



Policy Review and Development Committee

Minutes

2 April 2025

Committee Terms of Reference

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

City of Bunbury
4 Stephen Street
Bunbury WA 6230
Western Australia

Correspondence to:
Post Office Box 21
Bunbury WA 6231

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Acknowledgement of Country

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

Vision

Bunbury: welcoming and full of opportunities.

Organisational Values

#WEARECOB

WE ARE COMMUNITY

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

WE ARE OPEN

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

WE ARE BRAVE

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

Nature of Council's Role in Decision Making

- Advocacy:** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive/Strategic:** The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Quasi-Judicial:** When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.
- Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
- Information Purposes:** Includes items provided to Council for information purposes only which do not require direction from Council (that is for 'noting').

1. Declaration of Opening

The Presiding Member declared the meeting open at 10.00am.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

Nil

4. Attendances

Committee Members:

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

Ex-officio Members (non-voting):

Member Name	Representing
Ms Karin Strachan (online)	Director Corporate and Community

Support Staff:

Name	Title
Mr Greg Golinski	Manager Governance and Integrated Planning
Ms Maureen Keegan	Senior Governance Officer
Ms Tamara Clark	Acting Manager Communications and Place Activation

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Cr Ghasseb has an approved leave of absence for 18 March 2025 – 9 April 2025.

5. Declaration of Interest

Nil

6. Confirmation of Minutes

Committee Decision: Moved Cr Kozisek Seconded Cr Smith

The minutes of the Policy Review and Development Committee Meeting held on 29 January 2025 are confirmed as a true and accurate record.

CARRIED

7. Method of Dealing with Agenda Business

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

8. Reports

8.1 Review of CBD Street Activity Policy

File Ref:	COB/306						
Applicant/Proponent:	Internal						
Responsible Officer:	Juaini Taylor, Team Leader Place Activation						
Responsible Manager:	Tamara Clark Acting Manager Communication and Place Activation						
Executive:	Karin Strachan Director Corporate Community						
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Attachments:	Appendix 8.1-A: Council Policy: CBD Street Activity						

Summary

The purpose of this report is for the Policy Review and Development Committee to review existing Council Policy: CBD Street Activity. A copy of the current policy is presented at appendix 8.1-A.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council note the review of the current Council Policy: CBD Street Activity, with no changes recommended.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar: People
Aspiration: A safe, healthy and connected community
Outcome 7: A growing hub of culture and creativity
Objective 7.1: Grow participation in arts, culture and community events.

Regional Impact Statement

This Council Policy ensures that on-street donations made by visitors to the Bunbury Central Business District remain in the Bunbury Geographe region. The Policy also provides opportunities for emerging entertainers to practice their (low risk) activities in a public forum without the need to take out their own public liability insurance policy.

Background

The Policy was last reviewed with no changes on the 30 November 2022 it will next be reviewed in 2026.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

The City's Public Places and Local Government Property Local Law is also applicable to Street Trading and Trading in Public Places.

Officer Comments

Officers have reviewed the current policy and recommend no changes.

Analysis of Financial and Budget Implications

Public liability insurance for buskers will require approximately \$1,000 annually which will be funded through existing baseline budgets.

Community Consultation

Nil

Councillor/Officer Consultation

Nil

Applicant Consultation

Nil

Timeline: Council Decision Implementation

Immediately following Council endorsement.

Outcome of Meeting 2 April 2025

Cr Steele moved, and Cr Kozisek seconded the executive recommendation.

During discussion an amendment to the executive recommendation was suggested to include a second point 2. *Request the CEO to hold a workshop with Elected Members within 3 months to discuss the CBD Street Activity policy.* This was agreed to by both the mover and seconder as well as administratively.

The Presiding Member put the motion to the vote, and it was carried unanimously.

That the Policy Review and Development Committee recommend that Council:

- 1. Note the review of the current Council Policy: CBD Street Activity, with no changes recommended.***
 - 2. Request the CEO to hold a workshop with Elected Members within 3 months to discuss the CBD Street Activity policy.***
-

8.2 Review of Records Management Policy

File Ref:	COB/545		
Applicant/Proponent:	Internal		
Responsible Officer:	Sheree McGee Senior Corporate Information Officer		
Responsible Manager:	Elijah Glass Manager Information Service		
Executive:	Karin Stachan 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	
	<input type="checkbox"/> Legislative	Purposes	
Attachments:	Appendix 8.2-A: Council Policy: Records Management		

Summary

The purpose of this report is for the Policy Review and Development Committee to review existing Council Policy Records Management.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt the revised Record Management Policy as presented at Appendix 8.2-A.

Voting Requirement: Simple Majority

Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Provide, strong, accountable leadership and governance

Regional Impact Statement

Nil this policy applies to the City of Bunbury.

Background

The policy was last reviewed by Council in March 2023, and is due for its biennial review.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

State Records Act 2000

Officer Comments

The Council's Record Keeping policy (the Policy) complements the City's Record Keeping Plan (RKP).

The intent of the Policy is to:

- Outline the principles, approach and rules associated with records management
- Ensure that Elected Members, employees, and contractors understand their recordkeeping roles and responsibilities; and
- Outline the City's commitment to effective, efficient, and compliant record keeping practices.

There is two minor wording amendments to the policy to provide clarity to users.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Elected Member/Officer Consultation

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

Timeline: Council Decision Implementation

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

Outcome of Meeting 2 April 2025

Cr Kozisek moved, and Cr Smith seconded the executive recommendation. The Presiding Member put the motion to the vote, and it was carried unanimously as follows:

That the Policy Review and Development Committee recommend that Council adopt the revised Record Management Policy as presented at Appendix 8.2-A.

8.3 Proposed New Council Policy: Electronic Attendance at Meetings

File Ref:	COB/7509						
Applicant/Proponent:	Internal						
Responsible Officer:	Maureen Keegan, Senior Governance Officer						
Responsible Manager:	Greg Golinski, Manager Governance and Integrated Planning						
Executive:	Karin Strachan, Director Corporate and Community						
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<input type="checkbox"/> Legislative							
Attachments:	Appendix 8.3-A: Draft Electronic Attendance at Meetings						

Summary

The purpose of this report is for the Policy Review and Development Committee to consider a new Council Policy in relation to electronic attendance at meetings by Elected Members. A copy of the proposed policy is attached at Appendix 8.3-A.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt new Council Policy: Electronic Attendance at Meetings as presented at Appendix 8.3-A.

Voting Requirement: Simple Majority Vote

Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Provide, strong, accountable leadership and governance

Regional Impact Statement

This policy only applies within the City of Bunbury.

Background

Although electronic attendance at meetings is covered by the *Local Government (Administration) Regulations 1996*, these provisions are high level and broadly leave the decision to approve or not approve a member's attendance to the Mayor or Council. Many other local governments have a policy in this regard to complement the legislative provisions and provide some procedural guidance to the Mayor and Council in making these determinations.

Council Policy Compliance

This report facilitates the consideration of a new Council Policy.

Legislative Compliance

Electronic attendance at meetings is covered by regulation 14C and 14CA of the *Local Government (Administration) Regulations 1996*.

Officer Comments

Officers have drafted a policy for consideration of the committee that is consistent with the Regulations and that of other Band 1 local governments. It is important to note that although a policy gives direction, it is not binding, and in this instance the final decision to either approve or not approve a member's attendance at a meeting remains with the Mayor and Council.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Immediately following Council endorsement.

Outcome of Meeting 2 April 2025

Cr Kozisek moved, and Cr Steele seconded the executive recommendation.

Extensive discussion took place in relation to this policy, where some minor administrative amendments were made to the policy wording. These changes were agreed to by the administration.

Cr Kozisek moved and Cr Steele seconded the executive recommendation with these minor policy wording amendments, as well as the addition of a second point to the recommendation, that: *2. Request the CEO bring the Code of Conduct for Council Members, Committee Members and Candidates 2023 to a future Strategic Briefing workshop for discussion and review by the Council.*

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

That the Policy Review and Development Committee recommend that Council:

- 1. *Adopt new Council Policy: Electronic Attendance at Meetings as presented at Appendix 8.3-A.***
- 2. *Request the CEO to bring the Code of Conduct for Council Members, Committee Members and Candidates 2023 to a future Strategic Briefing workshop for discussion and review by the Council.***

8.4 Review of Standards for CEO Recruitment, Performance and Termination

File Ref:	COB/5458	
Applicant/Proponent:	Internal	
Responsible Officer:	Maureen Keegan, Senior Governance Officer	
Responsible Manager:	Greg Golinski, Manager Governance	
Executive:	Karin Strachan, Director Strategy and Organisational Performance	
Authority/Discretion	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Executive/Strategic <input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Information Purposes
Attachments:	Appendix 8.4-A: Model Standards for CEO Recruitment, Performance and Termination	

Summary

The purpose of this report is for the Policy Review and Development Committee to review the Council's current standards covering the recruitment and selection, performance review and termination of employment of the Chief Executive Officer (CEO).

A copy of the current City of Bunbury CEO Standards is attached at Appendix 8.4-A.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council note the review of the City of Bunbury Standards for CEO Recruitment, Performance and Termination, with no changes recommended.

*Voting Requirement: **Absolute Majority***

Strategic Relevance

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

Regional Impact Statement

These standards apply only to the City of Bunbury.

Background

The *Local Government Legislation Amendment Act 2019* included a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government CEOs. The reforms were intended to ensure best practice and greater consistency in these processes between local governments.

The Model Standards for CEO recruitment, performance and termination were included in the *Local Government (Administration) Amendment Regulations 2021* which took effect on Wednesday, 3 February 2021.

Council adopted its standards on 23 May 2023 (reference Council decision 081/23), which included some minor variations to the model standards.

Council Policy Compliance

Council policies Temporary Appointment of CEO and CEO Performance and Salary Review relate to this matter.

Legislative Compliance

Section 5.39B(2), (3), (5) and (6) of the *Local Government Act 1995* – Adoption of Model standards apply as follows:

Adoption of Model standards

- (2) *Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.*
- (3) *Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.*
- (5) *The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.*
- (6) *The CEO must publish an up-to-date version of the adopted standards on the local government's official website.*

Officer Comments

The model standards provide a framework for local governments to select a CEO in accordance with the principles of merit, probity, equity and transparency.

Officers have reviewed the Council's adopted standards and can confirm that they are still consistent with the model standards that are legislated. Accordingly no amendments are suggested at this time.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Elected Member/Officer Consultation

The City of Bunbury CEO Standards for Recruitment, Performance and Termination are presented to the Policy Review and Development Committee for consideration and recommendation to Council.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Once adopted by Council, any changes to the Standards will become effective immediately.

Outcome of Meeting 2 April 2025

Cr Kozisek moved, and Cr Steele seconded the executive recommendation. The Presiding Member put the motion to the vote, and it was carried unanimously.

That the Policy Review and Development Committee recommend that Council note the review of the City of Bunbury Standards for CEO Recruitment, Performance and Termination, with no changes recommended.

8.5 Review of Council Policy: CEO Performance and Salary Review

File Ref:	COB/5458						
Applicant/Proponent:	Internal						
Responsible Officer:	Maureen Keegan, Senior Governance Officer						
Responsible Manager:	Greg Golinski, Manager Governance						
Executive:	Karin Strachan, Director Strategy and Organisational Performance						
Authority/Discretion	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Information Purposes</td></tr><tr><td><input checked="" type="checkbox"/> Legislative</td><td></td></tr></table>	<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	
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<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes						
<input checked="" type="checkbox"/> Legislative							
Attachments:	Appendix 8.3-A: Revised Council Policy: CEO Performance and Salary Review						

Summary

The purpose of this report is for the Policy Review and Development Committee to review existing Council Policy CEO Performance and Salary Review.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt the revised Council Policy CEO Performance and Salary Review as presented at Appendix 8.5-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

This Policy will apply only to the City of Bunbury.

Background

Section 5.38(1) of the *Local Government Act 1995* provides that a local government must review the performance of the CEO if the CEO is employed for a term of more than one year.

The Model Standards for CEO recruitment, performance and termination (Schedule 2 of the *Local Government (Administration) Regulations 1996*) provides the Standards for review of performance of CEOs. These performance review standards are based on the principles of fairness, integrity, and impartiality.

The minimum standard for performance review will be met if*:

1. Performance criteria is specific, relevant, measurable, achievable and time-based.
 2. The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
-

3. The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
4. The collection of evidence regarding performance outcomes is thorough and comprehensive.
5. Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.
6. The Council has endorsed the performance review assessment by absolute majority.

*Department of Local Government, Sport and Cultural Industries (the Department) Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.

The Department also recommends that Council develop a policy to guide the performance review process, which Council adopted on 23 May 2023 (refer Council Decision 072/23).

The policy is now due for its biennial review.

Council Policy Compliance

This report facilitates the review of an existing Council policy.

Legislative Compliance

Section 5.38(1) *Local Government Act 1995* - Annual review of employees' performance.

Section 5.39B(2), (3), (5) and (6) of the *Local Government Act 1995* - Adoption of Model standards.

Schedule 2 of the *Local Government (Administration) Regulations 1996* – Model standards for CEO recruitment, performance and termination.

Salaries and Allowances Act 1975 and associated regulations.

Officer Comments

The current policy provides for the composition of a review panel, primary functions, the role and appointment of an independent consultant, setting performance criteria and the responsibilities of review panel members. It is a requirement of the regulations that the process by which the CEO's performance will be reviewed is documented and agreed to by both parties. Therefore, a signatory block for the CEO is included within the policy document.

Officers have reviewed the current policy in this regard, and given that the document reflects the legislated standards in this regard, only minor typographical amendments are proposed, as reflected at Appendix 8.5-A.

Analysis of Financial and Budget Implications

Any external consultancy will need to be funded from existing budget lines for that purpose.

Community Consultation

Nil

Elected Member/Officer Consultation

This report is presented to the Policy Review and Development Committee for consideration and recommendation to Council.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Once adopted by Council, any changes to the Policy will become effective immediately.

Outcome of Meeting 2 April 2025

Cr Kozisek moved, and Cr Smith seconded the executive recommendation. The Presiding Member put the motion to the vote, and it was carried unanimously.

That the Policy Review and Development Committee recommend that Council adopt the revised Council Policy CEO Performance and Salary Review as presented at Appendix 8.5-A.

9. Questions from Members

9.1 Response to Previous Questions from Members taken on Notice

Nil

9.2 Questions from Members

Nil

11. Date of Next Meeting

The next PRDC meeting is scheduled for Wednesday, 28 May 2025.

10. Urgent Business

Nil

12. Close of Meeting

The Presiding Member closed the meeting at 10.48am.