audit service for the Local Government sector, particularly to assist small and medium councils.*

Discussion

The Local Government sector supports a robust self-regulation audit framework, which includes a role for the audit committee overseen by council, and a role for the Office of the Auditor General in conducting financial and performance audits of Local Government.

In accordance with the principles of self-governance and self-regulation, majority independent membership of audit committees is not supported. Oversight of the affairs of the Local Government is a fundamental role of the Council, and should not be confused by diffusing responsibility among an audit committee comprised of a majority of non-elected members. Notwithstanding, the Local Government sector acknowledges that some independent expertise may be beneficial to the audit committee process.

The Local Government sector supports a clearly defined role for the audit committee, led and overseen by the elected Council.

Local Government Position:

That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority.

Local Government Reform Proposal

Submission

February 2022

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 139 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,215 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalents) as well as over 2.5 million constituents of Local Governments in Western Australia.

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Local Government Act Review Process

WALGA, through consultation with the Local Government Sector, endorsed sector advocacy positions relating to Local Government Act amendments in March 2019 and December 2020. These advocacy positions were developed considering (but not limited to):

- The Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The City of Perth Inquiry Report (mid 2020)
- The State Parliament's Select Committee Report into Local Government (late 2020)

In December 2020, WALGA endorsed the following principles for any review of the Local Government Act:

Local Government Reform – WALGA Principles

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development
 - b. Environmental protection, and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is worth noting that of the above principles, items 1, 2 and 3 are addressed in these legislative reform proposals and principles 4 and 5 are partially addressed.

Local Government Response

WALGA released the Local Government Reform Proposals – Summary of Proposed Reforms Discussion Paper on 24 November 2021, calling for a response by 28 January 2022.

This document is based on submissions made by 65 respondent Local Governments. The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

Key Issues

The submissions included strong commentary on the following proposed reforms that are of concern:

Item 6.6 Audit Committees

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. A fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, and this links directly with the role of Council under Section 2.7(1)(a) of the *Local Government Act* ('the Act'). For this

Local Government Reform Proposal Submission

reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meetings fees or defined reimbursements to independent Audit Committee members be legislatively authorised.

Item 4.3 Introduction of Preferential Voting

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils, were pre-eminent in the response. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained, then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators

There is support for the reporting of CEO KPIs that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPIs of a confidential nature (i.e. workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee, to be maintained as a confidential record of the Local Government.

The following provides a detailed response to each legislative reform proposal.

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>1.1 Early Intervention Powers</p>	
<ul style="list-style-type: none"> • It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate). • The Inspector would receive minor and serious complaints about elected members. • The Inspector would oversee complaints relating to local government CEOs. • Local Governments would still be responsible for dealing with minor behavioural complaints. • The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified. • The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation. • The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism. • The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations. • The Inspector would be supported by a panel of Local Government Monitors (see item 1.2). • The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3). • Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4). • These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6). 	<p>Current Local Government Position Items 1.1, 1.2 and 1.3 generally align with WALGA Advocacy Position 2.6.8 - ‘Establish Office of Independent Assessor’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> 1. <i>Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against Elected Members and undertake inquiries.</i> 2. <i>Remove the CEO from being involved in processing complaints.</i> 3. <i>That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government.</i> 4. <i>An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.</i> <p>Comment The Local Government sector is in favour of early intervention and a swift response to potentially disruptive or dysfunctional behaviours. The Proposed Reforms state ‘<i>Local Governments would still be responsible for dealing with minor behavioural complaints</i>’ and therefore do not go as far as the Sector’s recent request for an external oversight model for the independent assessment of local level complaints (State Council Res: 264.5/2021 – September 2021). However this will be mitigated with the Inspector able to respond to a Local Government having unresolved matters by appointing a monitor to assist the Local Government.</p> <p>It is expected the Local Government Inspectorate would be funded by the State Government, however it is noted that the cost of the Local Government Monitors and the Conduct Panel would be borne by the Local Government concerned.</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p><u>Recommendation – Items 1.1 to 1.3</u></p> <ol style="list-style-type: none"> 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.
<p>1.2 Local Government Monitors</p>	
<ul style="list-style-type: none"> • A panel of Local Government Monitors would be established. • Monitors could be appointed by the Inspector to go into a local government and try to resolve problems. • The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence. • Monitors would be qualified specialists, such as: <ul style="list-style-type: none"> ○ Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators ○ Dispute resolution experts - to address the breakdown of professional working relationships ○ Certified Practicing Accountants and other financial specialists - to assist with financial management and reporting issues ○ Governance specialists and lawyers - to assist councils resolve legal issues ○ HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction. • Only the Inspector would have the power to appoint Monitors. • Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose. <p>Monitor Case Study 1 – Financial Management</p> <p>The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with</p>	<p>As above</p> <p><u>Recommendation – Items 1.1 to 1.3</u></p> <ol style="list-style-type: none"> 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>the local government to rectify the error, and issue corrections to impacted ratepayers.</p> <p>Monitor Case Study 2 – Dispute Resolution The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council’s code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>	
<p>1.3 Conduct Panel</p>	
<ul style="list-style-type: none"> • The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel. • The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel. • The Inspector would provide evidence to the Conduct Panel for adjudication. • The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism. • For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts. • Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision. 	<p>As above</p> <p><u>Recommendation – Items 1.1 to 1.3</u></p> <ol style="list-style-type: none"> 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>1.4 Review of Penalties</p>	
<ul style="list-style-type: none"> Penalties for breaching the Local Government Act are proposed to be strengthened. It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion. Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office. Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances. 	<p><u>Current Local Government Position</u> Items 1.4 and 1.5 <u>expand upon</u> Advocacy Position 2.6.9 - ‘Stand Down Proposal’</p> <p><i>WALGA supports, in principle, a proposal for an individual elected member to be ‘stood down’ from their duties when they are under investigation, have been charged, or when their continued presence prevents Council from properly discharging its functions or affects the Council’s reputation, subject to further policy development work being undertaken. Further policy development of the Stand Down Provisions must involve active consultation with WALGA and specific consideration of the following issues of concern to the Sector:</i></p> <ol style="list-style-type: none"> <i>That the Department of Local Government endeavour to ensure established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and</i> <i>That activities associated with the term ‘disruptive behaviour’, presented as reason to stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.</i> <p>Comment The Local Government sector has long-standing advocacy positions supporting stronger penalties as a deterrent to disruptive Council Member behaviours. Clear guidance will be required to ensure there is consistent application of the power given to Presiding Members.</p> <p><u>Recommendation - Item 1.4</u> Supported</p>
<p>1.5 Rapid Red Card Resolutions</p>	
<ul style="list-style-type: none"> It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1). 	

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<ul style="list-style-type: none"> • It is proposed that Presiding Members have the power to “red card” any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would: <ul style="list-style-type: none"> ○ Require the Presiding Member to issue a clear first warning ○ If the disruptions continue, the Presiding Member will have the power to “red card” that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions ○ If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting. • Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector. • Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector. 	<p><u>Recommendation - Item 1.5</u> Supported subject to a provision permitting council members to call a point of order to overrule the presiding member by absolute majority.</p>
<p>1.6 Vexatious Complaint Referrals</p>	
<ul style="list-style-type: none"> • Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government’s operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner. • Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person’s query. • It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person’s complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious. 	<p><u>Current Local Government Position</u> Item 1.6 <u>expands upon</u> Advocacy Position 2.6.11 – ‘Vexatious complainants in relation to FOI applications’ <i>WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of:</i></p> <ol style="list-style-type: none"> 1. <i>Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD);</i> 2. <i>Enabling an agency to recover reasonable costs incurred through the processing of a Freedom of Information access application where the application is subsequently withdrawn; and</i> 3. <i>Modernisation to address the use of electronic communications and information.</i> <p>Comment The Act has been expanded significantly in recent years to permit an increased level of public involvement, scrutiny and access to information</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p>relating to the decisions, operations and affairs of Local Government in WA. Introducing a means to limit capacity for unreasonable complainants to negatively impact Local Governments will provide a necessary balance between the openness and transparency of the sector and the reasonable entitlement of citizens to interact with their Local Government.</p> <p><u>Recommendation – Item 1.6</u> Supported, subject to the legislation including the ability of a person to lodge an appeal with the Inspector.</p>
1.7 Minor Other Reforms	
<ul style="list-style-type: none"> • Potential other reforms to strengthen guidance for local governments are being considered. • For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed. • It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations. 	<p><u>Current Local Government Position</u> Item 1.7 aligns with Advocacy Position 2.6 - ‘Support DLGSC as service provider / capacity builder’</p> <p><i>WALGA supports the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers. In addition, WALGA calls on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995.</i></p> <p>Comment Operational guidance from the Department of Local Government, Sport and Cultural Industries leads to consistent understanding and application of statutory provisions by Local Government. The proposed reform that the Inspector issue non-compliance notices appears to replicate the Minister’s powers under Section 9.14A – ‘Notice to prevent continuing contravention’.</p> <p><u>Recommendation – Item 1.7</u> Supported</p>

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
2.1 Resource Sharing	
<ul style="list-style-type: none"> • Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees. • Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1. 	<p><u>Current Local Government Position</u> Item 2.1 aligns with Advocacy Position 2.6 – Local Government Legislation – ‘Avoid red tape and ‘de-clutter’ the extensive regulatory regime that underpins the Local Government Act’ and Advocacy Position 2.3.1 - ‘Regional Collaboration’.</p> <p><i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment The proposed reforms will rely upon statutory provisions that enable and enhance regional collaboration. Recent over-regulation of Regional Subsidiaries in 2016 resulted in no subsidiaries being formed since that time.</p> <p><u>Recommendation – Item 2.1</u> Supported</p>
2.2 Standardisation of Crossovers	
<ul style="list-style-type: none"> • It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the process for approving crossovers for residential properties and residential developments on local roads. • A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this. • The DLGSC will work with the sector to develop standardised design and construction standards. 	<p><u>Current Local Government Position</u></p> <p>Comment WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on red tape reduction that has been looking at standardisation of crossovers.</p> <p>It is envisaged that the process for crossovers will be standardised, however the design standards would be different dependant on location.</p> <p><u>Recommendation – Item 2.2</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
2.3 Introduce Innovation Provisions	
<ul style="list-style-type: none"> • New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: <ul style="list-style-type: none"> ○ Short-term trials and pilot projects ○ Urgent responses to emergencies. 	<p>Comment It is arguable communities expect all levels of Government will apply innovative solutions to complex and emerging issues difficult to resolve by traditional means. Exemptions constructed with appropriate checks and balances, particularly where expenditure of public funds are concerned, has potential to facilitate efficient and effective outcomes.</p> <p><u>Recommendation – Item 2.3</u> Supported</p>
2.4 Streamline Local Laws	
<ul style="list-style-type: none"> • It is proposed that local laws would only need to be reviewed by the local government every 15 years. • Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable. • Local governments adopting Model Local Laws will have reduced advertising requirements. 	<p><u>Current Local Government Position</u> Items 2.4, 2.5 and 2.6 <u>expand upon</u> Advocacy Position 2.6.35 - ‘Local law-making process should be simplified’.</p> <p><i>The Local Law making process should be simplified as follows:</i></p> <ul style="list-style-type: none"> • <i>The requirement to give state-wide notice should be reviewed, with consideration given to Local Governments only being required to provide local public notice;</i> • <i>Eliminate the requirement to consult on local laws when a model is used;</i> • <i>Consider deleting the requirement to review local laws periodically. Local Governments, by administering local laws, will determine when it is necessary to amend or revoke a local law; and</i> • <i>Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament’s Delegated Legislation Committee.</i> <p>Comment Proposed reforms meet the Sector’s preference for simplified local law-making processes. Model local laws are supported, whilst recognising the models themselves will require review by State Government departments with the relevant administrative responsibility. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local law but no review was completed. This model was</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p>superseded by individual local laws with added contemporary provisions. This pattern will repeat itself if model local laws are not reviewed to remain contemporary to the Sector’s requirements.</p> <p><u>Recommendation – Items 2.4 to 2.6</u> Supported</p>
<p>2.5 Simplifying Approvals for Small Business and Community Events</p>	
<ul style="list-style-type: none"> • Proposed reforms would introduce greater consistency for approvals for: <ul style="list-style-type: none"> ○ alfresco and outdoor dining ○ minor small business signage rules ○ running community events. 	<p>As above</p> <p><u>Recommendation – Items 2.4 to 2.6</u> Supported</p>
<p>2.6 Standardised Meeting Procedures, Including Public Question Time</p>	
<ul style="list-style-type: none"> • To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State. • Regulations would introduce standard requirements for public question time, and the procedures for meetings generally. • Members of the public across all local governments would have the same opportunities to address council and ask questions. 	<p>As above</p> <p><u>Recommendation – Items 2.4 to 2.6</u> Supported</p>
<p>2.7 Regional Subsidiaries</p>	
<ul style="list-style-type: none"> • Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> ○ Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments ○ Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds ○ Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk 	<p><u>Current Local Government Position</u> Item 2.7 aligns with Advocacy Position 2.3.1 - ‘Regional Collaboration’: <i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment Under the Regional Subsidiary model, two or more Local Governments can</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<ul style="list-style-type: none"> ○ Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p>establish a regional subsidiary to undertake a shared service function on behalf of its member Local Governments. The model provides increased flexibility when compared to the Regional Local Government model because regional subsidiaries are primarily governed and regulated by a charter rather than legislation. While the regional subsidiary model’s governance structure is primarily representative, it allows independent and commercially focussed directors to be appointed to the board of management.</p> <p>A key advantage of the regional subsidiary model is the use of a charter, as opposed to legislation, as the primary governance and regulatory instrument. Accordingly, the legislative provisions governing the establishment of regional subsidiaries should be light, leaving most of the regulation to the regional subsidiary charter, which can be adapted to suit the specific circumstances of each regional subsidiary.</p> <p><u>Recommendation – Item 2.7</u> Supported subject to the use of a charter as the primary governance and regulatory instrument.</p>

Theme 3: Greater Transparency & Accountability

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
3.1 Recordings and Live-Streaming of All Council Meetings	
<ul style="list-style-type: none"> • It is proposed that all local governments will be required to record meetings. • Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. • Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. • Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. • Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. • Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. • Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. • All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving. 	<p><u>Current Local Government Position</u> Item 3.1 expands upon Advocacy Position 2.6 – ‘Promote a size and scale compliance regime’ and Advocacy Position 2.6.31 - ‘Attendance at Council Meetings by Technology’</p> <p><i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i></p> <p>Comment Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will be required to livestream meetings may be problematic where technical capability such as reliable bandwidth impacts the district.</p> <p>The sector does not support the requirement to submit recordings of confidential items to the Department. Confidential items may include legal advice which is subject to legal privilege. Such privilege is at risk of being lost by the dissemination of the advice.</p> <p><u>Recommendation – Item 3.1</u></p> <ol style="list-style-type: none"> 1. Support live streaming the ordinary and special council meetings of Band 1 and 2 Local Governments and audio recording the ordinary and special council meetings of Band 3 and 4 Local Governments. 2. Do not support archiving the recordings of confidential matters by the Department of Local Government, Sport and Cultural Industries.

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
3.2 Recording All Votes in Council Minutes	
<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p>Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.</p> <p><u>Recommendation – Item 3.2</u> Supported</p>
3.3 Clearer Guidance for Meeting Items that may be Confidential	
<ul style="list-style-type: none"> Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances. It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public. Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector. All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC (see Item 3.1). 	<p>Comment Clarifying the provisions of the Act has broad support within the sector. New reforms requiring Local Governments to video or audio record Council meetings (Item 3.1) will add to the formal record of proceedings that includes written Minutes. While being supported, the requirement to provide audio recordings of confidential matters to the DLGSC is queried on the basis that written and audio records can be readily accessed from a Local Government if required.</p> <p>The sector has concerns with submitting confidential items to the DLGSC is supported.</p> <p><u>Recommendation – Item 3.3</u> Supported, subject to deleting the requirement to provide confidential items to the DLGSC.</p>
3.4 Additional Online Registers	
<ul style="list-style-type: none"> It is proposed to require local governments to report specific information in online registers on the local government’s website. Regulations would prescribe the information to be included. The following new registers, each updated quarterly, are proposed: <ul style="list-style-type: none"> Lease Register to capture information about the leases the local government is party to (either as lessor or lessee) Community Grants Register to outline all grants and funding 	<p>Comment This proposal follows recent Act amendments that ensure a range of information is published on Local Government websites. WALGA has sought clarity that the contracts register excludes contracts of employment.</p> <p><u>Recommendation – Item 3.4</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>provided by the local government</p> <ul style="list-style-type: none"> o Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council o Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking o Contracts Register that discloses all contracts above \$100,000. 	
<p>3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published</p>	
<ul style="list-style-type: none"> • To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> o Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) o The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) o The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p>Comment</p> <p>In principle, this proposal has some merit and would be particularly effective if all CEO KPIs consistently reflect Strategic Community Plans and Corporate Business Plans of Local Governments, together with KPIs reflective of the CEO’s statutory functions under Section 5.41 of the Act. This approach would inform the community of the CEO’s performance related to the strategic direction and operational function of the Local Government.</p> <p>In practice, the drafting of statutory provisions will require sensitive consideration of certain KPIs i.e. those relating to issues affecting the workplace or identified risk-based concerns, to reflect the way Audit Committees currently deal with some internal control, risk and legislative compliance issues confidentially. This approach will protect the interests of Local Governments and other parties associated with such KPIs. It would be prudent for exemptions to be provided, based on matters of confidentiality. The proposed reforms and recent Act amendments signal a clear intent to permit closer community involvement and scrutiny of Local Government. However, negative consequences are likely if Local Government Council’s responsibility as the employing authority of the CEO became blurred due to perceived community entitlement to comment, question and influence KPIs and the performance review process. Additionally, the publication of CEO KPI’s will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. It is worth investigating whether the proposed reforms considered whether this factor could impact on the recruitment of</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p>CEO's, particularly from outside the Local Government sector. The results of performance reviews should be confidential information between the employer and employee and should not be published and should remain within the confidential human resource records of the organisation.</p> <p><u>Recommendation – Item 3.5</u></p> <ol style="list-style-type: none"> 1. Conditionally support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature; 2. Do not support the results of performance reviews being published.

Theme 4: Stronger Local Democracy and Community Engagement

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>4.1 Community and Stakeholder Engagement Charters</p>	
<ul style="list-style-type: none"> It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community. A model Charter would be published to assist local governments who wish to adopt a standard form. 	<p><u>Current Local Government Position</u> Items 4.1 and 4.2 generally align with Advocacy Position 2.6.34 - ‘Support responsive, aspirational and innovative community engagement principles’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> Responsive, aspirational and innovative community engagement principles Encapsulation of aims and principles in a community engagement policy, and The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans. <p>Comment As indicated in Item 4.1 commentary, many Local Governments have already developed stakeholder engagement charters, or similar engagement strategies, that reflect their unique communities of interest. The development of guidance by the DLGSC, based on standards such as the International Standard for Public Participation practice, is supported in favour of taking a prescriptive approach or conducting a survey for the sake of a survey. Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments.</p> <p><u>Recommendation – Item 4.1</u> Supported</p>
<p>4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)</p>	
<ul style="list-style-type: none"> It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey. Results would be required to be reported publicly at a council meeting 	<p><u>Recommendation – Item 4.2</u> Support the conduct of community, rather than ratepayer, satisfaction surveys.</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>and published on the local government’s website.</p> <ul style="list-style-type: none"> All local governments would be required to publish a response to the results. 	
<p>4.3 Introduction of Preferential Voting</p>	
<ul style="list-style-type: none"> Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections. In preferential voting, voters number candidates in order of their preferences. Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect. All other states use a form of preferential voting for local government. 	<p><u>Current Local Government Position</u> Item 4.3 <u>does not align</u> with Advocacy Position 2.5.1 – ‘First Past the Post voting system’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> Four year terms with a two year spill Greater participation in Local Government elections The option to hold elections through: <ul style="list-style-type: none"> Online voting Postal voting, and In-person voting Voting at Local Government elections to be voluntary The first past the post method of counting votes <p>Comment</p> <p>It should be noted that the sector’s advocacy against compulsory voting and ‘All in, All out’ 4 year terms has been successful and these items are not included in the reform proposals.</p> <p>The introduction of preferential voting will be a return to the system of voting prior to the <i>Local Government Act 1995</i>. The Local Government Advisory Board reported on voting systems in 2006 (<i>Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities</i>) and provided the following comments in support of both first past the post voting and preferential voting: <i>‘Comments in support of retaining first past the post include:</i></p> <ul style="list-style-type: none"> Quick to count. Preferential voting is time consuming to count. Easily understood. Removes politics out of campaigning. Preferential will encourage

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p><i>alliances formed for the distribution of preferences and party politics into local government.</i></p> <ul style="list-style-type: none"> • <i>Preferential voting allows election rigging through alliances or ‘dummy’ candidates.</i> • <i>In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected.’</i> <p><i>‘Comments in support of replacing first past the post include:</i></p> <ul style="list-style-type: none"> • <i>Preferential voting is more democratic and removes an area of confusion.</i> • <i>Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters.</i> • <i>Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it more difficult for this practice to take place.</i> • <i>FPP does not adequately reflect the wishes of electors when there are three candidates or more.</i> • <i>FPP is unsuitable when there is more than one vacancy.</i> • <i>Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.’</i> <p>The Sector supports first past the post voting for its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported.</p> <p>A number of Local Governments raised the need for a fall back position if this proposal is progressed by the State Government. Optional Preferential voting was considered as the better preferential voting system according to the feedback.</p> <p><u>Recommendation – Item 4.3</u></p> <ol style="list-style-type: none"> 1. Oppose the proposal for preferential voting and support first past the post method of counting votes. 2. However, if ‘first past the post’ is not retained then optional preferential voting is preferred.

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
4.4 Public Vote to Elect the Mayor and President	
<ul style="list-style-type: none"> • Mayors and Presidents of all local governments perform an important public leadership role within their local communities. • Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4. • Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system. • A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham. 	<p><u>Current Local Government Position</u> Item 4.4 does not align with Advocacy Position 2.5.2 - ‘Election of Mayors and Presidents be at the discretion of Local Government.’ <i>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i></p> <p>Comment There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7</p> <p>The remaining 21 Local Governments have a Council-elected Mayor or President. The sector does not support a requirement for the role of Mayor or President to be determined by electors. The sector considers that its current system of having the Mayor elected directly by Council assists in ensuring the Mayor/President has the support of the majority of Council. Further, it assists in avoiding party politics.</p> <p><u>Recommendation – Item 4.4</u> Oppose this proposal and support retaining the current provision, that the election of Mayors and Presidents be at the discretion of each Local Government.</p>
4.5 Tiered Limits on the Number of Councillors	
<ul style="list-style-type: none"> • It is proposed to limit the number of councillors based on the population of the entire local government. • Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers. • The Local Government Panel Report proposed: <ul style="list-style-type: none"> ○ For a population of up to 5,000 – five councillors (including the President) 	<p><u>Current Local Government Position</u> Item 4.5 does not align with Advocacy Position 2.5.1 – ‘Councils consist of between six and 15 (including the Mayor/President)’ <i>Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)</i></p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<ul style="list-style-type: none"> ○ population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) ○ population of above 75,000 – nine to fifteen councillors (including Mayor). 	<p>Comment The proposed reform to restrict Local Governments with populations under 5,000 to 5 Council Members does not reflect the varied communities of interest within this grouping. Some Local Governments are essentially regional centres such as the Shires of Katanning (9), Dandaragan (9), Merredin (9), Moora (9) and Northampton (9) (current Councillor numbers bracketed). Local Governments such as the Shire of Ngaanyatjarraku (9) manage substantial land areas, manage isolated communities such as the Shire of Meekatharra (7) and culturally diverse communities such as the Shire of Christmas Island (9). Some Local Governments with populations up to 5,000 warrant a greater number of Councillors to effectively share the representative role that Council Members play within their communities.</p> <p>The additional proposed reforms in population categories over 5,000 generally reflect the current Councillor numbers.</p> <p><u>Recommendation – Item 4.5</u> Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>
<p>4.6 No Wards for Small Councils (Band 3 and 4 Councils only)</p>	
<ul style="list-style-type: none"> ● It is proposed that the use of wards for councils in bands 3 and 4 is abolished. ● Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government’s election. ● In smaller local governments, the population of wards can be very small. ● These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes. ● There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards. 	<p>Comment The proposed reform to discontinue wards in Band 3 and 4 Local Governments brings alignment with the majority and provides that affected Local Governments will no longer have to conduct 8 year ward reviews or make representation to the Local Government Advisory Board to revert to a no wards system.</p> <p>Remaining proposed reforms will improve and clarify election processes.</p> <p><u>Recommendation – Items 4.6 to 4.9</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility</p>	
<ul style="list-style-type: none"> • Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. • The City of Perth Inquiry Report identified sham leases as an issue. • Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> ○ A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council. ○ Home based businesses will not be eligible to register a person to vote or run for council, because any residents are already the eligible voter(s) for that address. ○ Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. • The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases. • The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors. 	<p>As above</p> <p><u>Recommendation – Items 4.6 to 4.9</u> Supported</p>
<p>4.8 Reform of Candidate Profiles</p>	
<ul style="list-style-type: none"> • Further work will be undertaken to evaluate how longer candidate profiles could be accommodated. • Longer candidate profiles would provide more information to electors, potentially through publishing profiles online. • It is important to have sufficient information available to assist electors make informed decisions when casting their vote. 	<p>As above</p> <p><u>Recommendation – Items 4.6 to 4.9</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>4.9 Minor Other Electoral Reforms</p>	
<ul style="list-style-type: none"> • Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> ○ The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required) ○ The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	<p>As above</p> <p><u>Recommendation – Items 4.6 to 4.9</u></p> <p>Supported</p>

Theme 5: Clear Roles and Responsibilities

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
5.1 Introduce Principles in the Act	
<ul style="list-style-type: none"> • It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> ○ The recognition of Aboriginal Western Australians ○ Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) ○ Community Engagement ○ Financial Management. 	<p><u>Current Local Government Position</u> Item 5.1 generally aligns with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i></p> <p><u>Recommendation – Item 5.1</u> Supported</p>
5.2 Greater Role Clarity	
<ul style="list-style-type: none"> • The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law. • It is proposed that these roles and responsibilities are further defined in the legislation. • These proposed roles will be open to further consultation and input. These roles would be further strengthened through Council Communications Agreements (see item 5.3). <p>5.2.1 - Mayor or President Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: <ul style="list-style-type: none"> ○ Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council ○ Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act ○ Developing and maintaining professional working relationships between councillors and the CEO ○ Performing civic and ceremonial duties on behalf of the local 	<p><u>Current Local Government Position</u> Item 5.2 aligns with Advocacy Position 2.6.36 - ‘Roles and Responsibilities’</p> <p><i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i></p> <p><u>Recommendation – Item 5.2</u> Supported</p> <p><u>Recommendation – Item 5.2.1</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<ul style="list-style-type: none"> ○ Communicating the decisions and resolutions of council to stakeholders and the public ○ Developing and maintaining professional working relationships with all other councillors and the CEO ○ Maintaining and developing their knowledge and skills relevant to local government ○ Facilitating public engagement with local government. <p>It is proposed that elected members should not be able to use their title (e.g. “Councillor”, “Mayor”, or “President”) and associated resources of their office (such as email address) unless they are performing their role in their official capacity.</p> <p>5.2.4 - CEO Role</p> <ul style="list-style-type: none"> ● The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council. ● To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs. ● While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for: <ul style="list-style-type: none"> ○ Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions ○ Facilitating the implementation of council decisions ○ Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council ○ Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council ○ Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3) ○ Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council ○ Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council. 	<p>5.2.4 There is the requirement for more detail for this item. The general direction of the proposal is supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations.</p> <p><u>Recommendation – Items 5.2.4</u> Supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations.</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>5.3 Council Communication Agreements</p>	
<ul style="list-style-type: none"> • In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided. • It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO. • These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided. • A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election. 	<p>Comment The availability of information not already in the public domain to Councillors under Section 5.92 of the Act can become contentious in the absence of a clear statement in support of the function the Council Member is performing. This can place CEO's in the invidious position of ruling on the availability of a record of the Local Government, when it is also their function under Section 5.41(h) of the Act to <i>'ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law'</i>. Consistent availability of information motivates this proposed reform and it does not appear that individual Council Communication Agreements will be a means to that end. There is a better case for a uniform approach in the form of a regulated Agreement, in much the same way that the Communication Agreements between Ministers and agencies are based on provisions of the <i>Public Sector Management Act 1994</i>.</p> <p><u>Recommendation – Item 5.3</u> Support a consistent, regulated Communications Agreement.</p>
<p>5.4 Local Governments May Pay Superannuation Contributions for Elected Members</p>	
<ul style="list-style-type: none"> • It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances. • Superannuation is widely recognised as an important entitlement to provide long term financial security. • Other states have already moved to allow councils to make superannuation contributions for councillors. • Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people. • Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions. 	<p>Comment WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments has majority support. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members.</p> <p><u>Recommendation – Item 5.4</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>5.5 Local Governments May Establish Education Allowances</p>	
<ul style="list-style-type: none"> • Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council. • Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members. • Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government. • Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors. 	<p><u>Current Local Government Position</u> Item 5.5 <u>generally aligns</u> with Advocacy Position 2.8 - Elected Member Training <i>Support Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members;</i></p> <p>Comment The proposal augments recent Act amendments that require Local Governments to adopt a professional development policy for Council Members. Many Local Governments now budget for training requirements that align with the policy statement.</p> <p><u>Recommendation – Item 5.5</u> Supported</p>
<p>5.6 Standardised Election Caretaker period</p>	
<ul style="list-style-type: none"> • A statewide caretaker period for local governments is proposed. • All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> ○ Councils do not make major decisions with criteria to be developed defining ‘major’ ○ Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities. <p>There are consistent election conduct rules for all candidates.</p>	<p>Comment WALGA developed a template Caretaker Policy in 2017 on request for a consistent approach. There are no know instances where Caretaker Policy have led to unforeseen or unmanageable consequences impacting on decision-making functions.</p> <p><u>Recommendation – Item 5.6</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
5.7 Remove WALGA from the Act	
<ul style="list-style-type: none"> The Local Government Panel Report recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>. Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity. 	<p>Comment WALGA is conducting its own due diligence on this proposal, previously identified in the Local Government Review Panel Report. The outcome of this reform would require a transition of WALGA from a body constituted under the Act to an incorporated association. It is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector.</p> <p>Recommendation – Item 5.7</p> <ol style="list-style-type: none"> Support for this proposal is subject to WALGA undertaking further due diligence on the broader implications of the proposal and subsequent consultation with the sector. Any proposed reforms ensure that: <ol style="list-style-type: none"> The Local Government Act retain statutory provisions permitting WALGA to provide the sector with the mutual self-insurance scheme and preferred supplier program tender exemptions; and There be no disadvantages to WALGA’s capacity to provide services and represent the interests of the sector.
5.8 CEO Recruitment	
<ul style="list-style-type: none"> It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels. Councils will be able to select an independent person from the approved list. <p>Councils will still be able to appoint people outside of the panel with the approval of the Inspector.</p>	<p>Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021.</p> <p>Recommendation – Item 5.8 Supported on the proviso that no cost is associated with the use of the approved panel.</p>

Theme 6: Improved Financial Management and Reporting

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
6.1 Model Financial Statements and Tiered Financial Reporting	
<ul style="list-style-type: none"> • The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government. • It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects. • Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments. • The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity. • Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments. • It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. • Online Registers, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments. • Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process. 	<p><u>Current Local Government Position</u> Items 6.1 and 6.2 generally align with Advocacy Position 2.6 – Support a size and scale compliance regime and Advocacy Position 2.6.24 – Financial Management and Procurement.</p> <p><i>The Local Government sector:</i></p> <ol style="list-style-type: none"> 1. <i>Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General.</i> 2. <i>Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General.</i> <p>Comment The Sector has a long-standing position for a broad review of the financial management and reporting provisions of the Act, which remain largely unchanged since commencing in 1996.</p> <p><u>Recommendation – Item 6.1</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>6.2 Simplify Strategic and Financial Planning</p>	
<ul style="list-style-type: none"> • Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making. • The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public. • In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers. • Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments. • It is proposed that the plans that are required are: <ul style="list-style-type: none"> ○ Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template available from the DLGSC ○ Simplified Asset Management Plans to consistently forecast costs of maintaining the local government’s assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape ○ Simplified Long Term Financial Plans will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years ○ A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years) 	<p>As above</p> <p><u>Recommendation – Item 6.2</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<ul style="list-style-type: none"> The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments 	
6.3 Rates and Revenue Policy	
<ul style="list-style-type: none"> The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure. A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services. The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs. A template would be published for use or adaption by all local governments. The Local Government Panel Report included this recommendation. 	<p><u>Current Local Government Position</u> Item 6.3 generally aligns with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement. <i>Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.</i></p> <p><u>Recommendation – Item 6.3</u> Supported</p>
6.4 Monthly Reporting of Credit Card Statements	
<ul style="list-style-type: none"> The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis. This provides oversight of incidental local government spending. 	<p><u>Comment</u> This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid.</p> <p><u>Recommendation – Item 6.4</u> Supported</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
<p>6.5 Amended Financial Ratios</p>	
<ul style="list-style-type: none"> Financial ratios will be reviewed in detail, building on work already underway by the DLGSC. The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful. 	<p><u>Current Local Government Position</u> Item 6.5 <u>aligns</u> with Advocacy Position 2.6.25 - Review and reduce financial ratios. <i>Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios:</i></p> <ol style="list-style-type: none"> Operating Surplus Ratio, Net Financial Liabilities Ratio, Debt Service Coverage Ratio, and Current Ratio. <p><u>Recommendation – Item 6.5</u> Supported</p>
<p>6.6 Audit Committees</p>	
<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees. The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson. 	<p><u>Current Local Government Position</u> Item 6.6 <u>does not align</u> with Advocacy Position 2.2.4 – Accountability and Audit</p> <p><i>That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority and chair.</i></p> <p>Comment The Sector’s view is well established, that the Council must maintain, and be seen by the community to have, majority involvement and investment in the purpose of an Audit Committee. There is sector support for some independent members on the Audit Committee, however not a majority.</p> <p>The dual effect of the proposed reform is to guarantee a place for a majority of independent persons on Audit Committees, with the additional requirement that an independent person Chair this Committee. Presently, not all Local Government Audit Committees are able to include an independent person. This may be for a variety of reasons not least of which</p>

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<p>is a lack of suitable, available candidates with the required qualification, skill and experience.</p> <p>It would be counter-productive if the proposed reforms led to the appointment of unsuitable independent persons to a skills-based role. The concept of Regional Audit Committees has apparent merit in this case but there is no detail regarding practicalities; for example, is the Regional Audit Committee intended to include the same independent persons who will meet separately with each Local Government within the region?</p> <p>There is too little certainty that the imperative question of appropriate representation will be managed as a consequence of the proposed reforms for it to be supported.</p> <p>The proposal for the Audit Committees to also consider proactive risk management is supported.</p> <p><u>Recommendation – Item 6.6</u></p> <ol style="list-style-type: none"> 1. Support the role of the Office of the Auditor General as the responsible entity for independent oversight of Local Government audits. 2. Support Audit Committees of Local Government <u>with an Elected Member majority</u> including independent members, and to consider proactive risk management issues. 3. Support the proposal to establish shared regional Audit Committees 4. Support the appointment of an independent member as chair of the Audit Committee to remain at the discretion of each Local Government. 5. Support the payment of meeting fees or defined reimbursements to independent Audit Committee members.

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
6.7 Building Upgrade Finance	
<ul style="list-style-type: none"> Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures. This would allow local governments to lend funds to improve buildings within their district. Limits and checks and balances would be established to ensure that financial risks are proactively managed. 	<p><u>Current Local Government Position</u> Item 6.7 aligns with Advocacy Position 2.6.26 - Building Upgrade Finance.</p> <p><i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i></p> <p>Comment Building Upgrade Finance would enable Local Governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, Local Governments have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, BUF is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market and achieve economic growth.</p> <p><u>Recommendation – Item 6.7</u> Supported</p>
6.8 Cost of Waste Service to be Specified on Rates Notices	
<ul style="list-style-type: none"> It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service). This would provide transparency and awareness of costs for ratepayers. 	<p>Comment This proposed reform will require a relatively simple calculation.</p> <p><u>Recommendation – Item 6.8</u> Supported</p>

Additional Reform Proposals

In December 2020, WALGA State Council considered the sector's feedback on the discussion paper 'Advocacy Positions for a New Local Government Act: Key Issues from Recent Inquiries into Local Government' (Rec: 142.6/2020).

It is **recommended** that the Local Government Reform Proposals process be conducted in alignment with the following WALGA advocacy position.

Legislative Intent

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments' role in creating a sustainable and resilient community through:
 - a. Economic development;
 - b. Environmental protection; and
 - c. Social advancement
5. Avoid red tape and 'de-clutter' the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is **recommended** that the following additional advocacy positions be included in the sector's response:

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation; and
2. Local Government be empowered to set fees and charges for Local Government services.

Financial Management and Procurement

That the Local Government sector:

- Supports Local Governments being able to use freehold land to secure debt; and
- Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

Disposal of Property Exemption

Regulation 30 (3) of the *Local Government (Functions and General) Regulations 1996* should not include any financial threshold limitation on a disposition where it is used exclusively to purchase other property. The current limit is \$75,000 and this type of activity commonly applies to a trade-in situation.

Tender Exemption General Practitioner Services

That the reform proposals provide for inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*, to support Local Governments to secure and retain necessary primary health care services for their communities.

Elector's Meetings

That WALGA advocate to the Minister for Local Government to amend the *Local Government Act 1995* to provide protections against the misuse of special electors meetings by:

1. prohibiting a matter previously considered being resubmitted; and
2. ensuring that motions to be considered are relevant to Local Government.

Technical Amendment Proposals

WALGA's Governance and Organisational Service team monitors the Local Government Act and associated regulations for inconsistencies and potential error. The following matters are proposed for inclusion in the reform process.

Part 4 – Elections and other Polls

<p>s.4.9 <i>Election day for extraordinary elections</i></p>	<p>Section 4.9(1)(a) provides that the President/Mayor may exercise authority to determine the extraordinary election day, if not already fixed under paragraph (b), with s.4.9(1)(b) stating 'if a day has not already been fixed under paragraph (a)'</p> <p>Additionally, s.4.17 provides for Council to determine, with approval of the Electoral Commissioner, to allow a vacancy to remain unfilled. This has potential to lead to a further anomaly in the exercise of power under s.4.9(1)(a) and (b).</p> <p><u>Recommend legislative amendment that brings chronological order to the decision-making powers for considering vacancies and determination of extraordinary election day.</u></p>
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Part 5 – Administration

<p>s.5.36(4) & (5A)</p> <p>Admin. r.18A(2)</p> <p><i>Local government employees</i></p>	<p>Administration Regulations, Schedule.2, clause 6 requires a Local Government to advertise the position of CEO <u>if the position is vacant</u>. Regulations do not, however, prescribe classes of persons under s.5.36(5A). Compliance with Admin.r.18A(2) advertising is unrealistic when a CEO leaves the Local Governments employment with little or no notice period.</p> <p>The WALGA Template Policy for Temporary Employment or Appointment of CEO (s.5.39C), includes protocols for Temporary CEO appointments.</p> <p><u>Recommend regulations be made under s.5.36(5A) prescribing classes of persons as a 'temporary CEO appointed under short term contract, where the person appointed is NOT an existing employee of the Local Government'.</u></p>
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<p>s.5.94</p> <p><i>Public can inspect certain local government information</i></p>	<p>The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B].</p> <p>WALGA members have expressed concern of the risks that may extend to information when combined with other personal information, for example, cyber security / identity theft risks or personal safety risks.</p> <p><u>Recommend there be an analysis of the public benefit versus public risk arising from statutory provisions that requires public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.</u></p>
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Local Government (Administration) Regulations 1996

<p>Admin.r. 29D</p> <p><i>Period for which information to be kept on official website</i></p>	<p>Requires list of council members and staff positions that provide primary and annual returns to be kept on the website for 5 years. S.5.88(3) requires returns to be removed from the register when a person is no longer relevant. Admin.r.29D is inconsistent with s.5.88(3), meaning that the names and positions will remain on the website despite the returns being removed from the Financial Interests Register.</p> <p><u>Recommend amending Admin.r.29D so that it is consistent with s.5.88(3).</u></p>
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10.3.4 Bunbury Harvey Regional Council Request for Member Council Contribution

File Ref:	COB/4273
Applicant/Proponent:	Internal Report
Responsible Officer:	David Ransom, Manager Finance
Responsible Manager:	David Ransom, Manager Finance
Executive:	Karin Strahan, Director Corporate and Community
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Confidential Appendix 10.3.4-A - Request from BHRC – Member Contribution Confidential Appendix 10.3.4-B - Regional Council Constitution Agreement

Summary

The City of Bunbury and Shire of Harvey are Member Councils of the Bunbury Harvey Regional Council (BHRC) who operate the Stanley Road Waste Management Facility located at Lot 45 (No. 51) Stanley Road, Wellesley.

On 25 July 2024, the BHRC Council adopted their Annual Budget for 2024/25. This included the following resolution seeking contribution from BHRC Member Councils of up to \$1.8M:

Recommendation 5 - Financial Contributions for BHRC

Council requires the Chief Executive Officer of the BHRC to formally write to the BHRC Member Councils seeking contributions for the 2024/25 financial year of up to \$1.8M in pursuant of Clause 7. 3 & 7.4(1) of the Regional Council Constitution Agreement for the following:

(a) Operating deficit contributions of up to \$1.8M.

The City has now received a letter from the CEO BHRC, Mr Nick Edwards (attached at Appendix Confidential Appendix 10.3.4-A), requesting that the City confirms its commitment of 50% of the above funding toward the operational expenses of BHRC.

The Regional Council Constitution Agreement, Clauses 7.3 & 7.4(1), (attached at Appendix Confidential Appendix 10.3.4-B) provides for the BHRC to be able to call for annual contributions based on the annual budget deficit. While negotiations are continuing between the Shire of Harvey and the City on the past equity split for BHRC, there is an informal understanding that future contributions will be based on a 50/50 allocation.

It is proposed that the City supports the request for 50% of the operating deficit of up to \$900,000, and fund this from the Refuse Collection and Waste Minimisation Reserve.

Executive Recommendation

That Council approves an operating deficit contribution for 2024/25 of up to \$900,000 to the Bunbury Harvey Regional Council, being 50% of the amount required, and funded from the Refuse Collection and Waste Minimisation Reserve in quarterly amounts in advance.

*Voting Requirements: **Absolute 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

The BHRC manages the municipal waste generated from both the City of Bunbury and Shire of Harvey at the Stanley Road Waste Management Facility which includes a Class II landfill and recycling facilities. This facility is open daily to the public, and previously to commercial contractors, on a user pays basis. There are no restrictions on where the waste originates.

Background

The City has provided financial support to the BHRC in previous years, as shown in the following table:

Financial Year	Description	Amount Paid	Total
2021/22	Operating Contribution	\$231,000	\$231,000
2022/23	Operating Contribution	\$650,000	\$3,849,334
	Mattress Contribution	\$199,334	
	Capping Contribution	\$3,000,000	
2023/24	Operating Contribution	\$950,000	\$1,303,000
	Mattress Contribution	\$353,000	
			\$5,383,334

Council Policy Compliance

There is no Council Policy for Member Contributions to the BHRC.

Legislative Compliance

There is no legislative compliance under the Local Government Act requiring the City of Bunbury to provide financial support to the BHRC. The Constitution of the BHRC however, which the City is a signatory to, provides for the BHRC to seek operating and capital contributions from Member Councils to address any deficit position identified in the BHRC budget.

Officer Comments

As the BHRC currently has restrictions placed on the operating licence issued by the Department of Water and Environment Regulations (DWER), as previously reported to Council, there are significant financial strains on its short-term financial viability. Therefore, to ensure the BHRC does not trade insolvently, the BHRC has requested a contribution from both the City and Shire of Harvey to support the short-term ongoing operations.

The adopted BHRC Annual Budget for 2024/25 is forecasting a closing surplus of \$63K at 30 June 2025 including the Member Council contributions of \$1.8M. Without this support the result would be a closing deficit of \$1.7M.

The BHRC in conjunction with City and Harvey Officers are continuing to explore alternative operating strategies to minimise the financial impact on Member Councils. This includes the engagement of consultant, Mr Mark Newman, by BHRC to:

- Provide an effective ongoing operating model for BHRC and its member councils for waste disposal.
- To review BHRC’s governance structure and future options.
- Evaluate the ongoing role of Stanley Rd for FOGO processing and sustainable waste innovation.
- Identify industry partnership opportunities for regional waste solutions.
- Explore options to leverage State Government support.
- Prepare a report with recommendations for stakeholder consideration.

Analysis of Financial and Budget Implications

Funding for the operating deficit contribution of up to \$900K will be funded from the Refuse Collection and Waste Minimisation Reserve Fund. This reserve currently has a forecast balance at 30 June 2025 of \$3.4M.

The City increased the residential bins charges in the 2024/25 Annual Budget raising an additional \$860K to provide funds for the City’s operating contribution to BHRC. These funds are held in the Refuse Collection and Waste Minimisation Reserve.

Community Consultation

Not required.

Councillor/Officer Consultation

This agenda is to inform Councillors of the financial request from the BHRC.

10.3.5 Appointment to Disability Access and Inclusion Committee

File Ref:	COB/1744
Applicant/Proponent:	Internal
Responsible Officer:	Sue Alexander, Community Development Officer – Inclusion
Responsible Manager:	Karin Strachan, Director Corporate and Community
Executive:	Karin Strachan, Director Corporate and Community
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Confidential Appendix 10.3.5-A - Disability Access and Inclusion Committee Appointments – Service Provider Position

Summary

This report is presented to Council to endorse the appointment of a service provider representative member, to fill one (1) vacant position on the Disability Access and Inclusion Committee and to consider appointing an additional service provider representative moving forward.

The committee composition under the terms of reference includes 1 service provider position.

Executive Recommendation

That Council

1. Amend the terms of reference of the Disability Access and Inclusion Committee to reflect 2 Service Provider positions
2. Endorse the appointment of the 2 candidates outlined at Confidential Appendix 10.3.5-A as service provider representatives to the Disability Access and Inclusion to serve out the remainder of the term, ending in October 2025

*Voting Requirement: **Absolute Majority***

Strategic Relevance

Pillar	People
Aspiration	A safe, healthy, and connected community.
Outcome 4	A compassionate and inclusive community.
Objective 4.2	Support vulnerable groups, including aged persons and those with disability.

Regional Impact Statement

The Disability Access and Inclusion Committee provides opportunity for community members to contribute to decisions that benefit Bunbury, through input on the provision of accessible and inclusive facilities, open spaces, programs and services. This ensures that Bunbury is welcoming and inclusive for all who visit and live in the Greater Bunbury region.

Background

On 16 April 2024 Tania McInnes representing Advocacy WA resigned from the DAIC Service Provider position. Nominations for this position on the DAIC sought from the Bunbury community and these were assessed by an independent assessment panel resulting in the preferred candidate being identified.

Council Policy Compliance

Nil

Legislative Compliance

Subdivision 2 of Division 2 of Part 5 of the Local Government Act 1995 deals with establishment of committees and their meetings.

Officer Comments

Nominations for the Service Provider position on the DAIC were open for a period of three (3) weeks from 24 July 2024 – 14 August 2024.

Four (4) nominations were received and assessed by an independent assessment panel resulting in two (2) nominations receiving equal highest assessment scores and being recommended for endorsement.

The preferred candidates (attached Confidential Appendix 10.3.5-A) demonstrated high levels of scoring across all areas of the assessment criteria.

- Background, experience and qualifications
- Organisational representation and contribution to DAIC
- Knowledge of issues impacting accessibility and inclusion in Bunbury
- Ability to work as a group and consider the needs of a broad range of people with vary disability related needs
- Previous experience and involvement of the organisation in community activities
- Previous membership of a community or Council committees

The benefits of having two (2) service provider representatives on DAIC include:

- Increased knowledge of service provider services across Bunbury.
- Opportunity for additional service provider to advocate on behalf of clients and client experiences.
- Additional information sharing and additional perspectives from service providers that support people living with disability across Bunbury.
- Increased opportunities for DAIC to collaborate with additional service providers across Bunbury though increased service provider memberships.

A Certificate of Service and Appreciation was mailed to Tania McInnes – Advocacy WA on 15 July 2024 as per Council Decision No: 107/24 from Ordinary Council Meeting 25 June 2024.

Analysis of Financial and Budget Implications

There are no financial or budget implications arising from the recommendations within this report.

Community Consultation

The vacant Disability Access and Inclusion Committee service provider position was advertised on social media and local networks for a period of three (3) weeks from 24 July 2024 – 14 August 2024.

Councillor/Officer Consultation

During the consultation process, the City's Community Development Officer - Inclusion engaged with the Governance team.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Appointments to committees will be effective immediately.

10.4 Director Sustainable Development

10.4.1 Bunbury Ocean Pool Project Update

File Ref:	COB/3303, COB/1781
Applicant/Proponent:	Internal
Responsible Officer:	Andrew McRobert, Director Sustainable Development
Responsible Manager:	Andrew McRobert, Director Sustainable Development
Executive:	Andrew McRobert, Director Sustainable Development
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Nil

Summary

This item is to provide an update to Council regarding the Ocean Pool project including progression of the undertaken work to date regarding items associated in Council Decision (109/23)

Executive Recommendation

That Council note the progress to date of the works undertaken for the project and endorse continuation of Council Decision items (109/23):

1. *Request that the Chief Executive Officer continue with the Identified next steps of project feasibility including:*
 - a. *Further Aboriginal community consultation in regard to heritage and traditional storylines,*
 - b. *Commencement of discussions with regulatory authorities,*
 - c. *Identify funding opportunities including private, State and Federal Government sources, and*
2. *Request that the Chief Executive Officer identify and seek funding sources to enable the commencement of further development of the concept plan to schematic design phase and to progress to detailed project design and report back to Council for consideration of progressing the Ocean Pool project.*

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	People
Aspiration	A safe, healthy and connected community
Outcome 3	A healthy and active community
Objective 3.2	Encourage participation in sport, recreation and leisure activities

Regional Impact Statement

Construction of the Bunbury Ocean Pool represent the first true ocean pool constructed in Australia in over 60 plus years and the first in Western Australia; this would prove a major tourist attraction to the region and the state.

With the development of the Ocean Pool further consideration of the surrounding precinct will be needed including how this can support the ongoing operational and renewals costs. The City would work with the state government to develop a precinct plan the surrounding area.

Background

At the Ordinary Council Meeting held 10 August 2021 Council decided (163/21):-

“That Council:

1. *Endorse the Bunbury Ocean Pool Fatal Flaw Proof of Concept Study*
2. *Acknowledges the Ocean Pool Feasibility Fatal Flaw Proof of Concept Study makes a finding of no fatal flaws in the concept of an Ocean Pool.*
3. *Note the State Governments Election commitment of \$250,000 for further investigative works as identified in the Study and the addition of a further \$50,000 in the City of Bunbury’s 2021/22 Financial Budget.”*

The City engaged consultants to undertake the investigative works which were used to prepare the Bunbury Ocean Pool Business Case. The Bunbury Ocean Pool Business Case was presented to Council advising that this would be the City’s guiding document for funding applications to state and federal government to assist with funding the Bunbury Ocean Pool should Council endorse the business case and the next steps for the project.

At the Ordinary Council Meeting held 27 June 2023 Council decided (109/23):

“That Council:

1. *Endorse the attached Bunbury Ocean Pool Business Case and Concept Plan as presented at appendices 10.5.2-A and 10.5.2-B.*
2. *Request that the Chief Executive Officer undertake further community and stakeholder engagement regarding the Concept Plan during July and August 2023.*
3. *Request that the Chief Executive Officer continue with the identified next steps of project feasibility including:*
 - a. *Further Aboriginal community consultation in regard to heritage and traditional storylines,*
 - b. *Commencement of discussions with regulatory authorities,*
 - c. *Identify funding opportunities including private, State and Federal Government sources, and*
4. *Request that the Chief Executive Officer identify and seek funding sources to enable the, commencement of further development of the concept plan to schematic design phase and to progress to detailed project design and report back to Council for consideration of progressing the Ocean Pool project.”*

Council Policy Compliance

Not applicable

Legislative Compliance

Not applicable

Officer Comments

The Ocean Pool Feasibility Fatal Flaw Proof of Concept Study recommended a number of further investigations to consider the viability of the proposed Bunbury Ocean Pool. These investigations were:-

- Geotechnical Investigation (WML Consultants)
- Environment Technical Studies (GHD)
 - Marine Environmental Quality: Pool Flushing and Effects on Coastal Water Quality
 - Marine Environmental Quality: Benthic Habitats
 - Flora and Vegetation
 - Preliminary Site Investigation
 - Hydrogeology
 - Environmental Noise
 - Landscape and Visual Impact
- Aboriginal Cultural Heritage Report (GHD)
- Refined Concept Design (Officer Woods Architects)
- Business Case (Bridge42)

Following a presentation from Officer Woods Architects to Elected Members in January 2023, the decision was made that the project would be for a true Ocean Pool. This was a further refinement of the original proposal of utilising treated ground water for supply of the pool that would be required to be treated. This resulted in a significant savings in operational cost and ensured the pool would be untreated ocean water. With this clarification the refined concept design and the business case proceeded based on this direction.

The Ocean Pool that was originally proposed was to use the former quarry site at Wyalup Rocky Point, this would have required the pumping of water into and out of the pool, may have required the water to be treated, required life guards to be operate, opened at set times and due to the size of the old quarry the costs to operate were substantial.

The proposed siting of the ocean pool is centrally located to existing basalt scar and channel which will provide a link to the history of the site as a former quarry. Also, with the landscaping of the surrounding area as the paths and area ramp down to the pool the quarry walls will be exposed as part of the landscape works thus providing a feature and link to the previous use of the site.

The refined concept design includes a 50m lap pool with four lanes, 25m rehabilitation pool with 2 lanes suitable for people with all abilities and accommodating rehabilitation exercises, entry ramp at no greater than 1:20 grade for wheelchair and all people of all capabilities, children's pool and wading zone. The design of the entry ramp considers the need for service vehicles such as bobcats for clean out and servicing of the pool. The refined concept design includes amenities facilities and landscaping of the precinct.

The Bunbury Ocean Pool will be the first, true operating ocean pool in Western Australia and offers a unique opportunity to provide a new recreation and health & wellbeing asset to the community and providing new tourism and engagement opportunities for visitors. The Bunbury Ocean Pool would be the only ocean pool built on a rocky outcrop in Western Australia and the first ocean pool built in Australia in over 60 years.

Following Council Decision (109/23), the below actions have taken place:

- Community engagement and consultation has been undertaken.
- The Ocean Pool project business case has been further reviewed and economic impact analysis is in progress.
- Continued consultation with Gnaala Karla Booja Aboriginal Corporation is being undertaken including amended heritage survey approval.
- Funding opportunities have been identified for consideration and potential application.

Analysis of Financial and Budget Implications

The City was originally provided with a \$250,000 grant from Department of Local Government, Sport and Cultural Industries and the City contributed \$90,000. The project has a balance of \$61,722 allocated in the 2024/2025 budget to continue feasibility and consultation.

Community Consultation

The City of Bunbury Community Engagement for the Bunbury Ocean Pool commenced on 14 August 2023. The engagement comprised of a page on the City's Community Connect website, City of Bunbury website Project page, survey and community information sessions, with the engagement closing on the 15 September 2023.

The two Community Information Sessions were held on 28 August 2023 and approximately 150 people attended over the two sessions. The City's concept design consultants presented the concept design to the community and there was an opportunity to ask questions. Attendees were asked to provide their feedback via the survey.

The purpose of this first phase of Community Engagement for the proposed Bunbury Ocean Pool was to understand community views and sentiment for the City to continue investigating viability to progress the proposed project, gauge community support of the Ocean Pool and to identify any concerns so that they may be addressed should the project progress.

The survey received 1200 responses with 78% of engaged stakeholders highly interested and supportive of the proposed Bunbury Ocean Pool Project going ahead (rating 5 stars). In addition to the survey the City received feedback via email and these responses have been included and assessed.

A full community report is being finalised regarding community feedback including summary of the over 800 positive comments supporting the project and the other community raised concerns/feedback, for understanding and consideration.

Councillor/Officer Consultation

Elected Members were provided community engagement update memo on 30 May 2024.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Delivery of recommendations to continue immediately following Council decision.

10.4.2 Registration of Interest – City of Bunbury Strategic Land Parcels

File Ref:	COB/5558
Applicant/Proponent:	Not Applicable
Responsible Officer:	Jessica Kelly, Principal Project Officer
Responsible Manager:	Felicity Anderson, Manager Economic Growth
Executive:	Andrew McRobert, Director Sustainable Development
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Nil

Summary

This agenda item proposes the next steps to support progression in activation, development and potential disposal of various City of Bunbury vacant strategic land sites.

Executive Recommendation

That Council agrees to progressing a Registration of Interest process for the development and/or disposal of the following City of Bunbury Strategic Land sites:

1. Site 1: Lot 211 & 501 Holywell Street, South Bunbury
2. Site 2: Lot 330 Ocean Drive, Bunbury
3. Site 3: Lot 66 Ocean Drive, Bunbury
4. Site 4: Lot 497 Ocean Drive, Bunbury

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Place
Aspiration	An integrated, vibrant and well planned City
Outcome 7	A community with high quality urban design and housing diversity
Objective 7.1	Promote responsible planning and development

Regional Impact Statement

This decision will allow the City to further understand site development, disposal and activation opportunities.

Background

A review has been undertaken of City of Bunbury owned freehold land, and opportunities for de-constraining land parcels to develop various options including housing and accommodation.

The below mentioned City of Bunbury vacant land parcels have been identified as priority opportunity for activation, development and/or disposal to support the increase in housing solutions, accommodation options, and commercial offerings, in Bunbury.

- Site 1: Lot 211 & 501 Holywell Street, South Bunbury
Site 2: Lot 330 Ocean Drive, Bunbury

Site 3: Lot 66 Ocean Drive, Bunbury
Site 4: Lot 497 Ocean Drive, Bunbury

It is recommended that the City initiate a Registration of Interest process for these sites, welcoming registrations for consideration. The Registration of Interest releases will occur consecutively.

The City is progressing further review and various de-constraining activities for other City strategic land sites to support land development and increase of housing and accommodation options.

Council will be kept informed of these activities as constraints are removed and opportunity for land activation is achieved and will be further consulted per the Local Government Act regarding any development and disposal options for consideration.

Council Policy Compliance

Land Rationalisation and Acquisition Policy.

Legislative Compliance

Not Applicable.

Analysis of Financial and Budget Implications.

The City is responsible for all costs associated with advertising for the Registration of Interest.

Community Consultation

Not applicable. This is seeking to go to a Registration of Interest only. Community will be consulted as per the Act should Council determine to dispose of the site/s in the future.

Councillor/Officer Consultation

Relevant Officer presented overview of strategic sites at Council Strategic Briefing on 10th September 2024 and discussed at the Housing Solutions and Homelessness Working Group on 18th September 2024.

Applicant Consultation

Not Applicable.

Timeline: Council Decision Implementation

Immediately following council decision, the next steps to initiate the Registration of Interest processes will take place.

10.4.3 City of Bunbury advocacy in relation to homelessness, domestic violence and safety

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

Summary

At the Ordinary Council Meeting held 24 September 2024, Council requested the CEO prepare a report to Council regarding the City's advocacy in relation to homelessness, domestic violence, and safety (Council Decision 209/24). This report is presented to Council for information and discussion, as necessary.

Executive Recommendation

That Council notes the information provided in this report.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	People
Aspiration	A safe, healthy and connected community
Outcome 1	A safe community
Objective 1.1	Improve safety and crime prevention services
Objective 1.2	Modify the physical environment to improve community safety

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

The City of Bunbury's advocacy efforts will influence, raise awareness and drive change in culture, behaviour and attitudes towards homelessness, domestic violence and safety.

Background

The City of Bunbury aligns its advocacy efforts with its responsibilities while also being open to collaboration with other agencies to ensure we are delivering the best to our community. Advocacy connects the City's goals to State and Federal government responsibilities, ensuring we are collaborating and voicing issues we are facing as a community, to promote better support and needed change. The City facilitates and participates in the sharing of data and learnings with other levels of government and support services to understand and address homelessness, domestic and family violence and community safety.

Managing relations between different levels of government is a fundamental requirement of advocacy. The City achieves significant outcomes through a range of approaches to advocacy, seeking to influence key stakeholders around matters critical to Bunbury. Different levels of government have different areas of responsibility, requiring differing levels of engagement. The City supports and brings together existing efforts, aligning them with our position while also strengthening our advocacy work.

Council Policy Compliance

N/A

Legislative Compliance

N/A

Officer Comments

The State Government provides emergency response services like WA Police and the Department of Fire and Emergency Services, along with social services such as the Department of Communities. The City partners with these agencies, along with community organisations, businesses and residents, to maximise capacity in understanding and addressing the issues related to community safety and homelessness.

The City is a member of the *Local Leadership Group* (LLG) which includes members from the Government of Western Australia, WA Country Health Service, Department of Education, Gnaala Karla Booja Corporation, South West Aboriginal Medical Service, Department of Communities (including representation from Child Protection), South West Regional Education Office and the Officer in Charge at Bunbury Police Station. The LLG meet once a month to discuss Domestic and Family Violence; Vulnerable People; Homelessness; Children at Risk; Youth at Risk; and Road Trauma. Where possible information and resources are shared and when the issue is unable to be tackled collectively it is referred to the District/Senior groups for higher level action.

The City provides rate exemptions for qualified charitable organisations which includes support services for the victims of domestic violence and homelessness such as:

- Accordwest – not for profit community housing organisation that provides transitional accommodation (short term) housing for people experiencing homelessness
- Agencies for South West Accommodation – transitional accommodation to provide short term housing for people experiencing homelessness
- South West Refuge Inc – 24 hour crisis centre for women and children escaping family and/or domestic violence
- Waratah Support Centre (SW) Region – counselling and support service to women and children

The City is dedicated to continuing partnerships and discussions with local support services which are doing incredible work in our community. All of these initiatives, partnerships, groups and discussions are resulting in tangible actions in our community.

HOMELESSNESS

Homelessness is a complex issue that requires a multi-agency approach. While there is a lot of work to do to address homelessness in Bunbury, the City is working hard on behalf of its community and supporting relevant agencies to the best of its ability. The City is providing

support and collaborating with the relevant service providers and organisations such as those involved in the Housing First strategy, with the State Government as the lead. Reducing the number of people who are homeless or at risk of homelessness is a priority for the State Government, guided by the *All Paths Lead to a Home: Western Australia's 10-Year Strategy on Homelessness 2020-2030* (the Strategy).

A key initiative under the Strategy is providing long-term accommodation and wraparound support to rough sleepers under the evidence-based, Housing First methodology. Housing First Support Services in Bunbury are contracted to Anglicare WA to provide case management, supporting individuals to transition from housing insecurity into sustainable homes. This approach has been working and Specialist Homelessness Services located in the South West reported that 1,693 people have been assisted with 2,032 periods of support. Since 2021, the State Government has invested \$3.2B in housing and homelessness measures, delivering 129 social housing dwellings in the South West region, including 40 specific to Bunbury.

Whilst the Department of Communities (DoC) established the Office of Homelessness in early 2022 to provide a dedicated focus relating to homelessness, the City is advocating for increased housing options in Bunbury to assist in providing adequate housing to break the cycle of homelessness. Breaking the cycle requires collaboration across state, local government and community organisations. The DoC is actively working with service providers through its commissioning process to improve the design and delivery of homelessness services and will continue working with stakeholders in the South West region through this process. The State Government is also supporting individuals facing rough sleeping via the Djuripiny Mia program – a landmark supportive landlord model which has so far seen 43 individuals into long term accommodation in Bunbury.

Other ways that the City is working to help break the cycle of homelessness include:

- Forming the Housing Solutions and Homelessness Working Group in an aim to increase housing options in Bunbury. The City is working towards creating opportunities to utilise undeveloped land to increase housing.
- Council endorsed the City's strategic advocacy priorities at the end of September, which includes advocating for increased investment in infrastructure, services and land releases to enable housing options in Bunbury.
- Becoming a member of the Rough Sleepers Coordination Group which is facilitated by the WA Alliance to End Homelessness. Locally, some of the City's Community Wellbeing team meet fortnightly with the group to collaborate and share information with the view of helping vulnerable people in our community.
- Working closely with Bunbury local support services including Anglicare, Salvation Army, St Jude's, Accordwest, Housing Choices, Department of Communities: Housing, In Town Centre, Doors Wide Open, and many more. These groups along with the City meet regularly to discuss ideas, people, cross-service or wrap-around assistance, and collaboratively communicate and work together to try to assist those suffering in our community.
- The City is part of the WA Alliance to End Homelessness strategic group, which meets regularly to discuss and tackle issues facing particular demographic groups or current issues one at a time, in an aim to reduce homelessness numbers. The group's current focus is mental health within the homelessness space.
- The City will have panel representation at this month's Western Australian Alliance to End Homelessness (WAAEH) summit in Fremantle. The Australian Zero Homelessness Summit 2024 brings together organisations, communities and individuals committed

to ending homelessness. International and local practitioners who are working hard to end homelessness in their local municipalities will be presenting with the agenda focusing on ‘Ending Homelessness: how do we bring local government to the table?’

- The City of Bunbury Rangers Team and Community Safety Team are developing a procedure for managing rough sleeper service requests, that focuses on increasing empathy and understanding of individual circumstances and histories. The procedure also aims to help define the differences between Homelessness, Anti-Social Behaviour, Mental Health and Medical Incidents and Illegal Camping. The lines can often seem blurry to community members so the City is trying to change the lens to ensure service requests are managed properly and people receive the appropriate response and assistance.

DOMESTIC AND FAMILY VIOLENCE

Whilst anti-social behaviours, violence and other crimes are matters for police to investigate, the City is committed to working with the community to solve a range of social and health issues that impact vulnerable people, such as victims of domestic violence. The City is in a good position to convene on-the-ground crisis response, it can be as simple as providing contact numbers, educational material or when someone’s safety is at risk, reporting it to the police. The City has been working with the community, local leaders and organisations to develop a range of programs, projects and activities in support of its commitment to ending domestic and family violence.

Training

The City recognises the value of our staff who work with our community but are not domestic violence experts. With the right training and support they can help identify and respond to domestic violence. City officers have been undertaking training to ensure they know how to respond appropriately and how to refer to support services. Recent training included Lifeline’s ‘Domestic Violence Response Training,’ a key initiative under the Australian Government’s National Plan to End Violence against Women and Children 2022-32. The training covered the nature and scope, patterns and impacts of domestic and family violence, what to consider for diverse groups, communication skills, safety and referral pathways. Further training is planned which focuses on family violence in Aboriginal and Torres Strait Islander contexts where officers will learn how to ‘Recognise, Respond and Refer’ appropriately and with care.

Bunbury Library DV Safe Phone Collection Box

DV Safe Phone specialises in getting safe phones ready for victims of domestic violence to use. Phones are collected, repaired and gifted to domestic violence survivors, through over 360 Domestic Violence and Law Enforcement Agencies, Safe Houses and Hospitals Australia-wide, providing a lifeline to call for help when it is needed most. The community can donate their old mobile phones and DV Safe Phone passes them on to someone in need. A collection box is on display at Bunbury Library for those wishing to donate an old phone for this purpose.

16 Days in WA

Since 2018, the City has been supporting events held throughout the 16 Days campaign and has been a member of the ‘Bunbury 16 Days’ group. For 16 days in November and December, the community is invited to take a part in encouraging change to stop violence against women. The 16 Days in WA campaign runs from 25 November (International Day for the Elimination of Violence Against Women) through to 10 December (Human Rights Day) each year. Now in its eighth year, 16 Days in WA draws inspiration from the global movement for 16 Days of Activism against Gender-Based Violence to drive a change in culture, behaviour and attitudes that lead to violence against women and their children.

The 'Bunbury 16 Days' group creates t-shirts, badges and other resources for teams to raise awareness during this time. Each year, the City turns the lights on Koombana Bridge or Koolambidi Woola orange for the 'Orange Day' event, wearing orange to say we want healthy and safe relationships. Other events organised by the group include: Men Against Domestic Violence Concert at BREC; Students' 2025 Respect Calendar Presentations; Library display with posters, pamphlets, and relevant books; Launch of 16 Days social media campaign on ZCB Facebook page; Maternal Health clinic sessions by SWAMS; Youth events; Bunbury Markets: DV Awareness Campaign and distribution of White Ribbons. The City's participation in the campaign each year helps create change to educate, motivate and advocate in our community, and to stand up and stop violence against women.

White Ribbon

White Ribbon Australia advocates for changes at a government and policy level and collaborates with the community through education, awareness-raising, creative campaigns, and preventative programs to achieve the vision of 'A nation where every woman is free from all forms of men's violence and abuse.' The City has been a member of the White Ribbon Day Committee since 2010 and supports the annual White Ribbon Day Event and Silent March of Solidarity in Bunbury. Many representatives from the City participate and the City has provided space at Centenary Gardens and Anzac Park for the event to take place. The City, as part of the committee, also supports the committee's attendance at youth football games, specifically for raising awareness to *youth* about domestic violence. Banners are attached to the fencing and the players run through a large white ribbon and there are vests, shirts, footballs and socks with white ribbons pictured. The City promotes these events on social media, places posters in City buildings, supplies white ribbon pins to the public and places collection tins at the front desk for donations (provided by the White Ribbon Day organisation).

SAFETY

The City impacts community safety through planning and development strategies that minimise the opportunity for anti-social behaviour and reduce the fear of crime. Activating spaces and supporting responsible agencies are tangible opportunities that the City has embraced to have a genuine impact on safety and our community's future. The City knows through our MARKYT Community Scorecard that community safety and crime prevention is one of our community's highest priorities. The City is committed to working towards a safe, healthy and connected community as identified through aspirations and objectives included in the City's *Strategic Community Plan (SCP)* and *Corporate Business Plan*.

The City also has a *Community Safety and Crime Prevention (CSCP) Plan* which has put in place tangible actions that align to the objectives in the SCP. This plan has been informed through independent research by criminologists with the process also involving community and stakeholder engagement to help identify our community's priority focus areas, concerns and perceptions. While response to actual crime is primarily managed by police, the City has a role to play in community safety by collaborating, advocating, facilitating, providing services and facilities and regulating compliance. Work is continuing on actions within the City's CSCP which includes advocating for investment in emergency accommodation for rough sleepers and collaborating with organisations that assist those experiencing homelessness.

The City of Bunbury actively contributes to community safety and crime prevention in the following ways:

- | | |
|-----------------|---|
| <i>Fund</i> | We help to fund organisations to deliver essential community services |
| <i>Advocate</i> | We are a voice for the local community on key issues |

<i>Partner</i>	We form strategic alliances in the interests of the community
<i>Regulate</i>	We regulate compliance with legislation, regulation and local laws

The City works with many government agencies, not-for-profit organisations, businesses and community groups to address matters of community safety which is formalised via the City of Bunbury *Community Safety Advisory Group* (CSAG). The CSAG collaborates and discusses the actions and topics in the CSCP on an ongoing basis and consists of the Mayor, 3 Councillors, City of Bunbury Community Safety & Emergency Management team, OIC Bunbury Police, Department of Communities, Anglicare, Richmond Wellbeing, WA Country Health Services, St John of God and more.

The City has a long-standing commitment to community safety, evident from the range of programs and initiatives in place which include:

- **Rangers and Emergency Management** The City of Bunbury Ranger and Emergency Management team liaise closely with Emergency and Community Services to provide support, and response to compliance issues that can impact community safety and wellbeing.
- **Community Safety webpage** The City has created this site for anyone who needs to reach out for links to information, including domestic violence. The page is designed to help educate community members and provide resources to those who may be unaware <https://www.bunbury.wa.gov.au/live/community-safety-and-emergency-management/community-safety>
- **CCTV** The City has 153 CCTV cameras across the CBD and in our suburbs. This CCTV network links directly back to Bunbury Police in real time for monitoring and download including access to Licence Plate Recognition footage. This can act as a deterrent for errant and illegal behaviour, including violence. This also serves as evidence for crimes and court, the City regularly provides footage of incidents. A lot of feedback has been received from the community (women, families and those experiencing homelessness or rough sleeping in carparks), that the CCTV makes them feel more secure and safe when vulnerable.
- **Alcohol Accord** The Bunbury Alcohol Accord facilitates communication between the City, Police and licensees to address alcohol related antisocial behaviour in the City Centre.
- **Extensive lighting network** Notably in carparks, many women have fled their homes due to domestic violence and the lighting assists them to feel safer. The City conducts audits to identify new areas where more lighting could be installed.
- **Bunbury Police Station** Regular meetings with the Officer in Charge to share information and discuss pertinent current issues to identify how the City can collaborate with Police.
- **Koolambidi Woola** Bunbury's first ever youth precinct which opened in July 2022, created to provide young people with a safe space and a hub of activity, keeping them engaged and active in the community.
- **Graffiti removal** The City is committed to dealing with graffiti and working with the community to remove it as soon as possible. Offensive graffiti is responded to immediately due to its capacity to increase the fear of crime.
- **Events** Pre-planning with key stakeholders (including Police) to determine measures which must be in place at the event to reduce risk of violence and increase safety, especially for women and youth. Special attention is paid to large events where violence, domestic violence or sexual assault have a higher risk of occurring. The City's

Events applications require the event organiser to provide and identify security measures.

Analysis of Financial and Budget Implications

N/A

Community Consultation

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

Councillor/Officer Consultation

The Senior Strategic Partnerships, Advocacy and Funding Officer consulted with the City’s Community Safety and Emergency team to prepare this report.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

N/A

10.5 Director Infrastructure

Nil

11. Applications for Leave of Absence

Nil

12. Motions on Notice

12.1 Councillor Steck – Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases

File Ref:	COB/441
Applicant/Proponent:	Cr Michelle Steck
Responsible Officer:	Alan Ferris, Chief Executive Officer
Responsible Manager:	Alan Ferris, Chief Executive Officer
Executive:	Alan Ferris, Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Nil

Councillor Steck's Motion

That Council:

1. Request the CEO to prepare a report to Council for the 26 November 2024 Council Meeting clarifying the City's risks and liabilities in relation to Lot 3001 Marrabank Loop Bunbury WA 6230.
2. Write to the Minister for Homelessness, Local Members of Parliament and Local Service Providers to relocate the current occupants of the building.
3. Undertake works to secure the building and resolve the vermin issue.
4. Identify all leases that do not have a valid public liability insurance certificate of currency to operate and provide a report to the Audit Committee.

Voting Requirement: Simple Majority

Councillor Steck's comments in support of the motion

This Motion on Notice is to highlight to all councillors the urgent issues surrounding the conditions of Lot 3001 Marrabank Loop including the City's leases, policy and procedures as contained within the "Internal Audit Report – Lease Management FY24/25 tabled during the Audit Committee meeting on Tuesday 24th September 2024.

In 2022, the lessee, Power Boat Club, ceased to have a lease with the City effective 28 July 2022. This lease was terminated by the city under clause 15 of the lease, city rates and other overdue accounts advised from other providers was unpaid.

According to the official report, new locks and alarm systems were replaced in August 2022.

The leadership team engaged a contractor to carry out initial inspections on 24th August 2022.

In October 2022, council received a Building Code of Australia report highlighting defects within the building.

Namely not conforming to the national building code of Australia. Presently, there appears to be no other inspection since by council or qualified contractor as identified within the report.

Over the past couple of years, the building has deteriorated into an unsafe and derelict condition, demolition is the only safe outcome for the local community.

Currently there are several trespassers taking up residence in a now very derelict building which is also vermin infested.

Persons are living under very unsatisfactory, unsafe living conditions including violation of the health act.

There is no running water in the building, there is also a fire risk as there are obviously no fire alarms fitted within the building.

There is severe risk and danger to persons inhabiting the building.

Council needs to seriously consider the exposure to risk of persons and to council especially since the building has not been inspected since 2022.

The Audit Report sets out directions in management of all future city leases. The report does not address the derelict condition of Lot 3001 Marrabank Loop and trespassers living in the building, only highlighting 3 – 6 months' time frame to address the general lease and leases standards yet does not address demolition.

Lack of current inspection of the building has concluded the building has green or low-level rating "Minor control exposures noted". If this was inspected today the building should accurately present as a red rated building with severe high risk.

City of Bunbury Lease Policy and Procedures

During the Audit committee meeting on the 24th of September 2024 the City of Bunbury Internal Audit Report Lease Management FY24/25 was tabled.

The report highlighted several of key issues of concern, not withstanding the timeframes for delivery of improvement timeframes notably 24 months.

The report does not address the Commercial Tenancies Act and namely adhering to that by proving the terms and conditions forms as prescribed within the Commercial Tenancies Act.

The report highlights that small sample of 25 of the cities leases some severe risk problems such as incorrect or lack of insurance, lack of process and communication and lack of inspections

Although the report has a small sample of 25 leases some issues identify severe risk for some community organisations and council.

On the surface this does not seem difficult to remedy it does however highlight the impact of risk and liability to some community organisations and council.

If an incident was to occur prior to obtaining public liability insurance, insurance companies are most likely negated.

The impact to council at this stage is unidentified, the fact that the City is aware of the lack of public liability on some of its leases exposes council at higher risk.

All public liability insurance certificates must be in place prior to any further operations of any lease holder, this is to protect, individuals, community and council.

In addition, a 24 month time frame to remedy inspections, procedures and the like could be considered as far too impractical.

Officer Comments

The Executive supports the recommendation.

In regard to Lot 3001 this is a building owned by the City on land owned by the State Government. The City has previously written to the Minister seeking the potential transfer of the land to the City. This could either be a transfer for an agreed fee or could be part of a land exchange between the State and the City.

The building is in disrepair and work has already commenced on a plan to reduce the risk and liability to the City. Further details will be detailed in the report but any urgent actions the City can take will be taken to reduce the immediate risk.

In regard to the Point 4 of the recommendation further work will be undertaken and a report tabled at the Audit Committee.

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

At the Ordinary Council Meeting held 24 September 2024, the following questions were taken on notice in relation to item 10.4.2 *City of Bunbury Strategic Advocacy Priorities*:

Question 1

What were the community priorities identified in the MARKYT Community Scorecard?

Response

The 7 priorities are:

1. Bunbury City Centre development / activation
2. Community safety and crime prevention
3. Festivals, events, art and cultural activities
4. Tourism and destination marketing
5. Access to health and community services
6. Seniors' services, facilities and care
7. Streetscapes, trees and verges

Question 2

Can some of the background documents in relation to the City's advocacy priorities be made publicly available?

Response

Yes, this is available on the City's website.

13.2 Questions from Members

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

15. Meeting Closed to Public

15.1 Matters for which the Meeting may be Closed

15.2 Public Reading of Resolutions that may be made Public

16. Closure