



## Policy Review and Development Committee

### Minutes

**30 October 2024**

#### **Committee Terms of Reference**

- 1** *To review all existing Bunbury City Council policies within a two year period, in line with the local government election cycle and facilitate the development of new policies for consideration by Council on an ongoing basis.*
- 2** *To make recommendations to Council on matters of policy, policy and local law review and policy and local law development.*
- 3** *To explore opportunities that promote policy development in all areas that are within Council's jurisdiction.*
- 4** *To allow any draft policy developed and fully considered by another Advisory Committee of Council to be referred directly to Council for consideration.*
- 5** *To provide Bunbury City Councillors with assistance and support to develop new Council policies.*

**City of Bunbury**  
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Western Australia

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## Acknowledgement of Country

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

## Vision

Bunbury: welcoming and full of opportunities.

## Organisational Values

### #WEARECOB

#### **WE ARE COMMUNITY**

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

#### **WE ARE OPEN**

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

#### **WE ARE BRAVE**

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

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## Nature of Council’s Role in Decision Making

**Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

**Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, setting and amending budgets.

**Legislative:** Includes adopting local laws, town planning schemes and policies.

**Quasi-Judicial:** When Council determines an application/matter that directly affects a person’s rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.

Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

**Information Purposes:** Includes items provided to Council for information purposes only which do not require direction from Council (that is for ‘noting’).

## 1. Declaration of Opening

The Presiding Member declared the meeting open at 10.01am.

## 2. Disclaimer

Not applicable to this committee.

## 3. Announcements from the Presiding Member

Nil

## 4. Attendances

### *Committee Members:*

Member Name	Representing
Cr Karen Steele	City of Bunbury
Cr Marina Quain (Presiding Member)	City of Bunbury
Cr Cheryl Kozisek	City of Bunbury
Cr Tresslyn Smith	City of Bunbury

### *Ex-officio Members (non-voting):*

Member Name	Representing
Mrs Karin Strachan	Director Corporate and Community

### *Support Staff:*

Name	Title
Mr Greg Golinski	Manager Governance and Integrated Planning
Mr Liam Murphy	Governance Officer
Mrs Maureen Keegan	Senior Governance Officer
Ms Sarah Upton	Manager Community Wellbeing
Ms Barbara Macaulay	Manager Planning and Building
Mr David Ransom	Manager Finance
Ms Jane Parson	Team Leader Procurement
Ms Gemma Stewart	Senior Lands Officer
Mr Mark Allies	Team Leader Community Safety and Emergency Management

### 4.1 Apologies

Cr Ghasseb was an apology for the meeting.

### 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.

**6. Confirmation of Minutes**

Committee Decision:                      Moved Cr Kozisek                      Seconded Cr Steele

The minutes of the Policy Review and Development Committee Meeting held on 28 August 2024 are confirmed as a true and accurate record.

CARRIED UNANIMOUSLY

**7. Method of Dealing with Agenda Business**

All items were considered in the order they appeared on the agenda.

## 8. Reports

### 8.1 Review of Council Policy: Naming Conventions

<b>Fine No.</b>	COB/306
<b>Applicant:</b>	Internal
<b>Responsible Officer:</b>	Aaron Lindsay, Manager Projects and Asset Management
<b>Responsible Manager:</b>	Aaron Lindsay, Manager Projects and Asset Management
<b>Executive:</b>	Brendan Smith, Director Infrastructure
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.1-A: REVISED Council Policy Naming Conventions

#### Summary

***This report was deferred at the 28 August 2024 Policy Review and Development Committee Meeting and is now presented the Committee for consideration.***

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

#### Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Naming Conventions as presented at Appendix 8.1-A.

*Voting Requirement: Simple Majority Vote*

#### Strategic Relevance

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

#### Regional Impact Statement

N/A

#### Background

The Policy was first endorsed by Council in 2014, and was previously known as the Naming of Roads, Reserves, Bridges and Other Places Council Policy.

At the Ordinary Council Meeting held on 29 June 2021, Council requested (via a motion on notice from Cr Steele) *that the Policy Review and Development Committee review existing Council Policy Naming of Roads, Reserves, Bridges and Other Places in the context of recognising Aboriginal history and language, as well as initiating a process for the naming or dual naming of landmarks, sites and streets.*



The Policy was last reviewed at the 12 October 2021 Council Meeting, where the policy was significantly amended to include information regarding Aboriginal and dual naming, as well as to retitle the policy to its current name.

The policy is now due for its bi-annual review.

### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy. The City's Reconciliation Action Plan is also applicable in this regard.

### **Legislative Compliance**

N/A

### **Officer Comments**

Officers have reviewed the Policy and suggest only minimal changes to ensure references to industry guidelines are up to date.

At the 28 August 2024 PRDC meeting, this item was deferred to include additional wording in the policy to promote gender equality when considering naming proposals. This has now been included in the policy.

A copy of the revised policy with tracked changes is attached at appendix 8.1-A.

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

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable.

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

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

**Outcome of Policy Review and Development Committee Meeting 30 October 2024**

During discussion, it was suggested that the revised policy be amended to state the following within the policy procedure:

*That all naming proposals are to be considered equally.*

It was also noted that a workshop would be held with Councillors to discuss this policy and the addition of new names for consideration on the City's approved list of names.

The executive recommendation, incorporating this minor amendment, was moved by Cr Steele and Seconded by Cr Kozisek. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Naming Conventions as presented at Appendix 8.1-A.***

## 8.2 Review of Council Policy: Local Supplier Preference and Purchasing

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Jane Parsons, Team Leader Procurement
<b>Responsible Manager:</b>	David Ransom, Manager Finance
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.2-A REVISED Purchasing Council Policy Appendix 8.2-B CURRENT Purchasing Council Policy Appendix 8.3-C Local Supplier Preference Council Policy

### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate the bi-annual review of the Local Supplier Preference Council Policy and the Purchasing Council Policy.

The report is also seeking the Policy Review and Development Committees guidance on whether Art Acquisition, Indigenous or Aboriginal Business and Australian Disability Enterprise exemptions should be listed separately in Table 3 Exemptions List as they can also be exercised under the Discretionary Exemption.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council:

1. Note the review of existing Council Policy: Local Supplier Preference Council Policy, with no changes; and
2. Endorse the revised the Purchasing Council Policy as presented at Appendix 8.2-A.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance.
Outcome 13	A leading local government.
Objective 13.1	Provide strong, accountable leadership and governance.
Objective 13.3	Effectively manage the City’s resources.

### Regional Impact Statement

The Local Supplier Preference Policy will provide regional and local suppliers price preferences.

## **Background**

These policies were last reviewed by Council in July 2022 (with a minor review to the Purchasing Council Policy in 2023) and is presented to the Policy Review and Development Committee for discussion and review as part of Council’s policy review schedule.

## **Council Policy Compliance**

This report facilitates the review of existing Council Policies.

## **Legislative Compliance**

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996*

## **Officer Comments**

### Local Supplier Preference Council Policy

Officers have reviewed the policy and believe it effectively supports local suppliers and the economy and recommend that no amendments are necessary. The preference percentages are already at the maximum allowable in the Local Government (Functions and General) Regulations 1996

A copy of the current policy is attached at Appendix 8.2-C

### Purchasing Council Policy

The intent of the proposed changes is to ensure that the Policy serves an overriding public policy document.

Officers compared and reviewed the current Purchasing Council Policy to the Western Australian Local Government (WALGA) Policy template, along with similar policies from a diverse range of local governments including:

- [City of Wanneroo](#)
- [City of Albany](#)
- [City of Melville](#)
- [City of Vincent](#)
- [Town of Victoria Park](#)
- [City of Swan](#)
- [City of Stirling](#)
- [City of Kalgoorlie Boulder](#)
- [City of Mandurah](#)
- [City of Rockingham](#)
- [City of Busselton](#)

The review focused on improvements including:

- Reducing duplication and improving readability
- Replaced the exemptions for vehicles and software with improvements to discretionary purchasing which will increase operational efficiencies.

- Remove restrictions on contract approval periods that exceed regulatory requirements allowing officers more flexibility to negotiate more favourable terms over longer periods.

The changes seek to deliver flexibility and efficiency, balanced with accountability and good governance for City expenditure.

As this review represents a significant overhaul of the existing policy, a marked up copy of the policy has not been provided. Instead, analysis of the amendments has been included in the table below, along with copies of the current policy in Appendix 8.2-B and the revised policy in Appendix 8.2-A.

<b>Original Section</b>	<b>Amendment Analysis</b>
<b>POLICY STATEMENT</b>	No change
<b>POLICY SCOPE</b>	New – added in line with other Council Policies
<b>POLICY OBJECTIVES</b>	Now contains 1. Definitions 2. Principles of Procurement and 3. Compliance Requirements  There was significant overlap between the Principles of Procurement and Policy Objectives so this has been consolidated into the Principles of Procurement and simplified.
<b>POLICY DETAILS</b>	Has been removed and incorporated into <b>POLICY OBJECTIVES</b> to have section headings consistent with other COB Council policies.
<b>1. Definitions</b>	Has been expended to cover more terms, and is found in <b>POLICY OBJECTIVES</b>
<b>2. Ethics &amp; Integrity</b>	This section has been removed due to overlap, and the content has been condensed and included in 2. Principles of Procurement.  All relevant legislation and policies have been identified in 3. Compliance Requirements
<b>3. Principles of Procurement</b>	Renumbered to 2. Principles of Procurement, and now incorporates the original Policy Objectives, Ethics & Integrity and the application of Value for Money. Formatting has changed to table format
<b>4. Value for money</b>	The information has been moved to 2. Principles of Procurement
<b>5. Purchasing Requirements</b>	<b><i>This has been promoted to a separate section heading PURCHASING REQUIREMENTS rather than a heading.</i></b>  New sub heading added for 5. Purchasing Value Thresholds.  The thresholds table has been simplified to make it easier to navigate based on Purchasing Threshold

Original Section	Amendment Analysis
<b>5.1 Purchasing Conditions</b>	Now 7. Purchasing Conditions The content is now: <ol style="list-style-type: none"> <li>a. (original). is now found in Table 3.</li> <li>b. (now a.) has been simplified.</li> <li>c. (now b.) has been updates to reflect the correct documentation.</li> <li>d. has now been appended to Table 1. and simplified.</li> <li>e. has been expanded and now can be found in 3. Compliance Requirements.</li> </ol>
<b>5.2 Records Management</b>	Promoted to heading 14. Records Management and simplified.
<b>5.3 Requests for Tender where value is less than the Tender Threshold</b>	Removed as this is already covered in Functions and General Regulation 13.
<b>5.5 Minor Variations</b>	New Section heading added <b>CONTRACT MANAGEMENT REQUIREMENTS</b> Now 9 Minor Variation before entry into contract. Name changed to better explain the purpose while still linking to the regulatory requirements for minor variations in accordance with Regulation 20. Minor wording changes to improve readability.
<b>5.6 Variation after Contract Commencement</b>	Now 10. Variation after Contract Commencement. Minor wording changes to improve readability.
<b>5.7 Elected Members and Designated Senior Employees</b>	Now 16 Elected Members and Designated Senior Employees
<b>5.8 Contract Extension</b>	Now 11 Contract Extension Minor wording changes to simplify
<b>5.9 Contract Novation</b>	Now 12 Contract Novation Minor wording changes to simplify and improve readability.
<b>5.10 Contract Expiry</b>	Removed. The requirement to review the purchasing requirements and commencing a new competitive purchasing process in accordance with the policy is already covered within the Purchasing Requirements.
<b>5.11 Conflicts of Interest</b>	New section heading added <b>OTHER REQUIREMENTS</b> Now 13 Conflict of Interest. No change to content
<b>5.12 Education &amp; training</b>	Now 8. Education & Training Minor changes to wording in a. to note that refresher training will be offered on a bi-annual basis

Original Section	Amendment Analysis
<p><b>6. Exceptions to Procurement Requirements</b></p>	<p>Now a section heading <b><i>EXEMPTIONS TO PURCHASING REQUIREMENTS</i></b>.</p> <p>Significant formatting changes to better present the information and improve readability.</p> <p>The current section had a number of very specific carve outs, notably for software and vehicles. In reviewing other Local government Policies, Officers have revised the exceptions to procurement requirements by:</p> <ul style="list-style-type: none"> <li>a. Revising the Discretionary exemption to remove the once-off requirement. This will allow the software and vehicle exemptions to be incorporated into this process.</li> <li>b. Provide guidance to officers on example operational reasons for a discretionary exemption, and what doesn't justify a discretionary purchase.</li> </ul> <p>These changes are in line with policies from City of Perth, City of Busselton, City of Melville, City of Wanneroo, Town of Victoria Park, City of Swan, City of Mandurah, City of Rockingham.</p> <p>Sole supplier exemption has removed the 2 year cap on the approval to allow the Delegated Authority to determine the period of approval.</p> <p>There are three options marked for optional removal as they can be addressed by the discretionary purchase exemption. The Policy Committees guidance on this is requested.</p>
<p><b>7. Panels of Pre-Qualified Suppliers Established by the City</b></p>	<p>Now a section heading <b><i>PANELS OF PRE-QUALIFIED SUPPLIERS ESTABLISHED BY THE CITY</i></b></p> <p>Content has been simplified significantly, based on the City of Perth clause.</p> <p>The 3-year maximum term for a panel has also been removed as this is not a regulatory requirement, with the term to now be decided by Delegated Authority.</p> <p>The addition of the panel purchasing rules taking precedence over the quotation process requirements in Table 1.</p>
<p><b>8. Authorisation to approve and issue purchase orders</b></p>	<p>Now covered in Purchasing Authority and Purchasing Conditions</p>
<p><b>9. Purchasing Policy non-compliance</b></p>	<p>Now 17. Purchasing Policy non-compliance.</p> <p>Now includes an additional treatment for a breach of policy to include the suspension or termination of procurement activities.</p>

**Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

The Policy changes have been reviewed by the Executive Leadership Team on 5 September 2024.

The policy is now presented to the Policy Review and Development Committee for consideration.

### **Applicant Consultation**

Not Applicable

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

Following Council endorsement, any revisions to the policy will become effective immediately.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The Team Leader Procurement provided a presentation to the Committee detailing the proposed changes to the Purchasing Council Policy.

During discussion, a minor amendment was suggested under the Exemptions to Purchasing Requirements section to refer to Bunbury Museum and Heritage Centre in addition to art acquisitions.

The executive recommendation, incorporating this minor amendment, was moved by Cr Kozisek and Seconded by Cr Steele. The presiding member put the motion to the vote, and it was carried unanimously.

### ***That the Policy Review and Development Committee recommend that Council:***

- 1. *Note the review of existing Council Policy: Local Supplier Preference Council Policy, with no changes; and***
- 2. *Endorse the revised the Purchasing Council Policy as presented at Appendix 8.2-A.***





### **Officer Comments**

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

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

Nil as there are no changes proposed to the existing policy.

### **Community Consultation**

Nil

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

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

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

Any changes to the policy will become effective immediately once adopted by Council.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Steele and Seconded by Cr Kozisek. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommend that Council note the review of existing Council Policy Sporting and Community Leases and Licences, with no changes recommended.***



### **Legislative Compliance**

N/A

### **Officer Comments**

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

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

Nil as there are no changes proposed to the existing policy.

### **Community Consultation**

Nil

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

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

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

Any changes to the policy will become effective immediately once adopted by Council.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

During discussion, Cr Quain asked if it was possible to include additional clauses in the policy to ensure that City leases remain current, all lessees have current insurance, and that all City properties receive property inspections. Cr Kozisek moved, and Cr Smith seconded a motion to defer this policy to the next meeting of the committee to allow time for the executive to respond to this question. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee defer item 8.4 Review of Council Policy: Commercial Leases and Licenses to the Policy Review and Development Committee meeting scheduled for 29 January 2025.***



### **Background**

The Policy was last reviewed in December 2022.

### **Council Policy Compliance**

Nil.

### **Legislative Compliance**

State Administrative Tribunal Act 2004  
Local Government Act 1995

### **Officer Comments**

There is no legislative requirement to notify submitters to an application for development approval that the applicant has sought review of the decision through the State Administrative Tribunal. In the interest of transparency and best practice, it is recommended that parties are notified when a decision of Council is under review by the SAT.

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

Nil.

### **Community Consultation**

Nil.

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable.

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

Immediately following Council decision.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Kozisek and Seconded by Cr Smith. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommends that Council adopt the revised Town Planning Appeal Applications for Review Council Policy as attached at appendix 8.5-A, noting the change of name to State Administrative Tribunal Development Applications for Review Council Policy.***

## 8.6 Review of Council Policy: Worker Wellbeing

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Odetta Robertson, Manager People and Safety
<b>Responsible Manager:</b>	Odetta Robertson, Manager People and Safety
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information <input type="checkbox"/> Legislative                      Purposes
<b>Attachments:</b>	Appendix 8.6-A: REVISED Council Policy: Worker Wellbeing

### Summary

The purpose of this report is for the Policy Review and Development committee to review the Worker Wellbeing Council Policy.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt the revised Worker Wellbeing Council Policy as presented at Appendix 8.6-A

*Voting Requirement: Simple Majority*

### Strategic Relevance

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

### Regional Impact Statement

Not applicable to this report.

### Background

The existing Policy was adopted by Council on 23 January 2018 and was last reviewed on 20 December 2022. This Policy is now presented to the Committee for its biennial review.

The recommended changes are to bring the Policy into alignment with the recently introduced Work Health and Safety (WHS) legislation. This includes the change from term of ‘employee’ to ‘worker’ and all other WHS legislation references. Other changes include an increase in options for Southwest Sorts Centre Membership, and the addition of mental health activities as Health and Wellbeing initiatives.

### Council Policy Compliance

The report facilitates a review of an existing Council Policy.

### **Legislative Compliance**

Not applicable to this report.

### **Officer Comments**

The purpose of this policy is to ensure that staff have the opportunity to access health and wellbeing initiatives and choices in the workplace as identified in the City's Enterprise Agreement, as well as demonstrating Council's commitment to staff health and well-being.

The Policy delivers on the purpose of the Working on Wellness Committee to discuss, develop and assist in the delivery of a Wellness Program that will help the City of Bunbury's employees to be more aware, motivated, and skilled around life decisions to increase their own and other's emotional, mental and physical wellbeing.

Officers have reviewed the policy and suggest changes minor changes as presented at appendix 8.6-A.

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

Not applicable to this report.

### **Community Consultation**

Not applicable

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

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

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

Following Council endorsement, the revised policy will become effective immediately.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Kozisek and Seconded by Cr Steele. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommend that Council adopt the revised Worker Wellbeing Council Policy as presented at Appendix 8.6-A***



## 8.7 Review of Council Policy: Bushfire Inspection and Mitigation

<b>File No.</b>	COB/
<b>Applicant:</b>	Internal
<b>Responsible Officer:</b>	Mark Allies, Team Leader Rangers and Emergency Management
<b>Responsible Manager:</b>	Sarah Upton, Manager Community Wellbeing
<b>Executive:</b>	Andrew McRobert, Director Sustainable Development
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.7-A: REVISED Council Policy Bushfire Inspection and Mitigation

### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Bushfire Inspection and Mitigation.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Bushfire Inspection and Mitigation as presented at appendix 8.7-A.

*Voting Requirement: Simple Majority Vote*

### Strategic Relevance

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

### Regional Impact Statement

Not applicable.

### Background

The Council Policy Bushfire Inspection and Mitigation was adopted on 2 September 2014, refer Council Decision 334/14. It was last reviewed on 26 September 2023, Council Decision 188/23 but has been reviewed following consultation with Department of Fire & Emergency Services and City of Bunbury Community Partnerships team to incorporate and expand on systematic changes impacting this policy.

The Policy provides how the City of Bunbury will assess the risk of bush fire to properties, apply treatments, and collaborate with the Department of Fire and Emergency Services to engage and educate the community.

### **Council Policy Compliance**

This report facilitates the review of existing Council Policy Bushfire Inspection and Mitigation.

### **Legislative Compliance**

Pursuant to section 33 of the *Bush Fires Act 1954* local governments can develop local laws, being customised strategies to reduce the risk and impact from bush fire.

### **Officer Comments**

Officers have undertaken a comprehensive review of the Council Policy Bushfire Inspection and Mitigation and proposed significant changes as presented in appendix 8.7-A.

The Policy has been revised in response to an increase in risk associated with fire and new requirements for cultural ceremonies impacted by this policy. The review also provided additional clarification regarding fire related activities already incorporated in the Policy, such as Campfires, Firepits, Pizza Ovens, Barbecues, Smokers, Cooking, Cultural Ceremonies and Permits.

The Review also reduced the content in the s 1.4 which relates to Annual Residential Inspections. The changes considered Councillor recommendations from the previous review to modify the content and make it less procedural. An operational procedure exists for Ranger Fire Control officers that provides necessary detail to internal officers.

The review was conducted in consultation with the City's First Nations Officer and Community Partnerships team to ensure alignment with our own Welcome to Country policy, inclusive of planned updates, and current cultural ceremony practices. The Elder Community representatives from the Richmond Wellbeing centre were also consulted on the City's behalf by First Nation officer Karen Jetta.

Department of Fire & Emergency Services to ensure the legislation was accurate and aligns with best practice.

This was to ensure the City's practices and procedures in engaging with the community, assessing risks and applying treatments are consistent and lawful with the intent to reduce risk from individual properties, leading to a reduction of risk of bush fire to the whole community and surrounding local governments.

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

Nil

### **Community Consultation**

Not applicable.

**Councillor/Officer Consultation**

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

**Applicant Consultation**

Not applicable.

**Timeline: Council Decision Implementation**

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

**Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Smith and Seconded by Cr Steele. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Bushfire Inspection and Mitigation as presented at appendix 8.7-A.***

## 8.8 Review of Council Policy: Privacy

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Maureen Keegan, Senior Governance Officer
<b>Responsible Manager:</b>	Elijah Glass, Manager Information Services Greg Golinski, Manager Governance and Integrated Planning
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.8-A Revised Council Information Privacy Policy

### Summary

The purpose of this report is to facilitate a review of the Council policy on Privacy in accordance with the new Privacy and Responsible Information Sharing legislation being introduced.

### Executive Recommendation

That the Policy Review and Development Committee recommends that Council:

1. Adopt the revised and renamed Information Privacy Policy as presented at Appendix 8.8-A
2. Authorise the CEO to remove the advisory notice from the Information Privacy Policy once the Privacy and Responsible Information Sharing legislation comes into effect.

*Voting Requirement: Simple Majority*

### Strategic Relevance

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

### Regional Impact Statement

This policy only applies within the City of Bunbury.

### Background

The WA State Government is implementing new Privacy and Responsible Information Sharing (PRIS) legislation that reforms personal privacy protection for all Western Australians and increases accountability of information sharing within government.

The Office of the Information Commission (OIC) has outlined 18 actions that need to be completed to ensure compliance. One of these actions is to create a Privacy Policy that is accessible to the public.

The City has updated its Privacy Policy to align with the new legislation requirements.

### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

### **Legislative Compliance**

As detailed above, new legislation will soon be enacted which will govern privacy and responsible information sharing.

### **Officer Comments**

At the 24 April 2024 Policy Review and Development Committee meeting, it was noted that an extensive review of the Privacy policy would be conducted after the implementation of new privacy legislation, which was originally scheduled for 30 June 2024. However, the new legislation has been delayed. In the meantime, the OIC has released Guidance Note No 10 – Privacy Policy will allow agencies to develop or modify their Privacy policies to align with the upcoming legislation.

An advice note is provided on the policy informing the following:

*‘The requirements of the Privacy and Responsible Information Sharing (PRIS) legislation have not yet commenced, but the City of Bunbury has drafted this Information Privacy Policy in anticipation of the law coming into effect.’*

The policy has been updated to include the 11 Information Privacy Principles (IPPS). Some these principles were already covered in the existing policy and have been incorporated into the new policy, while outdated information has been removed.

The title of the policy has been updated to align with the new legislation.

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

Nil

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

N/A

**Timeline: Council Decision Implementation**

Immediately following Council decision.

**Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Kozisek and Seconded by Cr Smith. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommends that Council:***

- 1. Adopt the revised and renamed Information Privacy Policy as presented at Appendix 8.8-A***
- 2. Authorise the CEO to remove the advisory notice from the Information Privacy Policy once the Privacy and Responsible Information Sharing legislation comes into effect.***

## 8.9 Review of Council Policy: Professional Development of Council Members

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Maureen Keegan, Senior Governance Officer
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance and Integrated Planning
<b>Executive:</b>	Karin Strachn, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.9-A: Professional Development of Council Members Council Policy

### Summary

This report is presented to the Policy Review and Development Committee to facilitate a review of current Council Policy – Professional Development of Council Members. There are no changes or amendment to the Policy.

A copy of the policy is contained at appendix 8.9-A.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council note the review of Council Policy Professional Development of Council Members with no changes recommended.

*Voting Requirement: **Absolute Majority***

### Strategic Relevance

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

### Regional Impact Statement

This Policy applies only to the City of Bunbury.

### Background

This Policy was adopted by Council on 23 June 2020 as a statutory requirement pursuant to section 5.128 of the Local Government Act 1995 (LGA).

The policy was adopted at that time in line with model text provided by the Department of Local Government, Sport and Cultural Industries for that purpose.

The policy was reviewed by the Policy Review and Development Committee on 30 November 2022 and adopted with revisions by Council at the with amendments on the 22 December 2022.

### **Council Policy Compliance**

This report facilitates the review of existing Council Policy Professional Development of Council Members.

### **Legislative Compliance**

Section 5.128(1) of the Local Government Act 1995 provides that a local government must have in place a policy in relation to the continuing professional development of council members. Section 5.128 (2) of the Local Government Act 1995 provides that a local government may amend the policy, with an absolute majority vote required.

### **Officer Comments**

The Professional Development Policy aims to help the Council fulfill its legislative requirement for training Elected Members and to proactively assess development opportunities for each Elected Member. It also includes a statement about the extent of payment by the City.

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

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

The annual allowance for Elected Members professional development will be paid by the City from the Elected Member Training budget GL 500517.0820.4304.

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable

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

Immediately following Council decision.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

During discussion, the committee suggested the following amendments to the Policy:

- That the annual allowance for each elected member be increased to \$5,000.



- That any elected member wishing to undertake the Elected Member Diploma of Local Government can do so, with the funds being taken from outside of their individual allowance.

A motion to adopt the policy as presented, incorporating the changes outlined above was moved by Cr Steele and Seconded by Cr Kozisek. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee recommend that Council endorse the revised Council Policy Professional Development of Council Members.***

## 8.10 Review of Council Policy: Public Interest Disclosure

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Maureen Keegan, Senior Governance Officer
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance and Integrated Planning
<b>Executive:</b>	Karin Strachn, Director Corporate and Community
<b>Authority/Discretion</b>	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.10-A REVISED Public Interest Disclosure Policy

### Summary

The purpose of this report is for the Policy Review and Development Committee (PRDC) to review the existing Council policy relating to Public Interest Disclosure.

### Executive Recommendation

That the Policy Review and Development committee recommend that Council endorse the revised Council Policy Public Interest Disclosure presented at Appendix 8.10-A

*Voting Requirement: Simple Majority*

### Strategic Relevance

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

### Regional Impact Statement

Not applicable to this report.

### Background

The Western Australian *Public Interest Disclosure Act 2003* (the PID Act) came into effect on 1 July 2003. Under the PID Act, people can make disclosures about certain types of wrongdoing covered by the PID Act within the State public sector, local government, some boards and committees, and public universities.

The PID Act only applies to disclosures of public interest information. Public interest information must:

- \* relate to a public authority, public officer or public sector contract (“a public body”);
- \* relate to the performance of a public function of the public body;
- \* tend to show that the public body is, has been or proposes to be, involved in improper conduct.

The PID Act protects those who make appropriate disclosures of public interest information. The PID Act makes provision for proper authorities to receive disclosures about certain types of wrongdoing.

In accordance with the PID Act public authorities must prepare and publish internal procedures relating to their obligations under the PID Act. This Policy was last reviewed by Council on 20 December 2022.

### **Council Policy Compliance**

The report facilitates a review of an existing Council Policy.

### **Legislative Compliance**

Pursuant to sections 23(1)(e) and 23(2) of the *Public Interest Disclosure Act 2003* public authorities are to prepare and publish internal procedures relating to their obligations under the PID Act. Internal procedures must be consistent with the PID Act and Public Sector Commission Guidelines.

### **Officer Comments**

The Policy outlines the City's commitment to public interest disclosures as well as documenting internal procedures relating to our obligations under the PID Act. The Policy also provides information on the rights and obligations of persons under the PID Act.

Any person may make a disclosure of public interest information. While public officers may make disclosures of public interest information, the PID Act also allows for members of the public to make these disclosures.

Two minor amendments were made to the policy, updating the role and name of the current PID Officer.

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

Not applicable to this report.

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable to this report.

**Timeline: Council Decision Implementation**

Following Council endorsement, the revised policy will become effective immediately.

**Outcome of Policy Review and Development Committee Meeting 30 October 2024**

The executive recommendation was moved by Cr Steele and Seconded by Cr Kozisek. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development committee recommend that Council endorse the revised Council Policy Public Interest Disclosure presented at Appendix 8.10-A***

### 8.11 Review of Council Policy: Elected Member Entitlements

<b>File Ref:</b>	COB/6306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Greg Golinski, Manager Governance and Integrated Planning
<b>Responsible Manager:</b>	Greg Golinski, Manager Governance and Integrated Planning
<b>Executive:</b>	Karin Strachan, Director Corporate and Community
<b>Authority/Discretion</b>	<input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
<b>Attachments:</b>	Appendix 8.11-A: REVISED Council Policy Elected Member Entitlements

#### Summary

The purpose of this report is to facilitate a review of the Council Member Entitlements Policy. Following general discussion in relation to this matter at previous meetings of this committee, as well as at Council and also strategic workshops, Officers have made proposed updates to the policy reflecting the sentiment of these discussions.

#### Executive Recommendation

That the Policy Review and Development Committee recommend that Council:

1. Adopt the revised Council Policy: Elected Member Entitlements as presented at Appendix 8.11-A.
2. Agree that the provision of ICT hardware as per clause 2.1 of the policy will take effect from 1 July 2025.

*Voting Requirement: Simple Majority Vote*

#### Strategic Relevance

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

#### Regional Impact Statement

This policy only applies within the City of Bunbury.

#### Background

The policy was last reviewed in December 2022. At the OCM held on 3 September 2024, the policy was referred back to the Policy Review and Development Committee for further deliberation.

### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

### **Legislative Compliance**

*Local Government Act 1995*

*Western Australia Salaries and Allowances Act 1975*

- Local Government Chief Executive Officers and Elected Members Determination No 1 of 2024

### **Officer Comments**

Following general discussion in relation to this matter at previous meetings of the Policy Review and Development Committee, as well as at Council, and strategic workshops, Officers have made proposed updates to the policy reflecting the sentiment of these discussions (see tracked changes at Appendix 8.11-A).

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

Nil

### **Community Consultation**

Nil

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable.

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

The policy will apply immediately following Council decision, noting that recommendation point 2 stipulates that the provision of ICT hardware as per clause 2.1 of the policy will take effect from 1 July 2025.

### **Outcome of Policy Review and Development Committee Meeting 30 October 2024**

During discussion it was asked if the policy could include clauses to allow for the purchase of the elected member devices following the conclusion of that members term. To allow time for the executive to provide a response Cr Kozisek moved, and Cr Steele seconded a motion to defer this item to the next Committee meeting. The presiding member put the motion to the vote, and it was carried unanimously.

***That the Policy Review and Development Committee defer item 8.11 Review of Council Policy: Elected Member Entitlements to the Policy Review and Development Committee meeting scheduled for 29 January 2025.***

## 9. Questions from Members

### 9.1 Response to Previous Questions from Members taken on Notice

At the Policy Review and Development Committee Meeting held on 28 August 2024, Cr Quain asked a question which was taken on notice and is now presented below with a response.

#### Question

Can the CEO investigate a new Inclusion & Equity Policy which covers the following areas:

- Disability
- Women
- Gender
- First Nations
- Multi-Cultural Community
- Youth
- Seniors

#### Response

In addition to adhering to the requirements of the *Equal Opportunity Act 1984*, the City currently has various policies and documents which address these areas including the Equal Opportunity Council Policy, Disability Access and Inclusion Policy, and the Reconciliation Action Plan.

It is proposed that at a future date a discussion paper could be developed and presented to the Committee for consideration, however the City is not resourced to undertake this at this time. The City is currently recruiting the Manager responsible for this work area, and they could potentially undertake this work in the new year.

### 9.2 Questions from Members

Cr Quain asked the following questions which were taken on notice:

#### Question 1

Which policy speaks to the provision of soap in public bathrooms and can this be presented to the Committee for review.

#### Question 2

Which policy speaks to the provision of hot water in public ablutions and can this be presented to the Committee for review.

## 10. Urgent Business

Nil

## 11. Date of Next Meeting

The next PRDC meeting is scheduled for Wednesday, 29 January 2025.



**12. Close of Meeting**

The Presiding Member closed the meeting at 11:02am.

**Confirmed on 29 January 2025 as a true and accurate record of proceedings of the Policy Review and Development Committee meeting held on 30 October 2024.**

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**Cr Marina Quain**  
**Presiding Member**