



City of Bunbury Council

Minutes

26 November 2024



CITY OF BUNBURY

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Bunbury WA 6230
Western Australia

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Acknowledgement of Country

We acknowledge the traditional owners of the land, the Noongar Wardandi people and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal 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’).

1. Declaration of Opening / Announcements of Visitors

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

2. Disclaimer

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

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

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

Copyright

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

Recording and Webstreaming of Meetings

- All Ordinary and Special Council Meetings are electronically recorded except when Council resolves to go behind closed doors
- All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office
- The live stream can be accessed at <http://www.bunbury.wa.gov.au/Pages/Live-Stream.aspx>
- Recordings can be accessed at <http://www.bunbury.wa.gov.au/Pages/Council-Meeting-Videos-2022.aspx>
- Images of the public gallery are not included in the streaming, however the voices of people in attendance may be captured and streamed.
- If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance Officer on 9792 7000.

3. Announcements from the Presiding Member

The Mayor acknowledged the passing of former Councillor Phyllis Barnes, who was the third woman to be elected to the City of Bunbury Council. The Mayor gave his respects to Phyllis' family, acknowledging her contributions to the City.

4. Attendance

Council Members:	
Presiding Member:	Mayor J de San Miguel
Members:	Deputy Mayor T Smith
	Councillor B Andrew
	Councillor M Kozisek
	Councillor K Turner
	Councillor T Brown
	Councillor P Ramesh
	Councillor M Quain
	Councillor M Steck
	Councillor K Steele
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr A Ferris
A/Director Infrastructure	Ms A Clemens
Director Sustainable Development	Mr A McRobert
City of Bunbury Officers (Non-Voting)	
Manager Governance and Integrated Planning	Mr G Golinski
Manager Communications & Place Activation	Mr J Lynam
Manager Finance	Mr D Ransom
Manager Information Services	Mr E Glass
Team Leader Procurement	Ms J Parsons
Governance Officer	Mr L Murphy
Senior Corporate Communications Officer	Ms K Fielding
Others (Non-Voting)	
Members of the Public	5

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Councillor Ghaseb is on an approved leave of absence from 26 November to 10 December 2024, as approved at item 11.1 on this agenda.

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.”

The Mayor declared an impartiality interest in item 10.3.6 *October 2024 Budget Review*, as he is president of the Colts Cricket Club.

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

The following public questions which were received at the meeting.

Sean Samuels – 36 Whatman Way, Withers

Sean Samuels provided notice of the following question, however he was not present at the meeting. The Mayor advised that his question and response would appear in the minutes.

Question

At the intersection of Albert and Mackinnon roads, copious amounts of cars stop directly across from the intersection on half the road and half the pathway. Have sent numerous emails to fix this before a car accident occurs or worse a pedestrian gets hurt as they have to go onto the busy road to go around them. Can we get bollards put around this section with no stopping/parking signs?

Response

Whilst it is an offence to park on the footpath, the City is unable to sign post for every rule or regulation as this would be impractical. Signage is only required when a specific local government restriction is imposed such as for time permitted to park, a loading zone, etc.

Unfortunately the installation of bollards is also not appropriate mechanism to deal with the complaint as it would create an even bigger hazard for pedestrians and people with mobility aids using the footpath. As footpaths fall under the jurisdiction of the Road Traffic Code, it understood that the owner of illegally parked vehicles would be held accountable.

I believe you were advised that the City's Rangers team will speak with the Manager at Auto Bahn, as it would appear that the offenders are possibly an overflow from that business. In addition, the City will schedule proactive patrols when time permits. If an offence is found during the patrols, enforcement action will be undertaken.

These types of complaints are challenging to resolve as often the Rangers staff arrive after the offence has occurred, however we encourage you to continue calling the Rangers on 08 9792 7106 to report any offences.

Pedr Finn -14a William Street, Bunbury

Question 1

Could the Mayor clarify the inconsistency between the State Government minister's assertion that a potential site has been identified for the provision of temporary crisis accommodation for the city's increasing population of rough sleepers, and the Mayor's statement in his letter requesting such assistance, which indicated that no location had been identified?

Response (Mayor)

The City has never identified a location. The City's letter written to Mr Carey, did not have a potential site. You will need to seek comment from the State Government as to what they are referring to.

Question 2

Could the Mayor explain why the Bunbury City Council's Homelessness and Housing Solutions Working Group, established one year ago, has not advanced and has encountered stagnation? Can he explain why no community members have been designated to the working group, hence hindering the organisation's formal formation and its ability to tackle the homelessness situation in Bunbury? Although the organisation has declared its intention to promote State Government funds to enhance housing in Bunbury, no actions have been taken thus far.

Response (Mayor)

I don't believe that the group has stagnated. Its inaugural meeting was held 28 August 2024, and has met two more times since then. The next meeting is scheduled for January 2025. This group has four Elected Members and key high level staff making decisions to facilitate initiatives such as land activation to support growth, and housing and accommodating options in Bunbury. Feel free to reach out to any of the Elected Members prior to the next meeting.

The City, along with the working group continue to advocate for solutions and support, and collaborate with the relevant service provider organisations such as those involved in the Housing First Strategy to address homelessness.

Question 3

Could the CEO of Bunbury kindly verify if the City of Bunbury has been reported to Worksafe for failing to provide a safe working environment? If yes, could he elaborate how this transpired and what actions have been implemented to rectify the complaint?

Response (CEO)

I can confirm that no complaint has been made by a City Employee, however the City has received a request for information and is fully cooperating with the regulator in relation to their enquiries. It would be inappropriate to discuss details while enquiries are underway. Further information will be reported to Council as required.

Paul Stanner – 11 Holywell Street, South Bunbury

Question

What are Council's intentions for the Punchbowl Caravan Park site?

Response (CEO)

Council has agreed to undergo a process to seek registrations of interest, which are out right now and will run for a further 2 weeks. Prior to the process, there have been a number of offers and interest in the site. Following the process, the City will look at what is being offered and make a decision as to what is most beneficial to the City in regard to planning and financial outcomes. The registration of interest process does not bind Council to anything. The City acknowledges the importance of this site, while also acknowledging that there are several constraints which have been identified as part of the registration of interest process.

The Mayor invited Mr Stanner to have further discussion with the City outside of the Council meeting.

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 4 November 2024 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the City of Bunbury Council held 4 November 2024 be confirmed as a true and accurate record.

Voting Requirement: Simple Majority Required

Outcome of Meeting 26 November 2024

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

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

Council Decision 232/24

The minutes of the Ordinary meeting of the City of Bunbury Council held 4 November 2024 be confirmed as a true and accurate record.

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

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: PRDC Minutes 30 October 2024 Appendix 7.1.2-B Audit Committee Minutes 19 November 2024

Summary

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

1. Title: Policy Review and Development Committee
Author: Liam Murphy, Governance Officer
Appendix: 7.1.2-A
2. Title: Audit Committee
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:

1. Policy Review and Development Committee 30 October 2024.
2. Audit Committee Minutes 19 November 2024

Voting Requirement: Simple Majority

Outcome of Meeting 26 November 2024

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

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

Council Decision 233/24

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

- 1. Policy Review and Development Committee 30 October 2024.***
- 2. Audit Committee Minutes 19 November 2024***

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

8. Petitions, Presentations, Deputations and Delegations

8.1 Petitions

Nil

8.2 Presentations

Nil

8.3 Deputations

Nil

8.4 Council Delegates' Reports

Nil

8.5 Conference Delegates' Reports

Nil

9. Method of Dealing with Agenda Business

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

Pursuant to Standing Order 5.5, the Council “*adopted by exception*” (i.e. without discussion) those employee recommendations listed for item 10.1.1, 10.1.2, 10.1.4, 10.1.5, 10.1.6, 10.1.7, 10.1.9, 10.1.10, 10.1.11, 10.2.1, 10.3.1, 10.3.2, 10.3.3, 10.3.4, 10.3.5, 10.4.1, and 10.5.1.

Items 10.1.3, 10.1.8, 10.3.6 and 10.5.2 were discussed and voted on separately.

All items have been renumbered in the order they were considered with the items voted “*by exception*” listed first.

The items “*adopted by exception*” were moved by Cr Quain and seconded by Cr Smith.

10. Reports

10.1 Review of Council Policy: Naming Conventions (listed as 10.1.1 in the agenda)

Fine No.	COB/306
Applicant:	Policy Review and Development Committee
Responsible Officer:	Aaron Lindsay, Manager Projects and Asset Management
Responsible Manager:	Aaron Lindsay, Manager Projects and Asset Management
Executive:	Brendan Smith, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.1.1-A: REVISED Council Policy Naming Conventions

Summary

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

Committee & Executive Recommendation

That Council adopt revised Council Policy Naming Conventions as presented at Appendix 10.1.1-A.

Voting Requirement: Simple Majority Vote

Strategic Relevance

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

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 biennial 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 10.1.1-A.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Not applicable.

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

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

Outcome of Meeting 26 November 2024

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

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

Council Decision 234/24

That Council adopt revised Council Policy Naming Conventions as presented at Appendix 10.1.1-A.

CARRIED UNANIMOUSLY

10 votes “for” / Nil votes “against”

10.2 Review of Council Policy: Local Supplier Preference and Purchasing (listed as 10.1.2 in the agenda)

File Ref:	COB/306
Applicant/Proponent:	Policy Review and Development Committee
Responsible Officer:	Jane Parsons, Team Leader Procurement
Responsible Manager:	David Ransom, Manager Finance
Executive:	Karin Strachan, 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:	Appendix 10.1.2-A REVISED Purchasing Council Policy Appendix 10.1.2-B CURRENT Purchasing Council Policy Appendix 10.1.3-C Local Supplier Preference Council Policy

Summary

This report is presented to Council by 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.

Committee & Executive Recommendation

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 10.1.2-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 10.1.2-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 10.1.2-B and the revised policy in Appendix 10.1.2-A.

Original Section	Amendment Analysis
POLICY STATEMENT	No change
POLICY SCOPE	New – added in line with other Council Policies
POLICY OBJECTIVES	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.
POLICY DETAILS	Has been removed and incorporated into POLICY OBJECTIVES to have section headings consistent with other COB Council policies.
1. Definitions	Has been expended to cover more terms, and is found in POLICY OBJECTIVES
2. Ethics & Integrity	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
3. Principles of Procurement	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
4. Value for money	The information has been moved to 2. Principles of Procurement
5. Purchasing Requirements	<i>This has been promoted to a separate section heading PURCHASING REQUIREMENTS rather than a heading.</i> 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
5.1 Purchasing Conditions	Now 7. Purchasing Conditions The content is now: <ol style="list-style-type: none"> a. (original). is now found in Table 3. b. (now a.) has been simplified. c. (now b.) has been updates to reflect the correct documentation. d. has now been appended to Table 1. and simplified. e. has been expanded and now can be found in 3. Compliance Requirements.
5.2 Records Management	Promoted to heading 14. Records Management and simplified.

Original Section	Amendment Analysis
5.3 Requests for Tender where value is less than the Tender Threshold	Removed as this is already covered in Functions and General Regulation 13.
5.5 Minor Variations	New Section heading added CONTRACT MANAGEMENT REQUIREMENTS 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.
5.6 Variation after Contract Commencement	Now 10. Variation after Contract Commencement. Minor wording changes to improve readability.
5.7 Elected Members and Designated Senior Employees	Now 16 Elected Members and Designated Senior Employees
5.8 Contract Extension	Now 11 Contract Extension Minor wording changes to simplify
5.9 Contract Novation	Now 12 Contract Novation Minor wording changes to simplify and improve readability.
5.10 Contract Expiry	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.
5.11 Conflicts of Interest	New section heading added OTHER REQUIREMENTS Now 13 Conflict of Interest. No change to content
5.12 Education & training	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>6. Exceptions to Procurement Requirements</p>	<p>Now a section heading EXEMPTIONS TO PURCHASING REQUIREMENTS.</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> <ol style="list-style-type: none"> 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. b. Provide guidance to officers on example operational reasons for a discretionary exemption, and what doesn't justify a discretionary purchase. <p>These changes are in line with policies from City of Perth, City of Busseton, 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>7. Panels of Pre-Qualified Suppliers Established by the City</p>	<p>Now a section heading PANELS OF PRE-QUALIFIED SUPPLIERS ESTABLISHED BY THE CITY</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>8. Authorisation to approve and issue purchase orders</p>	<p>Now covered in Purchasing Authority and Purchasing Conditions</p>
<p>9. Purchasing Policy non-compliance</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 Council by 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 Meeting 26 November 2024

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

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

Council Decision 235/24

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 10.1.2-A.***

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

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 Council by the Policy Review and Development Committee for consideration.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Immediately following Council decision.

Outcome of Meeting 26 November 2024

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

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

Council Decision 236/24

That Council adopt the revised Town Planning Appeal Applications for Review Council Policy as attached at appendix 10.1.4-A, noting the change of name to State Administrative Tribunal Development Applications for Review Council Policy.

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

10.4 Review of Council Policy: Worker Wellbeing (listed as 10.1.5 in the agenda)

File Ref:	COB/306
Applicant/Proponent:	Policy Review and Development Committee
Responsible Officer:	Odetta Robertson, Manager People and Safety
Responsible Manager:	Odetta Robertson, Manager People and Safety
Executive:	Karin Strachan, 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:	Appendix 10.1.5-A: REVISED Council Policy: Worker Wellbeing

Summary

The purpose of this report is for Council to review the Worker Wellbeing Council Policy.

Committee & Executive Recommendation

That Council adopt the revised Worker Wellbeing Council Policy as presented at Appendix 10.1.5-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 10.1.5-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 Council by the Policy Review and Development Committee for consideration.

Timeline: Council Decision Implementation

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

Outcome of Meeting 26 November 2024

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

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

<p>Council Decision 237/24</p>

<p><i>That Council adopt the revised Worker Wellbeing Council Policy as presented at Appendix 10.1.5-A</i></p>

<p>CARRIED UNANIMOUSLY 10 votes “for” / Nil votes “against”</p>

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 10.1.6-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 Council by the Policy Review and Development Committee for consideration.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

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

Outcome of Meeting 26 November 2024

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

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

Council Decision 238/24

That Council adopt revised Council Policy Bushfire Inspection and Mitigation as presented at appendix 10.1.6-A.

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

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 of 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 presented to Council by the Policy Review and Development Committee for consideration.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Immediately following Council decision.

Outcome of Meeting 26 November 2024

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

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

Council Decision 239/24

That Council:

- 1. Adopt the revised and renamed Information Privacy Policy as presented at Appendix 10.1.7-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.***

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

10.7 Review of Council Policy: Public Interest Disclosure (listed as 10.1.9 in the agenda)

File Ref:	COB/306
Applicant/Proponent:	Policy Review and Development Committee
Responsible Officer:	Maureen Keegan, Senior Governance Officer
Responsible Manager:	Greg Golinski, Manager Governance and Integrated Planning
Executive:	Karin Strachn, 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:	Appendix 10.1.9-A REVISED Public Interest Disclosure Policy

Summary

The purpose of this report is for Council to review the existing Council policy relating to Public Interest Disclosure.

Committee & Executive Recommendation

That Council endorse the revised Council Policy Public Interest Disclosure presented at Appendix 10.1.9-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 Meeting 26 November 2024

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

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

Council Decision 240/24

That Council endorse the revised Council Policy Public Interest Disclosure presented at Appendix 10.1.9-A

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

10.8 Draft Auditors Report and Annual Financial Report for the year ending 30 June 2024 (listed as 10.1.8 in the agenda)

File Ref:	COB/5574
Applicant/Proponent:	Audit Committee
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 type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.1.10-A: Draft Annual Financial Report and Auditor's Report

Summary

The Auditor's Report and Annual Financial Report of the City of Bunbury for the financial year ending 30 June 2024 are attached at Appendix 10.1.10-A for the information Council.

The Auditor's Report (refer Pages 62 - 64 in the attached Annual Financial Report) is in 'draft' as Ms Carly Meagher, Director Financial Audit, from the Office of the Auditor General WA is required to meet with the Audit Committee prior to the signing of the Auditor's Report. Ms Meagher attended the meeting of the Audit Committee on 19 November to answer any questions, as did Mr James Arthur from Moore Australia.

The Auditor General Independent Auditor's Report has confirmed that the financial report is based on proper accounts and records, and fairly represents, in all material respects, the results of the operations and the financial position of the City for the year ended 30 June 2024.

Committee & Executive Recommendation

That Council accept the Auditor General Independent Auditor's Report and the Audited Annual Financial Report of the City of Bunbury for the financial year ending 30 June 2024.

Voting Requirements: Simple Majority

Background

The Auditor General has audited the 2023/24 Annual Financial Report and have provided an Independent Auditor's Report as required under the relevant provisions of the *Local Government Act 1995* (the Act). The Auditor's Report and Annual Financial Report are now presented to the Audit Committee.

Furthermore, section 7.12A(2) of the Act requires a local government to meet with its Auditor at least once in every year.

Council Policy Compliance

N/A

Legislative Compliance

Section 7.9(1) of the Act requires the Auditor to submit a report to the local government by 31 December each year.

Section 7.12A(2) of the Act requires a local government to meet with its Auditor at least once each year.

Officer Comments

There are five (5) primary financial statements:

- Statement of Comprehensive Income
- Statement of Financial Position
- Statement of Changes in Equity
- Statement of Cash Flows
- Rate Setting Statement
-

Statement of Comprehensive Income: The Statement of Comprehensive Income (Page 4 of the Financial Report) shows the extent to which operating income has exceeded operating expenditure during the financial year.

Key financial figures within the audited Annual Financial Report for the year ended 30 June 2024 include:

	<u>2024</u>	<u>2023</u>
Operating Revenue	\$70,268,392	\$64,419,665
Operating Expenses	\$(79,587,393)	\$(75,286,324)
Operating Surplus / (Deficit)	\$(9,319,001)	\$(10,866,659)
Net Result	\$1,042,475	\$(6,536,423)

For the year ending 30 June 2024, the operating deficit was \$9.3M compared to an operating deficit of \$10.8M in 2022/23, a decrease of \$1.5M. Revenue increased by \$5.8M and expenditure increased by \$4.3M.

Operating Revenue – The City received \$5.8M more in 2023/24 than in 2022/23. This was mainly due to receiving \$3.3M more in Rates, an increase in Fees and Charges of \$1.7M and higher Interest Revenue of \$579K. In 2023/24 \$46.3M of rates were raised, an increase of \$3.3M or 7.7% on 2022/23. Note: the property rate increase was 7.0%. The increase in Fees and Charges income was mainly due to higher waste collection charges of \$913K (e.g. higher contract charges for recycling passed on to users), and higher sports facility fees (including South West Sport Centre memberships, café sales and admission income).

Operating Expenditure – The increase in operating expenditure of \$4.3M from the previous year was mainly due to increases in Employees Costs of \$3.1M mainly due to the EBA increase of 4.0% and increase in FTE's, Materials and Contracts of \$3.2M mainly due to a \$2.9M increase in contractors expenditure (including storm damage clean up, building maintenance and Withers regional renewal project costs), and increase in material expenditure of \$337K; and Depreciation increased by \$753K. This was offset by a decrease in Other Expenditure of \$2.9M, as the contribution to the Bunbury Harvey Regional Council in 2022/23 for cell capping was a one-off expense.

Net Result - The Net Result was \$1.0M which includes the Operating Revenue and Expenditure results above, plus Capital Grants of \$13.9M (including \$9.1M for the Hands Oval

Redevelopment), Net Loss on Asset Disposal of \$3.8M, and Share of Net Profit in Associates (i.e. Bunbury Harvey Regional Council) \$242K. This compares to a loss of \$6.5M in 2022/23.

This Statement also accounts for the Changes on Revaluation of Non-Current assets which was an increase of \$90.4M, mainly from the revaluation increment of stormwater assets of \$90.0M. This resulted in Total Comprehensive Income for 2023/24 of \$91.5M. In 2022/23 this was \$(1.6M).

Statement of Financial Position: The Statement of Financial Position (Page 5 of the Financial Report) shows the assets and liabilities which make up the Community Equity as at the 30 June 2024.

Key financial figures within the Annual Financial Report for the year ended 30 June 2024 include:

	<u>2024</u>	<u>2023</u>
Current Assets	\$43,775,439	\$41,207,536
Current Liabilities	<u>\$(19,385,078)</u>	<u>\$(17,159,859)</u>
Current Assets over Current Liabilities	\$24,390,361	\$24,047,677
Non-Current Assets	\$570,768,390	\$473,498,801
Non-Current Liabilities	<u>\$(15,693,051)</u>	<u>\$(9,567,402)</u>
Total Equity	\$579,465,700	\$487,979,076

The City's Current Assets exceed Current Liabilities in 2023/24 by \$24.4M, compared to \$24.0M in 2022/23, an increase of \$343K.

Non-Current Assets increased by \$97.3M mainly due to an increase in Stormwater assets of \$88.3M (\$90.0 in revaluation increment) and increase in capital works in progress \$13.3M (including Hands Oval and Forrest Park Pavilion and foreshore marine walls).

Non-Current Liabilities increased by \$6.1M mainly due to an increase in borrowings.

These changes contributed to the increase in total Community Equity at 30 June 2024 by \$91.5M to \$579.5M.

Statement of Changes in Equity: The Statement of Changes in Equity (Page 6 of the Financial Report) shows the extent to which the Community Equity has been increased by the net result of the year's activities. For the year ending 30 June 2024, the Community Equity increased from \$488.0M to \$579.5M, an increase of \$91.5M as explained in the Statement of Financial Position and the Statement of Comprehensive Income above.

Statement of Cash Flows: The Statement of Cash Flows (Page 7 of the Financial Report) shows the nature and amount of the City's cash inflows and outflows from all activities. At the end of the reporting period the City's cash holdings were \$34.5M compared to \$36.0M in 2022/23, a decrease of \$1.5M.

Statement of Financial Activity: The Statement of Financial Activity (Pages 8 and 9 of the Financial Report) shows the surplus position after income and expenditure activity during the year. At the end of 2023/24 the Surplus After Imposition of General Rates was \$4.8M. This was \$79K less than last year.

The Surplus of \$4.8M includes the following items to result in an unallocated closing surplus of \$473K.

Closing Surplus Funds	\$4,820,575
<u>Less:</u>	
Projects not finalised in 2023/24 carried forward to 2024/25	\$(1,505,205)
Amount required to fund the 2024/25 Budget	\$(1,006,045)
2024/25 Financial Assistance Grants received in advance	<u>\$(1,836,367)</u>
Unallocated Closing Surplus Funds	\$472,958

Analysis of Financial and Budget Implications

There are no financial or budget implications for the Committee to accept the Annual Financial Statements and Auditor’s Report.

Community Consultation

The Annual Financial Report will be included in the City’s 2023/24 Annual Report and will be available on the City’s website.

Elected Member/Officer Consultation

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

Timeline: Council Decision Implementation

Effective immediately once adopted by Council.

Outcome of Meeting 26 November 2024

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

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

Council Decision 241/24

That Council accept the Auditor General Independent Auditor’s Report and the Audited Annual Financial Report of the City of Bunbury for the financial year ending 30 June 2024.

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

10.9 Audit Management Letter for the year ending 30 June 2024 (listed as 10.1.11 in the agenda)

File Ref:	COB/5574
Applicant/Proponent:	Audit Committee
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 type="checkbox"/> Information Purposes <input checked="" type="checkbox"/> Legislative
Attachments:	Appendix 10.1.11-A: Audit Management Letter

Summary

Following the 30 June 2024 financial audit, the City’s auditor, the Auditor General, has issued their Management Letter (attached at Appendix 10.1.11-A). The Management Letter comments on matters noted during the audit and provides recommendations to be considered.

The following three matters were raised in the Management Letter:

1. Bunbury Harvey Regional Council
2. Information Technology Controls
3. Procurement – Segregation of Duties

A management comment responding each of these finding is included in the Management Letter attached.

Committee & Executive Recommendation

That Council notes the Management Letter for the City of Bunbury annual financial audit for the year ending 30 June 2024.

Voting Requirements: Simple Majority

Background

At the completion of the annual financial audit the Auditor (if required) will provide a list of deficiencies in internal control and other matters that were identified during the audit.

Council Policy Compliance

There are no Council policies relating to this report.

Legislative Compliance

Section 7.9(1) of the Act requires the auditor to submit a report to the local government by 31 December each year.

Section 7.12A(2) of the Act requires a local government to meet with its Auditor at least once each year.

Officer Comments

Officer comments on the three items identified by Auditor General have been included in the Management Letter attachment.

Analysis of Financial and Budget Implications

There are no financial or budget implications for Council to note the Management Letter.

Community Consultation

Not required.

Elected Member/Officer Consultation

This matter is presented to Council by the Committee for consideration.

Timeline: Council Decision Implementation

Effective immediately once adopted by Council.

Outcome of Meeting 26 November 2024

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

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

Council Decision 242/24

That Council notes the Management Letter for the City of Bunbury annual financial audit for the year ending 30 June 2024.

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

10.10 CEO Key Performance Indicators Quarter 1 2024-25 (listed as 10.2.1 in the agenda)

File Ref:	COB/515		
Applicant/Proponent:	CEO Performance Review Panel		
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 type="checkbox"/> Information Purposes
	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/>	
	<input type="checkbox"/> Legislative		
Attachments:	Appendix 10.2.1-A CEO KPIs Report – Period ending 30 September 2024		

Summary

Each year, the CEO Performance Review Committee collaborates with the Chief Executive Officer to establish Key Performance Indicators (KPIs) for the City of Bunbury. These KPIs guide the City's priorities and reporting commitments.

This report provides an update on the City’s progress toward achieving these KPIs for Quarter 1 of the 2024-25 period.

Executive Recommendation

That Council notes the CEO KPIs Quarter 1 2024-25 Report for the period ending 30 September 2024, as presented in Appendix 10.2.1-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

Nil

Background

The CEO’s performance criteria outline Council's expectations and strategic priorities for the review period, ensuring alignment between the Council and CEO on priority outcomes and accountability standards. Regular reviews enable Council to address potential issues early and adjust resources or expectations as needed.

The performance criteria were developed in line with the City's Performance Review schedule, aligning with the Strategic Community Plan and budget processes. Council resolved to endorse the adopted CEO Performance Criteria for 2024-25 at the Ordinary Council Meeting on 23 July 2024, with PC1 and PC2 KPIs to be formally reported to Council via a quarterly agenda item.

Council Policy Compliance

No Council Policy applies in this instance.

Legislative Compliance

No Legislative Compliance applies in this instance.

Officer Comments

The next CEO KPIs report is scheduled to be presented in the Council Agenda at the Ordinary Council Meeting in February 2025, which will be reporting on Quarter 2 2024-25.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

Elected Members adopted the 2024-25 CEO KPIs at the Ordinary Council Meeting held on 23 July 2024 and Officers have assisted with the compilation of the Quarter 1 2024-25 report.

Outcome of Meeting 26 November 2024

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

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

Council Decision 243/24

That Council notes the CEO KPIs Quarter 1 2024-25 Report for the period ending 30 September 2024, as presented in Appendix 10.2.1-A.

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

10.11 Update on the implementation of the City’s Digital Strategy

File Ref:	COB/6321
Applicant/Proponent:	Internal
Responsible Officer:	Elijah Glass – Manager Information Services
Responsible Manager:	Elijah Glass – Manager Information Services
Executive:	Karin Strachan, Director Corporate and Community
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:	Nil

Summary

This update aligns with Key Performance Indicator (KPI) 8: Prosperity - Digital Strategy Efficiency and Effectiveness Reporting, which aims to assess the impact and efficiency of the City's Digital ICT Strategy. This agenda item provides an update on the City of Bunbury's ICT Delivery, including the establishment of the ICT Board for decision-making, final stages of completion of the current Digital ICT Strategy, and opportunities to continue developing the City’s digital capabilities.

Executive Recommendation

That Council note the ongoing benefits achieved through delivery of the 2022 Digital ICT Strategy and the Evolve program.

Voting Requirement: Simple majority

Strategic Relevance

Pillar	Reputation
Aspiration	Performance
Outcome 13	A Leading local Government
Objective 13.2	Adopt innovations to improve business efficiencies and the customer experience

Regional Impact Statement

The ICT Strategy aims to improve the efficiency and digital capabilities of the City of Bunbury, positively impacting service delivery for the Bunbury-Geographe region.

Background

In 2022, the City of Bunbury adopted an ambitious Digital ICT Strategy to enhance its digital capabilities and create a centre of excellence. Key accomplishments under the delivery of this strategy include improved user experiences, digital innovation projects, informed decision making and enhancements in data integration. The team has truly developed into a centre of excellence, with many of the digital products (*such as the Elected Member portal, Community Portal, digital tools for outside staff, chat bot*) developed in-house by the team. This delivery of this strategy is in its final stages of completion, positioning Bunbury with a good foundation for continued innovation and the developed of a new Digital ICT Strategy in 2025.

Council Policy Compliance

No specific council policy requirements apply.

Legislative Compliance

No specific legislative requirements apply.

Officer Comments

As the 2022 Digital ICT Strategy reaches its final stages of completion, the City will now commence work on the 2025 Digital ICT Strategy. The 2025 Strategy will aim at building on these achievements by incorporating lessons learned and setting new priorities to continue advancing the City's digital transformation.

To support the Council's key performance indicator (KPI) regarding Digital Strategy Efficiency and Effectiveness, provided below are examples of key digital initiatives that have been delivered by the team over the past months:

- **Oracle Customer Experience (CX) System:** Enhances service delivery through streamlined customer interaction processes.
- **Community Portal:** The portal went live a week ago, enabling customer ownership and transparency by providing a direct interface for community interactions.
- **Data Hub Project:** Improves data-driven decision-making by consolidating key data sources.
- **Devices for Outside Staff:** Enabled better field data collection and provided real-time connectivity, resulting in greater transparency and efficiency.
- **Online Leave and Timesheets:** Introduced transparency in staff management processes and improved administrative efficiency.
- **Pulse for Risk and Projects:** Supports informed decision-making across the organisation, facilitating better risk management and project tracking.
- **DocuSign for Recordkeeping:** Streamlined approval processes and improved compliance with record-keeping requirements.

These digital initiatives align with our goals of informed decision-making, improved service delivery, and increased community engagement as outlined in our Digital ICT Strategy. The progress on these projects demonstrates measurable milestones, such as enhanced efficiency metrics, improved turnaround times, and greater community engagement through our digital platforms.

A notable recent accomplishment is the establishment of the ICT Board, which now oversees ICT-related decision-making to ensure alignment with the City's strategic goals.

The establishment of the ICT Board represents a critical step forward in modernising the City's digital governance, ensuring that ICT investments and initiatives are properly prioritised and aligned with strategic objectives. One of the key decisions endorsed by the ICT Board, based on recommendations from KPMG, is the scoping and planning for the replacement of the current ERP system to further enhance operational efficiency and integration. A project team has been established for this work, and it is anticipated that up to 12 months of Business needs analysis and scoping will take place prior to any decisions coming to Council on how to proceed with the City's ERP.

Analysis of Financial and Budget Implications

The Digital ICT Strategy delivery initiatives are funded under the approved Digital Transformation budget for 2024.

Community Consultation

No specific community consultation was undertaken for this agenda item.

Councillor/Officer Consultation

Consultation occurred with members of the ICT Board and the Director of Corporate and Community.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Not applicable

Outcome of Meeting 26 November 2024

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

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

Council Decision 244/24

That Council note the ongoing benefits achieved through delivery of the 2022 Digital ICT Strategy and the Evolve program.

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

10.12 2023/24 Annual Report and Annual General Meeting of Electors (listed as 10.3.2 in the agenda)

File Ref:	COB/6321
Applicant/Proponent:	Internal Report
Responsible Officer:	Maureen Keegan, Senior Governance Officer
Responsible Manager:	Greg Golinski, Manager Governance & Integrated Planning
Executive:	Karin Strachan, Director Corporate & Community Services
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 10.3.2-A: City of Bunbury Annual Report 2023/2024

Summary

The purpose of this report is for Council to consider accepting the 2023/2024 Annual Report for the City of Bunbury and to confirm a date for the Annual Meeting of Electors.

Note that the draft report provided at Appendix 10.3.2-A is an abridged version that will have the Auditors Report and Annual Financial Report added to it once these finalised and signed by the OAG (see item 10.1.10 of this agenda).

Executive Recommendation

That Council:

1. Accept the 2023/24 Annual Report as presented at Appendix 10.3.2-A;
2. Schedules the 2024 Annual Meeting of Electors for Tuesday 17 December 2024, commencing at 5.00pm in the City of Bunbury Council Function Room, 4 Stephen Street Bunbury; and
3. Request the Chief Executive Officer undertake all statutory advertising in this regard.

Voting Requirement: Simple Majority

Strategic Relevance

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

Regional Impact Statement

N/A

Background

In accordance with the provisions of section 5.27 of the *Local Government Act 1995* (the Act), a general meeting of electors of a district is to be held once every financial year, but not more than 56 days after the local government accepts the annual report for the previous financial year.

In addition, section 5.29(1) of the Act requires a minimum 14 day notice period of the annual meeting of electors be given via local public notice.

Council Policy Compliance

Nil

Legislative Compliance

Subdivision 4 of Division 2 of Part 5 of the *Local Government Act 1995* deals with meetings of electors.

Division 5 of Part 5 of the *Local Government Act 1995* deals with Annual Reports and Planning.

Officer Comments

The City's 2023/24 Annual Report is attached at Appendix 10.3.2-A for the consideration of Council. The report contains an overview of the City's achievements during the past financial year, as well as all requisite statutory aspects.

It is suggested that the 2023/24 Annual General Meeting of Electors be held on Tuesday, 17 December 2024 commencing at 5.00pm. This would enable any outcomes from the meeting to be dealt with by Council at the first Ordinary Council Meeting (OCM) for 2025.

Pending Council adoption of the executive recommendation, the latest date the Annual General Meeting of Electors can be held is Tuesday, 21 January 2025 given the 56 day requirement.

Analysis of Financial and Budget Implications

All advertising costs for the Annual Meeting of Electors can be accommodated within the current 2024/25 budget.

Community Consultation

Nil

Councillor/Officer Consultation

This matter is presented to Council for consideration.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Advertising for the Electors' Meeting will take place as soon as practicable following Council's decision, with the meeting itself to be held on the date resolved by Council.

Outcome of Meeting 26 November 2024

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

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

Council Decision 245/24

That Council:

- 1. Accept the 2023/24 Annual Report as presented at Appendix 10.3.2-A;**
- 2. Schedules the 2024 Annual Meeting of Electors for Tuesday 17 December 2024, commencing at 5.00pm in the City of Bunbury Council Function Room, 4 Stephen Street Bunbury; and**
- 3. Request the Chief Executive Officer undertake all statutory advertising in this regard.**

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

Legislative Compliance

Regulation 19DA of the Local Government (Administration) Regulations outlines the requirements for a Corporate Business Plan.

Officer Comments

The Corporate Business Plan communicates the City's plan for the next four years for delivering the aspirations and objectives of the community as set out in the Strategic Community Plan.

A report on progress toward achieving the outcomes of the Corporate Business Plan is presented to Council quarterly. This is intended to ensure transparency to Council and the community, and that implementation is done on time and on budget thereby maximising effectiveness and positive community impact.

The report is organised by each of the core performance area pillars - People, Plant, Place, Prosperity, and Performance - and includes for each action the overall status; budget and budget status indicator; the quarter in the financial year by which the action is due to be completed; and a Manager or Executive comment.

The report outlines progress towards actions scheduled for completion within the 2024-2025 financial year.

Analysis of Financial and Budget Implications

Budget figures included in the Report are aligned with the operating and capital project expenditure outlined in the Corporate Business Plan 2024 -2028, and Annual Budget 2024-2028.

Community Consultation

Nil

Councillor/Officer Consultation

Elected Members adopted The Corporate Business Plan 2024 - 2028 at the Special Council Meeting held on 24 July 2024. The Plan was developed in consultation with Executives, Managers, and Officers. Executive and Managers were engaged by Officers in compilation of the Quarter 1 2024-25 report.

Outcome of Meeting 26 November 2024

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

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

Council Decision 246/24

That Council notes the Corporate Business Plan Quarter 1 2024-25 Report. For the period ending 30 September 2024, as presented in Appendix 10.3.3-A.

CARRIED UNANIMOUSLY

10 votes “for” / Nil votes “against”

10.14 Schedule of Accounts Paid for the period 1 October 2024 to 31 October 2024 (listed as 10.3.4 in the agenda)

File Ref:	COB/6615	
Applicant/Proponent:	Internal Report	
Responsible Officer:	David Ransom, Manager Finance	
Responsible Manager:	David Ransom, Manager Finance	
Executive:	Karin Strachan, Director Corporate and Community	
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Information Purposes
Attachments:	Appendix 10.3.4-A: Schedule of Accounts Paid	

Summary

The City of Bunbury "*Schedule of Accounts Paid*" covering the period 1 October 2024 to 31 October 2024 is attached at Appendix 10.3.4-A. The schedule contains details of the following transactions;

1. Municipal Account – payments totalling \$18,866,055.62
2. Trust Account – payments totalling \$24,650.08
3. Visitor Information Centre Trust Account – payments totalling \$7,648.30

Executive Recommendation

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

Voting Requirement: Simple Majority

Outcome of Meeting 26 November 2024

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

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

Council Decision 247/24

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

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

10.15 Financial Management Report for the Period Ending 31 October 2024 (listed as 10.3.5 in the agenda)

File Ref:	COB/6615
Applicant/Proponent:	Internal Report
Responsible Officer:	David Ransom, Manager Finance
Responsible Manager:	David Ransom, Manager Finance
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 checked="" type="checkbox"/> Legislative <input checked="" type="checkbox"/> Information Purposes
Attachments:	Appendix 10.3.5-A: Statement of Comprehensive Income Appendix 10.3.5-B: Statement of Financial Activity Appendix 10.3.5-C: Statement of Net Current Assets Appendix 10.3.5-D: Statement of Financial Position Appendix 10.3.5-E: Capital Projects Expenditure Summary Appendix 10.3.5-F: Operating Projects Expenditure Summary Appendix 10.3.5-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 10.3.5-A)
 Actual Financial Performance to 31 October 2024 (refer explanations within the report)
 - Actual operating income of \$64.62M is \$455K more than the year-to-date budgeted income of \$64.17M.
 - Actual operating expenditure of \$25.32M is \$467K under the year-to-date budgeted expenditure of \$25.78M.
 - Actual operating surplus of \$39.30M is \$922K more than the year-to-date budgeted operating surplus of \$38.38M.

2. Statement of Financial Activity (**attached** at Appendix 10.3.5-B)

After taking into account the increase in the City’s closing position of \$473K from the audited financial statements 30th June 2024 and the changes noted in the October 2024 Budget Review, the 2024/25 Budget returns to a fully funded position.

3. Statement of Financial Position (**attached** at Appendix 10.3.5-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 \$86.57M includes:		
- Cash and Investments	\$55.33M	\$23.46M
- Rates Receivable	\$25.56M	\$1.93M
- Other Current Assets	\$5.68M	\$6.95M
* Current Liabilities of \$24.72M includes:		
- Trade and Other Payables	\$16.59M	\$10.82M
- Annual Leave and LSL Provisions	\$5.30M	\$5.61M

- | | | |
|--|-----------|-----------|
| * Working Capital
(Current Assets less Current Liabilities) | \$61.85M | \$12.92M |
| * Equity
(Total Assets less Total Liabilities) | \$619.08M | \$576.08M |
4. Capital Works (**attached** at Appendix 10.3.5-E)
- Actual capital works of \$7.12M is \$1.26M less than the year-to-date budgeted capital works of \$8.38M (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 10.3.5-F)
- Actual operating project expenditure of \$1.32M is \$287K less than the year-to-date budgeted operating project expenditure of \$1.61M.
 - 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 October 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 10.3.5-A)
- Statement of Financial Activity (**attached** at Appendix 10.3.5-B)
- Statement of Net Current Assets (**attached** at Appendix 10.3.5-C)
- Statement of Financial Position (**attached** at Appendix 10.3.5-D)
- Capital Projects Expenditure Summary (**attached** at Appendix 10.3.5-E)
- Operating Projects Summary (**attached** at Appendix 10.3.5-F)
- Monthly Community Financial Report (**attached** at Appendix 10.3.5-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.

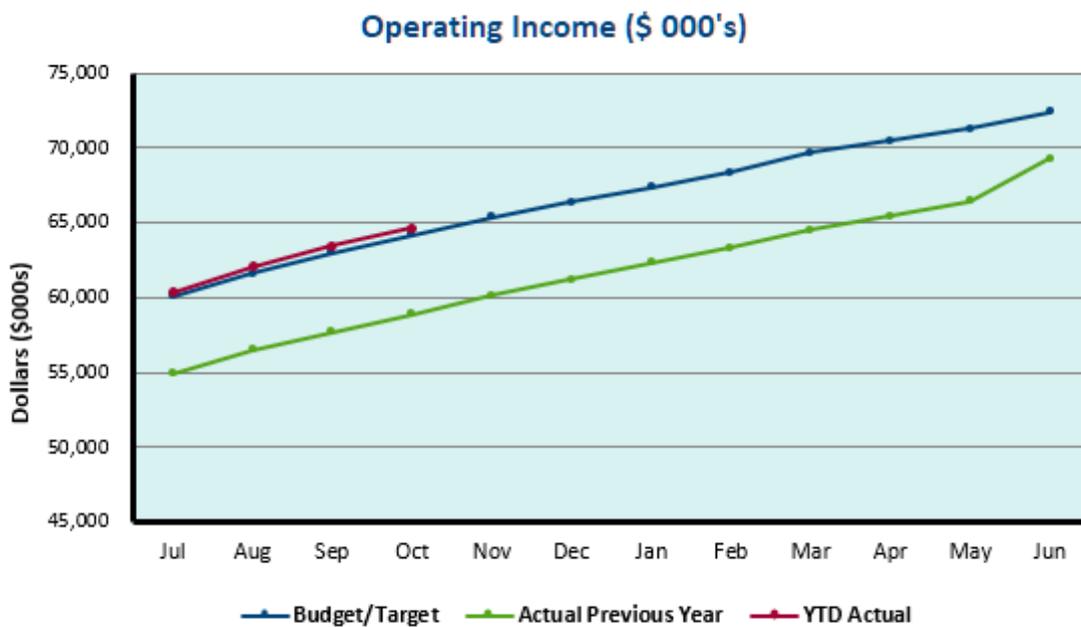
Legislative Compliance

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 10.3.5-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.

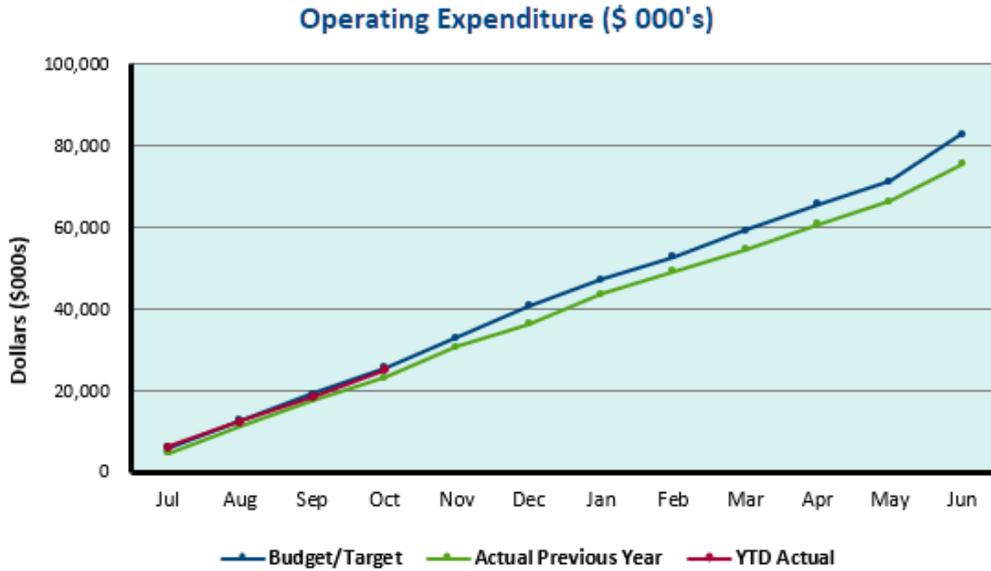
Officer Comments

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.

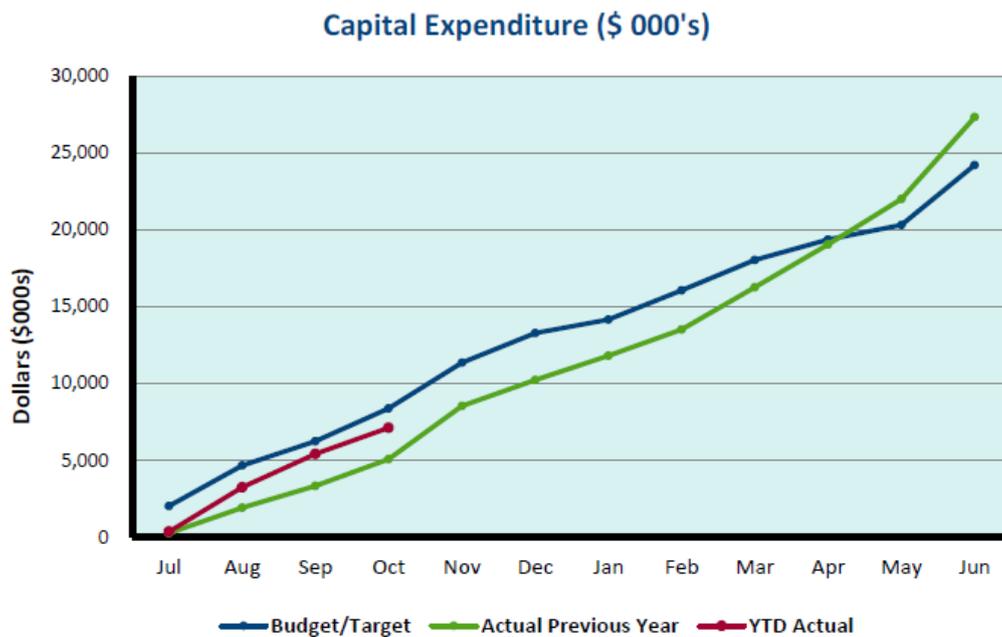


Note: Operating income includes: rates, fees and charges, operating grants and subsidies, contributions, reimbursements and donations, interest and other revenue.

Actual operating income of \$64.62M is \$455K more than the year-to-date budgeted income of \$64.17M.



Note: Actual operating expenditure is below the year-to-date budget by \$467K.



Note: The actual capital expenditure at the end of October 2024 of \$7.12M is \$1.26M less than the year-to-date budget of \$8.38M. 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 10.3.5-E and 10.3.5-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 \$304K mainly due to higher than expected, workers compensation reimbursements (\$117K), government paid parental leave (\$66K), deceased estate donation to Bunbury Wildlife Park of (\$27K) and contribution towards City Road Network (\$26K). Forecasts have been updated.	\$304,929 194%
<i>Interest Received</i> – Favourable year-to-date variance of \$89K mainly due to higher than expected returns on investments and rate debtor non-payment penalty interest. Forecasts have been update.	\$89,208 10%
Capital Expenses	
<p><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:</p> <p>PR-5118 Regional Roadworks program - Bussell Highway - \$200K PR-5278 Renew and upgrade local roads (Industrial) as per AMP 2024/25 - \$150K PR-5291 Blackspot roadworks 2024/25 - \$115K PR-5164 Renew or refurbish community, corporate, sport and leisure buildings, as per AMP 2024/25 - \$102K PR-5113 Blackspot Roadworks 2023/24 - \$100K PR-5322 Netball Court Refurbishment - \$80K PR-5219 Renew open space infrastructure 2024/25 - \$76K PR-1543 Boulters Heights Redevelopment - \$65K PR-4671 Traffic calming and minor intersection treatments 2022/23 - \$58K PR-5247 Renew, resleeve and improve drainage network 2024/25 - \$41K PR-5111 Bunbury Airport apron expansion - \$38K PR-5296 Traffic calming and minor intersection treatments 2024/25 - \$33K PR-5108 Dog Exercise Area and Park Renewal - \$26K</p>	\$1,257,217 15%

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 have been 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 10.3.5-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.

Outcome of Meeting 26 November 2024

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

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

<p>Council Decision 248/24</p>

<p>The Financial Management Report for the period ending 31 October 2024 be received.</p>
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<p>CARRIED UNANIMOUSLY 10 votes “for” / Nil votes “against”</p>

10.16 Internal Audit Report - Lease Management (listed as 10.4.1 in the agenda)

File Ref:	COB/6329
Applicant/Proponent:	Audit Committee
Responsible Officer:	Gemma Stewart, Senior Property and Lands 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 outlines the proposed next steps and timelines to support the Lease Management Report presented to the Audit Committee on 24 September 2024.

Executive Recommendation

That Council notes the information provided in this report.

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, when people want to live.
Objective 3	Maintain quality community buildings, halls and toilets.

Regional Impact Statement

Not applicable.

Background

At the Audit Committee meeting held on 24 September 2024, it was requested that the CEO provide a detailed report to Council by 26 November 2024 detailing how the recommendations within the *Internal Audit Report – Lease Management* would be addressed, including timeframes and details of the processes around how the City manages its leases.

“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.”

Council Policy Compliance

Not applicable.

Legislative Compliance

Not applicable.

Officer Comments

Please see the below information outlining the process for each finding of the audit report.

Detailed Finding 1 – Property inspections are not conducted.

Phase	Key Delivery	Time Frame	Status
1. Investigate and identify the cost for any additional resources required to conduct inspections.	During the 25/26 Services Facilities Plan process, seek, and identify the additional resources, estimated 0.2 FTE at level 4.	Commenced process October 2024 – Adopted by Council July 2025	Ongoing
2. Engage with the Data and Digital Team to undertake Management System research.	Investigation of a Property Management System.	Data and Digital commenced research on 25 October 2024 and will present software options by 7 November 2024.	Ongoing

After the system is in place and the resource has been identified, property inspections will be conducted on a regular schedule.

Detailed Finding 2 – Lease agreement supporting documentation.

Phase	Key Delivery	Time Frame	Status
1. Registration of all legal documents in the City’s Record Management System.	Registration of all legal documents within two (2) business days receiving executed documentation from all parties.	Already Implemented	Ongoing
2. The Property Team is reviewing the use of Microsoft Teams Planner to help with reminders and record keeping.	The use of this software will assist the Team with reminders to obtain updated information from Lessee.	Commenced September 2024 and aiming to implement system by end of December 2024.	Ongoing

Detailed Finding 3 – List of assets the City is responsible for is not included in lease agreements.

Phase	Key Delivery	Time Frame	Status
1. A table specifying asset and maintenance responsibilities is provided as an appendix to the new Deed of Lease.	This clarifies which party is responsible for the maintenance of each asset.	Was implemented in January 2024	Completed
2. Annual asset review meeting with Property Management and Maintenance Team	Plan and review the City's asset strategy annually in line with the City's Service Facilities Plan.	First meeting held on 12 November 2024.	Annual meetings

Analysis of Financial and Budget Implications

The City is responsible for all costs related to implementing the recommendations from the audit report. This includes funding for resourcing an officer to undertake property inspections that will be requested in the Service Facilities Plan for the 2005/26 budget.

Community Consultation

Not applicable.

Councillor/Officer Consultation

The Senior Property and Lands Officer has engaged in discussions with the relevant City Officers to implement the recommendations from the audit report.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Following the Council's decision, the next step is to implement or proceed with the actions outlined in the office's comments.

Outcome of Meeting 26 November 2024

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

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

Council Decision 249/24

That Council notes the information provided in this report.

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

10.17 Endorsement of Proclamation of Rotary at South Western Highway H009 Intersection with Vittoria Road (listed as 10.5.1 in the agenda)

File Ref:	COB/1381499
Applicant/Proponent:	Internal report
Responsible Officer:	Cameron Scott – Coordinator Engineering Design
Responsible Manager:	Aaron Lindsay – Manager Projects and Asset Management
Executive:	Brendan Smith, Director Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.5.1-A Request from MRWA for Endorsement of Proclamation of Rotary at South Western Highway H009 Intersection with Vittoria Road

Summary

Following the construction of the rotary (roundabout) at the intersection of South Western Highway and Vittoria Road, Main Roads Western Australia (MRWA) is now required to proclaim the rotary and realignment. The project was completed May 2024.

In accordance with Section 13 of the Main Roads Act, the Commissioner of Main Roads intends to make a recommendation to the Hon. Minister of Transport to proclaim the rotary and realignment.

Before making the recommendation to the Minister, the Commissioner requires endorsement by Council of the proclamation drawings. Subject to Council's agreement, City of Bunbury is to endorse the drawings with details of the Council's resolution number and date of meeting in support of the proposal, including the CEO's signature.

Executive Recommendation

That Council endorse the Proclamation of Rotary and Realignment at South Western Highway H009 Intersection with Vittoria Road, as shown on drawings; 202421-000012-00 and 202421-000013-00 attached at Appendix 10.5.1-A.

Voting Requirement: Simple Majority

Strategic Relevance

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

Regional Impact Statement

N/A

Background

Funded under the State Government’s Safer Roads Program, the South Western Highway & Vittoria Road Roundabout was designed to reduce driver frustration, risk taking and crashes by:

- Providing a safer right turn movement from Vittoria Road on to South Western Highway;
- Providing a dedicated left turn lane onto South Western Highway from Vittoria Road;
- Reducing queuing and improving efficiency; and
- Providing slower environment at the intersection.

Pre-construction on the roundabout commenced in 2021, followed by construction commencement in early 2022. The roundabout was completed in May 2024.

Council Policy Compliance

N/A

Legislative Compliance

N/A

Officer Comments

N/A

Analysis of Financial and Budget Implications

The proclamation will have no financial or budget implications to the City of Bunbury, any associated costs are the responsibility of MRWA. The new intersection is an MRWA asset with the WA State Government being responsible for the ongoing operation and maintenance.

Community Consultation

N/A

Applicant Consultation

N/A

Timeline: Council Decision Implementation

If endorsed by Council, Officers will proceed to endorse the drawings with details of the Council's resolution number and date of meeting in support of the proposal, including the CEO's signature.

Outcome of Meeting 26 November 2024

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

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

Council Decision 250/24

That Council endorse the Proclamation of Rotary and Realignment at South Western Highway H009 Intersection with Vittoria Road, as shown on drawings; 202421-000012-00 and 202421-000013-00 attached at Appendix 10.5.1-A.

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

10.18 Review of Council Policy: Sporting and Community Leases and Licences (listed as 10.1.3 in the agenda)

File Ref:	COB/306
Applicant/Proponent:	Policy Review and Development Committee
Responsible Officer:	Gemma Stewart, Senior Lands Officer
Responsible Manager:	Felicity Anderson, Manager Economic 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 type="checkbox"/> Information Purposes <input type="checkbox"/> Legislative
Attachments:	Appendix 10.1.3-A: CURRENT Council Policy: Sporting and Community Leases and Licences Appendix 10.1.3-B: REVISED Council Policy: Sporting and Community Leases and Licences

Summary

The purpose of this report is for Council to review existing Council Policy: Sporting and Community Leases and Licences.

During discussion at the Agenda Briefing held 19 November 2024, it was suggested by Cr Andrew that an additional clause be included to require sporting and community groups with leases to undertake accessibility and inclusion audits. Officers are supportive of this inclusion and have presented an amended policy including this change at appendix 10.1.3-B.

Executive Recommendation

That Council endorse the revised Sporting and Community Leases and Licences Council Policy as presented at Appendix 10.1.3-B.

Committee Recommendation

That Council note the review of existing Council Policy Sporting and Community Leases and Licences, with no changes recommended.

Voting Requirement: Simple Majority

Strategic Relevance

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

Regional Impact Statement

Nil, the policy only applies within the City of Bunbury.

Background

The existing policy was last reviewed in December 2022 and is now presented to Council by the Policy Review and Development Committee for its biennial review.

Officers have reviewed the existing policy and do not propose any changes.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

N/A

Officer Comments

At the Policy Review and Development Committee meeting held 30 October 2024, the Committee supported the Executive recommendation, being that Council note the review of existing Council Policy Sporting and Community Leases and Licences, with no changes recommended.

During discussion at the Agenda Briefing held 19 November 2024, it was suggested by Cr Andrew that an additional clause be included to require sporting and community groups with leases to undertake accessibility and inclusion audits. Officers are supportive of this inclusion and have presented an amended policy including this change at appendix 10.1.3-B.

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 Council by 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 Meeting 26 November 2024

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

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

Council Decision 251/24

That Council endorse the revised Sporting and Community Leases and Licences Council Policy as presented at Appendix 10.1.3-B.

CARRIED

9 votes “for” / 1 vote “against”

Mayor Miguel and Councillors Andrew, Brown, Kozisek, Quain, Ramesh, Smith, Steele and Turner voted for
Councillor Steck voted against.

10.19 Review of Council Policy: Professional Development of Council Members (listed as 10.1.8 in the agenda)

File Ref:	COB/306
Applicant/Proponent:	Policy Review and Development Committee
Responsible Officer:	Maureen Keegan, Senior Governance Officer
Responsible Manager:	Greg Golinski, Manager Governance and Integrated Planning
Executive:	Karin Strachn, 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:	Appendix 10.1.8-A: Professional Development of Council Members Council Policy

Summary

This report is presented to Council by 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 10.1.8-A.

Committee & Executive Recommendation

That Council endorse the revised Council Policy Professional Development of Council Members as presented at appendix 10.1.8-A.

*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.

At the Policy Review and Development Committee meeting held 30 October 2024, the committee endorsed 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 copy of the revised policy with tracked changes is presented at appendix 10.1.8-A.

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 Council by the Policy Review and Development Committee for consideration.

Applicant Consultation

Not applicable

Timeline: Council Decision Implementation

Immediately following Council decision.

Outcome of Meeting 26 November 2024

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

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

Council Decision 252/24

That Council endorse the revised Council Policy Professional Development of Council Members as presented at appendix 10.1.8-A.

CARRIED BY ABSOLUTE MAJORITY

9 votes “for” / 1 vote “against”

Mayor Miguel and Councillors Andrew, Brown, Kozisek, Quain, Ramesh, Smith, Steele and Steck voted for
Councillor Turner voted against.

10.20 October 2024 Budget Review (listed as 10.3.6 in the agenda)

File Ref:	COB/5556
Applicant/Proponent:	Internal Report
Responsible Officer:	David Ransom, Manager Finance
Responsible Manager:	David Ransom, Manager Finance
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 checked="" type="checkbox"/> Legislative <input checked="" type="checkbox"/> Information Purposes
Attachments:	Appendix 10.3.5-A: Statement of Comprehensive Income Appendix 10.3.5-B: Statement of Financial Activity Appendix 10.3.5-C: Statement of Net Current Assets Appendix 10.3.5-D: Statement of Financial Position Appendix 10.3.6-A: Budget Review October 2024

Summary

Council adopted the 2024/25 Budget on 23 July 2024 totalling \$93.8M, comprising \$23.9M of capital works, \$2.9M debt reduction and \$67.0M in operating expenditure (excluding depreciation).

A review of this budget has been conducted with the purpose of adjusting the budgeted opening surplus position as at 1 July 2024 to agree with the actual opening surplus position; to provide any adjustments to existing budgets and to recommend any additional projects.

The opening surplus position as at 1 July 2024 increased by \$473K following the preparation of the 2023/24 Annual Financial Statements for audit in October 2024. The changes to existing budget items and the new capital and operating projects are detailed in the Budget Review October 2024 report (refer Appendix 10.3.6-A) and has resulted in no change to the City's forecast closing surplus as at 30 June 2025, i.e. the 2024/25 Budget is still fully funded.

The budget review resulted in an increase in the total 2024/25 budget from \$93.8M to \$96.2M, an increase of \$2.4M. The Operating Deficit will increase from \$9.6M to \$10.9M, an increase of \$1.3M, and Capital Expenditure will result in an increase of \$658K from \$23.9M to \$24.6M, these increases are inclusive of the City's contributions to the Bunbury Harvey Regional Council of \$900K as per Council Decision 218/24, and changes to PR-5322 Netball Court refurbishment of \$290K as per Council Decision 188/24.

The following supporting documents are attached for the 2024/25 Revised Budget:

- Budget Review October 2024 (**attached** at Appendix 10.3.6-A)
- Statement of Comprehensive Income (**attached** at Appendix 10.3.5-A)
- Statement of Financial Activity (**attached** at Appendix 10.3.5-B)
- Statement of Net Current Assets (**attached** at Appendix 10.3.5-C)
- Statement of Financial Position (**attached** at Appendix 10.3.5-D)

Executive Recommendation

Council adopt the October 2024 Budget Review with the following budget variations and amends the current budget accordingly:

Original Budget Surplus Closing Funds	\$0
Increase in Opening Funds (<i>to adjust budgeted position at 30 June 2024 to agree with the actual financial position</i>)	\$472,958
	\$472,958

October 2024 Budget Review Changes

Operating Revenue:	
- Increase Operating Grants and Subsidies	\$40,110
- Increase Fees and Charges	\$4,444
- Increase Contributions, Reimbursements and Donations	\$324,924
- Increase Interest Received	\$51,635
- Increase Other Revenue	\$8,329
	\$429,442
Operating Expenses:	
- Increase Employee Costs	(\$103,165)
- Increase Material and Contracts	(\$662,869)
- Increase Other Expense	(\$57,515)
	(\$823,549)
Capital Revenue:	
- Increase Grant/Contributions for Assets	\$38,218
- Increase Transfers from Reserves (Restricted Cash)	\$246,984
- Increase Transfers from Unspent Loans (Restricted Cash)	\$4,361
	\$289,563
Capital Expenditure:	
- Decrease in Employee Costs	\$2,500
- Increase in Materials and Contracts	(\$370,914)
	(\$368,414)
Net Change in Closing Funding Surplus from Budget Review	\$0
Revised Budgeted Surplus Closing Funds at 30 June 2025	\$0

*Voting Requirements: **Absolute Majority Required.***

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

The Executive Leadership Team, Managers and Finance Staff have reviewed the 2024/25 Budget. Budget review items have been identified and supporting financial statements prepared incorporating budget forecasts to 30 June 2025.

The October 2024 Budget Review is presented to Council for consideration.

Council Policy Compliance

Not applicable.

Legislative Compliance

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires:

(1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

(2A) *The review of an annual budget for a financial year must –*

(a) *consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*

(b) *consider the local government’s financial position as at the date of the review; and*

(c) *review the outcomes for the end of that financial year that are forecast in the budget.*

(2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

(3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

(4) *Within 30 days after Council has adopted the Budget Review, a copy of the review and Council’s decision is to be provided to the Department of Local Government.*

The October Budget Review is in addition to the above legislative requirements, which will be fulfilled with the February 2025 Budget Review.

Officer Comments

Council’s Executive Leadership Team together with Finance Staff monitor the City’s monthly revenue and expenditure activities and (as required) refer any variances requiring remedial action to the Council.

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

Analysis of Financial and Budget Implications

The opening surplus position as at 1 July 2024 will increase by \$473K. The changes to the existing budget items and the new capital and operating projects as detailed in the Budget

Review October 2024 report (refer Appendix 10.3.6-A) will result in net cash decrease of \$473K.

The budget review resulted in an increase in the total 2024/25 budget from \$93.8M to \$96.2M, an increase of \$2.4M. The Operating Deficit will increase from \$9.6M to \$10.9M, an increase of \$1.3M, and Capital Expenditure will result in an increase of \$658K from \$23.9M to \$24.6M, these increases are inclusive of the City's contributions to the Bunbury Harvey Regional Council of \$900K as per Council Decision 218/24, and changes to PR-5322 Netball Court refurbishment of \$290K as per Council Decision 188/24.

As a result of the above changes, the adopted budgeted closing surplus at 30 June 2025 will remain unchanged and is fully funded.

The following summary shows the cash adjustments required to fund the decrease in the closing surplus.

1.	Increase in Funds required from Budget Review Report (attached at Appendix 10.3.6-A)	(\$724,303)
2.	Reserve Adjustments:	
	<i>Less Reserve funds not required (increase in reserves):</i>	
	Employee Entitlements and Insurance	(\$31,938)
	Refuse Collection and Waste Minimisation	(\$29,424)
	<i>Add additional reserve funds required (decrease in reserve):</i>	
	Airport	\$9,076
	Asset Management and Renewal	\$28,906
	Infrastructure Development	\$270,364
	Total Reserve Adjustments	\$246,984
	<i>Add increase in unspent loan funds used</i>	<i>\$4,361</i>
	Total Decrease in Closing Funds from October Budget Review	(\$472,958)

Details of the budget changes contained within this budget review are shown in the Budget Review October 2024 report **attached** at Appendix 10.3.6-A and the Financial Statements **attached** at Appendices 10.3.5-A-10.3.5-D.

Community Consultation

There is no requirement for community consultation on this report.

Councillor/Officer Consultation

The Executive Leadership Team have reviewed the October 2024 Budget Review which has been presented to Council in a workshop on the 19th November 2024.

Outcome of Meeting 26 November 2024

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

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

Council Decision 253/24

Council adopt the October 2024 Budget Review with the following budget variations and amends the current budget accordingly:

<i>Original Budget Surplus Closing Funds</i>	<i>\$0</i>
<i>Increase in Opening Funds (to adjust budgeted position at 30 June 2024 to agree with the actual financial position)</i>	<i>\$472,958</i>
	<i>\$472,958</i>

October 2024 Budget Review Changes

<i>Operating Revenue:</i>	
- <i>Increase Operating Grants and Subsidies</i>	<i>\$40,110</i>
- <i>Increase Fees and Charges</i>	<i>\$4,444</i>
- <i>Increase Contributions, Reimbursements and Donations</i>	<i>\$324,924</i>
- <i>Increase Interest Received</i>	<i>\$51,635</i>
- <i>Increase Other Revenue</i>	<i>\$8,329</i>
	<i>\$429,442</i>
<i>Operating Expenses:</i>	
- <i>Increase Employee Costs</i>	<i>(\$103,165)</i>
- <i>Increase Material and Contracts</i>	<i>(\$662,869)</i>
- <i>Increase Other Expense</i>	<i>(\$57,515)</i>
	<i>(\$823,549)</i>
<i>Capital Revenue:</i>	
- <i>Increase Grant/Contributions for Assets</i>	<i>\$38,218</i>
- <i>Increase Transfers from Reserves (Restricted Cash)</i>	<i>\$246,984</i>
- <i>Increase Transfers from Unspent Loans (Restricted Cash)</i>	<i>\$4,361</i>
	<i>\$289,563</i>
<i>Capital Expenditure:</i>	
- <i>Decrease in Employee Costs</i>	<i>\$2,500</i>
- <i>Increase in Materials and Contracts</i>	<i>(\$370,914)</i>
	<i>(\$368,414)</i>
<i>Net Change in Closing Funding Surplus from Budget Review</i>	<i>\$0</i>
<i>Revised Budgeted Surplus Closing Funds at 30 June 2025</i>	<i>\$0</i>

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

Regional Impact Statement

Adoption of a sustainability and environmental action plan will result in benefits to the region, such as local emissions reductions, strengthening climate adaptation measures and a healthier and cleaner environment for the community and visitors. Some actions also support collaboration with surrounding local governments and organisations to strengthen the City's impact and reach of measures.

Background

The Sustainability and Environmental Strategy 2023-2028 (strategy) was adopted by Council at the OCM on 5 September 2023 (Council Decision 173/23). The strategy provides desired outcomes, objectives and targets for both the organisation and community, with the overarching goal of achieving sustainable outcomes to meet the needs of current and future generations. One of the strategy's key targets for the City is to reach corporate net zero emissions by 2040, and aspire for 2035. The Sustainability and Environmental Action Plan (action plan) has been developed to outline how the strategy's commitments will be addressed by the City.

The action plan provides high priority actions that have been assessed for their desirability, feasibility and viability and are Specific, Measurable, Achievable, Relevant, and Time-Bound (SMART). Each action is allocated to a responsible City of Bunbury team and outlines budget requirements for specific financial years. The action plan will be used to inform the City's Corporate Business Plan, Long Term Financial Plan and Annual Budgets for the period 2024-2028.

Council Policy Compliance

The following Council Policies apply:

- Climate Change
- Sustainability

Legislative Compliance

The Local Government Act 1995 Section 3.1, states:

(1A) Without limiting subsection (1), the general function of a local government must be performed having regard to the following —

(a) the need —

- (i) to promote the economic, social and environmental sustainability of the district; and
- (ii) to plan for, and to plan for mitigating, risks associated with climate change;
- (iii) and in making decisions, to consider potential long-term consequences and impacts on future generations;

Officer Comments

The action plan helps the City to make a start on a complex journey towards improving sustainability and climate action through its operations and services, including achieving net zero corporate emissions.

The action plan is a public document which includes actions that have been categorised as high priority by City officers through workshopping and consultation. Low and medium priority actions are included within an internal operational version of the action plan, which will also

be reviewed annually to assess if the priority levels of the actions have changed. Any new high priority actions will be included within the updated action plan.

Internal Operational Action Plan

The internal operational action plan includes further details supporting each action, in the action plan to assist the City in its operations, including; priority level, service alignment, implementation level, resourcing, action owner and budget number.

Reporting on the Action Plan to Council

The action plan is classified as a major project and is subject to governance under the Project Management Office (PMO). Monthly status updates on the project will be provided to the Project Board (Executive) and to Council in the form of the Major Projects Report, which will include updates on actions that are scheduled within the current financial year.

The action plan is to be reviewed annually to ensure it is updated to reflect changing community priorities, operational needs, the broader region, emerging technologies, opportunities and the latest climate science. Council will be provided with an annual Agenda Report outlining any updates and changes made to the action plan for noting.

Engagement Plan

An engagement plan will be developed to identify relevant stakeholders to the action plan implementation, such as the Climate Action and Sustainability Working Group (CASWG) and establish processes for (but not limited to):

- Sharing updates and progress,
- Understanding changes to community priorities and key issues,
- Seeking feedback and satisfaction on action plan implementation, and
- Providing opportunity for direct input on the action plan to inform annual reviews.

The City's media and communications team will be engaged to assist in the development of engaging content for sharing of action plan progress.

Analysis of Financial and Budget Implications

PR-5129 Sustainability and Environmental Action Plan Implementation includes the following allocations in the Corporate Business Plan:

- FY 24/25 & FY 25/26 - \$250,000
- FY 26/27 & FY 27/28 - \$450,000

Service and Facility Plans will be prepared on an annual basis to deliver the various high priority actions, with the City looking to leverage additional external funding where possible, including the preparation of an application for Round 2 of the [Community Energy Upgrades Fund Program - DCCEEW](#).

Unspent expenditure from any financial year will be transferred to a dedicated reserve fund.

Community Consultation

Significant community engagement was undertaken during the development of the strategy. This feedback has been considered in the development of the action plan to ensure it aligns with community priorities.

The City of Bunbury's recently formed CASWG were engaged to provide a desktop review of the draft action plan during a 4-week review period in August 2024. Refer Appendix 10.5.2-B for

the submissions and comments received by the CASWG members, the City’s responses and any amendments made to the action plan as a result of feedback.

Councillor/Officer Consultation

The action plan was developed through undertaking extensive internal workshopping from across the organisation to identify actions for addressing the strategy’s commitments. The following is a summary of engagement activities:

- February 2024 - Action planning kick off presentations with managers and coordinators.
- March 2024 - Desktop review of draft actions that arose from initial internal workshops on the strategy and best practice recommendations provided by a consultant in 2022.
- March to May 2024 - Internal action plan workshopping with 13 different internal teams.
- June to July 2024 – Refinement and finalisation of actions with internal teams.

Applicant Consultation

N/A.

Timeline: Council Decision Implementation

The implementation and reporting of the action plan will commence once adopted by Council.

Annual reports will be developed and published at the end of each financial year. The annual review will be undertaken in alignment with the engagement plan.

Outcome of Meeting 26 November 2024

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

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

Council Decision 254/24

That Council adopt the City of Bunbury Sustainability and Environmental Action Plan 2024-2028 as presented at Appendix 10.5.2-A.

CARRIED

9 votes “for” / 1 vote “against”

Mayor Miguel and Councillors Andrew, Brown, Kozisek, Quain, Ramesh, Smith, Steele and Turner voted for
Councillor Steck voted against.

11. Applications for Leave of Absence

11.1 Cr Ghasseb

Cr Ghasseb requests a leave of absence from all Council-related business from 26 November to 10 December 2024 inclusive.

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

Executive Recommendation

Pursuant to Section 2.25 of the *Local Government Act 1995*, Cr Ghasseb is granted leave of absence from all Council-related business from 26 November to 10 December 2024 inclusive.

Outcome of Meeting 26 November 2024

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

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

Council Decision 255/24

Pursuant to Section 2.25 of the Local Government Act 1995, Cr Ghasseb is granted leave of absence from all Council-related business from 26 November to 10 December 2024 inclusive.

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

11.2 Cr Ramesh

Cr Ramesh requests a leave of absence from all Council-related business from 10 to 18 December 2024 inclusive.

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

Executive Recommendation

Pursuant to Section 2.25 of the *Local Government Act 1995*, Cr Ramesh is granted leave of absence from all Council-related business from 10 to 18 December 2024 inclusive.

Outcome of Meeting 26 November 2024

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

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

Council Decision 256/24

Pursuant to Section 2.25 of the Local Government Act 1995, Cr Ramesh is granted leave of absence from all Council-related business from 10 to 18 December 2024 inclusive.

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

12. Motions on Notice

12.1 Councillor Kozisek – Public Artwork Sculpture

File Ref:	COB/2144
Applicant/Proponent:	Councillor Kozisek
Responsible Officer:	Karin Strachan, Director Corporate and Community
Responsible Manager:	Georgia-Mae O’Brien, Manager Community Connection
Executive:	Karin Strachan, 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:	Nil

Councillor Kozisek’s Motion

That Council:

1. Authorise the Public Art Acquisition panel to proceed with the process of identifying and commissioning a female artist to design and install a public art sculpture at Boulters Heights as a tribute to all women.
2. Fund the sculpture above utilising current funds within the public art reserve.

*Voting Requirement: **Absolute Majority***

Councillor Kozisek’s comments in support of the motion

At present Bunbury has no art pieces in the public art realm that pay homage to our women of the past, and the contribution that they have made to our region.

This piece of Art should be a sculpture, to be placed in a very public space overlooking Bunbury, with Boulters Heights as a suggested location. The Art would be meant as a tribute to all women, for our Great grandmothers, our Grandmothers, ourselves and our daughters, and to all future women.

Discussions have been held with the former Director of BRAG, Mike Bianco, who has provided some valuable insights into the approach to be taken.

Officer Comments

The proposed motion is consistent with a previous Council Decision 161/21 from August 2021, which determined that the *next major public art installation in Bunbury be designed as a tribute to the accomplishments of women who have assisted in the growth and development of the City, WA, and Australia*. The proposed motion is consistent with this decision.

Once this motion is approved by Council, the Public Art Acquisition Panel will proceed with the following steps to implement the decision:

- Approach female artists in the region and provide a scope of what is required
- Obtain a series of preliminary concept designs drawings and cost estimations from the participating artists

- Panel to review the submissions received and rate them against a set of agreed design and outcomes criteria
- The top 2-3 concept design drawings presented to the Panel as a 3-D model with final costings provided
- The panel to select their preferred design and proceed with commissioning the art work through the selected artist

Council Policy Compliance

The Public Art Council Policy is applicable.

Legislative Compliance

Nil

Analysis of Financial and Budget Implications

There is a total of \$300,000 available in the Art Reserve fund to be utilised for this purpose.

Timeline: Council Decision Implementation

Immediate following Council decision.

Outcome of Meeting 26 November 2024

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

During debate, Cr Kozisek agreed to some minor modifications to her original motion as provided, which were agreed to by the seconded.

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

Council Decision 257/24

That Council:

- 1. Authorise the Public Art Acquisition panel to proceed with the process of identifying a female artist to design a public art sculpture, potentially at Boulders Heights, as a tribute to all women.**
- 2. Fund the sculpture above utilising current funds within the public art reserve.**
- 3. Require the recommendation from the Public Art Acquisition panel to be returned to Council for a final decision**

CARRIED BY ABSOLUTE MAJORITY

7 votes "for" / 3 votes "against"

Mayor Miguel and Councillors Andrew, Brown, Kozisek, Quain, Smith and Steele voted "for"

Councillors Ramesh, Steck and Turner voted "against."

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

Nil

13.2 Questions from Members

Councillor Steck asked the following question, which received a response from the Mayor:

Question

In relation to the News Paper article relating to female changerooms, has the Department of Sport and Recreation been notified for the need for female changerooms?

Response

The Mayor advised that the Department would be aware of this matter. This may be part of the City's Sport and Recreation Plan, which will indicate some of the requirements for the City's facilities.

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

The Chief Executive Officer advises Council of a late item for discussion to consider authorisation expenditure to facilitate the AFL Premiership season games to be played at Hands Oval from 2025 to 2027, and approving variations to the current construction contract with Perkins Builders to include immediate infrastructure upgrade works

Recommendation

That Council pursuant to section 5.4 of Council's Standing Orders, agree to receive the confidential item titled "14.1 Contract Variation for RFT2122 Hands Oval Stadium Design and Construct."

Outcome of Meeting 26 November 2024

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

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

Council Decision 258/24

That Council pursuant to section 5.4 of Council's Standing Orders, agree to receive the confidential item titled "14.1 Contract Variation for RFT2122 Hands Oval Stadium Design and Construct."

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

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

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

Council Decision 259/24

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

14.1 Contract Variation for RFT2122/023 Hands Oval Stadium Design and Construct
15.1.1 Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases
15.1.2 Proposed Disposal of Freehold Land - Lot 301 on Deposited Plan 409118 Fielder Street, South Bunbury

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

The meeting was closed to the public at 6:02pm.

14.1 Contract Variation for RFT2122/023 Hands Oval Stadium Design and Construct

File Ref:	COB/1344
Applicant/Proponent:	Internal
Responsible Officer:	Aaron Lindsay, Manager Projects and Assets
Responsible Manager:	Aaron Lindsay, Manager Projects and Assets
Executive:	Aileen Clemens, Acting 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 Report CRUSC-3 Contract Variation for RFT2122/023 Hands Oval Stadium Design and Construct

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

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

A confidential report and recommendation will be circulated to members **under separate cover** (Confidential Report CRUSC-3). The report is not for circulation.

Outcome of Meeting 26 November 2024

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

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

Council Decision 260/24

That Council, subject to the receipt of \$5,723,000 from the Department of Primary Industries and Regional Development:

- 1. Approve the expenditure of \$5,723,000 for Hands Oval AFL Infrastructure Upgrades noting that this expenditure will be funded entirely by the Department of Primary Industries and Regional Development.**
- 2. Authorise the CEO to negotiate and approve a variation of up to \$1,500,000 (ex GST) to the contract with Perkins (WA) Pty Ltd T/as Perkins Builders for RFT2122/023 Hands Oval Stadium Design and Construct for the construction of immediate infrastructure upgrades.**

CARRIED BY ABSOLUTE MAJORITY
10 votes "for" / Nil votes "against"

15. Meeting Closed to Public

15.1 Matters for which the Meeting may be Closed

15.1.1 Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases

File Ref:	COB/3853
Applicant/Proponent:	Internal
Responsible Officer:	Andrew McRobert, Director Sustainable Development
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 checked="" type="checkbox"/> Legislative
Attachments:	Confidential Report CRUSC- 1: RFQ2324/022 - Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases

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

- (b) the personal affairs of any person; and*
- (e)(ii) information that has a commercial value to a person; and*
- (f)(ii) endanger the security of the local government's property*

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

Outcome of Meeting 26 November 2024

Cr Andrew moved, and Cr Ramesh seconded a procedural motion pursuant to part 11.6A of the *Standing Orders Local Law*, to defer this item to the Ordinary Council Meeting scheduled for 10 December 2024.

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

Council Decision 261/24

That item 15.1.1 Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases be deferred until the 10 December 2024 Ordinary Council Meeting.

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

Council Decision 263/24

That the meeting be reopened to the public.

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

The meeting was reopened to the public at 6:15pm.

15.2 Public Reading of Resolutions that may be made Public

The Mayor read aloud the decisions for the below items as follows:

14.1 Contract Variation for RFT2122/023 Hands Oval Stadium Design and Construct

That Council, subject to the receipt of \$5,723,000 from the Department of Primary Industries and Regional Development:

- 1. Approve the expenditure of \$5,723,000 for Hands Oval AFL Infrastructure Upgrades noting that this expenditure will be funded entirely by the Department of Primary Industries and Regional Development.*
- 2. Authorise the CEO to negotiate and approve a variation of up to \$1,500,000 (ex GST) to the contract with Perkins (WA) Pty Ltd T/as Perkins Builders for RFT2122/023 Hands Oval Stadium Design and Construct for the construction of immediate infrastructure upgrades.*

15.1.1 Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases

That item 15.1.1 Lot 3001 Marrabank Loop – Bunbury Power Boat Club and City Leases be deferred until the 10 December 2024 Ordinary Council Meeting.

15.1.2 Proposed Disposal of Freehold Land - Lot 301 on Deposited Plan 409118 Fielder Street, South Bunbury

That Council agree to the sale of Freehold land at Lot 301 on Deposited Plan 409118 Fielder Street, South Bunbury to Janice Penelope Hand for the purchase price as per the Offer to Purchase, attached at Confidential Appendix 15.1.2-B and agree to the following;

- 1. Advertising in accordance with the provisions of Section 3.58 of the Local Government Act 1995;*
- 2. Authorising the Chief Executive Officer to negotiate and finalise the transfer of Lot 301 on Deposited Plan 409118 Fielder Street, South Bunbury; and*
- 3. That the net proceeds from the sale be transferred to the Strategic Land Management Reserve for the purpose of future strategic projects.*

16. Closure

The Mayor declared the meeting closed at 6:18pm.

Confirmed this day, 10 December 2024 to be a true and correct record of proceedings of the City of Bunbury Council Meeting held 26 November 2024.

Jaysen de San Miguel
Mayor