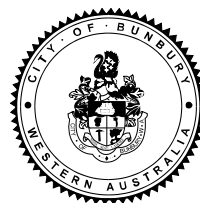




City of Bunbury Council

Minutes 8 April 2025



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 Deputy 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. She paid her respects to all members of the Aboriginal community and their culture; and to Elders past, present and emerging.

The Deputy Mayor acknowledged the staff and Councillors in attendance.

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.

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 these Minutes 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 in accordance with Section 5.23A of the *Local Government Act 1995*.
- 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> or <https://www.youtube.com/@CityofBunbury>.
- Recordings can be accessed at <https://www.youtube.com/@CityofBunbury>
- 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 Deputy Mayor advised that due to a technical issue the live stream was not available, however the meeting was still being recorded.

4. Attendance

Council Members:	
Presiding Member:	Deputy Mayor T Smith
Members:	Councillor B Andrew
	Councillor M Kozisek
	Councillor T Brown
	Councillor K Steele
	Councillor P Ramesh
	Councillor M Steck
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr A Ferris
A/Director Infrastructure	Ms A Clemens
Director Sustainable Development	Mr A McRobert
Director Corporate and Community	Ms K Strachan
City of Bunbury Officers (Non-Voting)	
Manager Governance and Integrated Planning	Mr G Golinski
Manager Finance	Mr D Ransom
Senior Governance Officer	Ms M Keegan
Senior Corporate Communications Officer	Ms K Fielding
Others (Non-Voting)	
Members of the Public	5 persons

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Cr Ghasseb has an approved leave of absence for the period 18 March to 9 April 2025.

Mayor Miguel has an approved leave of absence from 31 March to 11 April 2025.

Cr Turner has an approved leave of absence from the period 4 April to 20 April 2025.

Cr Quain has an approved leave of absence from 4 April to 26 April 2025

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.”

Nil

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 Questions received from Mr John Collins were taken on notice:

1. Regarding the imminent dredging requirement for the Pelican Point Canals, has the Council considered how it will meet the shortfall in funding held in the Reserve Account, given the latest quotes for maintenance dredging are estimated at 900K - \$1 million?
2. Given the funds held in the Pelican Point Canals Reserve Account are insufficient to meet the latest quoted cost of dredging, would Council consider changing to a "weighted based rate" which has regard for the difference in benefit and access available to canal lots compared to non-canal frontage lots.

6.2 Responses to Public Questions Taken 'On Notice'

The following question received from Gwendoline Stapleton were taken on notice by the Mayor at the 18 March Ordinary Council Meeting and published in the minutes of that meeting. They are presented again below.

Question

Ms Stapleton: As Foodbank and Men's Shed jointly applied for location at Withers Community Library site and Foodbank had withdrawn its application, can we assume the Men's Shed has also withdrawn its application to be on the site?

Response

Mayors' response: Yes. The Men's Shed was part of the LDP submitted by Foodbank, therefore Foodbank's withdrawal also included the withdrawal of the application for the Men's Shed.

Question

Ms Stapleton: Can the City of Bunbury guarantee that future applications by Men's Shed to be housed in Withers not result in potential closure of Withers Community Library?

Response

Mayors' response: I can't make a prediction on what a future Council may do.

Question

Ms Stapleton: Does City of Bunbury have the heart, and the will, to protect Withers Community Library from future risk of closure?

Response

Mayors' response: The report on tonight's Council agenda deals with that item, and this Council will determine that. Once again, I cannot make any guarantees about any future Council decisions.

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 18 March 2025 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the City of Bunbury Council held 18 March 2025 be confirmed as a true and accurate record.

Voting Requirement: Simple Majority Required

Outcome of Meeting 8 April 2025

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

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

Council Decision 048/25

The minutes of the Ordinary meeting of the City of Bunbury Council held 18 March 2025 be confirmed as a true and accurate record.

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

7.1.2 Minutes – Council Advisory Committees

Nil

8. Petitions, Presentations, Deputations and Delegations

8.1 Petitions

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

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

Outcome of Meeting 8 April 2025

Cr Steele tabled a petition which read:

Petition in Relation to Pelican Point Grand Canals Specified Area Rate

To the Mayor of the Council of the City of Bunbury

We the undersigned being electors of the City of Bunbury and ratepayers of Pelican Point Grand Canals Estate, are opposed to the current levy upon non -canal lot owners to pay the same annual Pelican Point Grand Canals Specified Areas Rate as canal lot owners, because we believe the current implementation by the City of Bunbury of Section 6.37 (1) of the Local Government Act, discriminates unfairly and inequitably against non-canal lot owners, who (i) do not have a canal frontage with an exclusive 5m building envelope extending from the canal wall, from which to derive any direct benefits of the waterways, and (ii) who have the same access to the canals waterways as any ordinary member of the public.

Your petitioners therefore respectfully request the Council of the City of Bunbury to change the current application of Pelican Point Grand Canals Specified Area Rate to a **weighted based rate**, proportioned 20% to non-canal lot owners and 80% to canal lot owners, which we believe truly reflects the ongoing real benefits and actual access derived by each of the two groups of lot owners in the Estate.

Pursuant to clause 6.10(2), Cr Steele moved, and Cr Steck seconded a motion to receive the petition.

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

Council Decision 049/25

Pursuant to clause 6.10(2) of the City of Bunbury Standing Orders 2012, that Council receive the petition in regard to “Pelican Point Grand Canals Specified Area Rate” and refer to the relevant officer for a report to be submitted within the next two (2) rounds of Council meetings.

CARRIED UNANIMOUSLY
7 votes “for” / Nil vote “against”

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 10.3.2, 10.3.3, 10.3.4.

Items 10.3.1 and 10.5.1 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 Andrew and seconded by Cr Brown.

10. Reports

10.1 Rate Exemption Application – Doors Wide Open Inc. (was listed as 10.3.2 in the agenda)

File Ref:	COB/1130		
Applicant/Proponent:	Doors Wide Open Inc.		
Responsible Officer:	Kerry Tacken, A/Team Leader Corporate Revenue		
Responsible Manager:	David Ransom, Finance Manager		
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 type="checkbox"/> Information Purposes	
Attachments:	Nil		

Summary

An application for rate exemption has been received from Doors Wide Open Inc. for 42 Forrest Avenue, Bunbury totalling \$3,863.34 per annum (based on 2024/2025 rates) under Section 6.26 (g) of the *Local Government Act 1995* – land used exclusively for charitable purposes.

Executive Recommendation

That Council grants a rate exemption to Doors Wide Open Inc. under Section 6.26 (g) of the Local Government Act 1995 for 42 Forrest Avenue, Bunbury effective from 1 July 2025.

Voting Requirement: Simple Majority

Strategic Relevance

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

Regional Impact Statement

Accepting the rate exemption application from Doors Wide Open Inc. will reduce the City's rate revenue but will not have a regional impact.

Background

Doors Wide Open Inc. have advised they are a not-for-profit organisation, providing the following social services:

- Specialise in aiding individuals recovering from methamphetamine and other substance addictions, as well as providing assistance to their loved ones;
- Provide support for persons in need and aid them in immediate support and seeking support services.

The organisation is registered as a charity by the Australian Government – Australian Charities and Not-for-profits Commission.

Council Policy Compliance

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

Legislative Compliance

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

6.26. Rateable land

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

Officer Comments

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

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

All rate exempt properties are reviewed on a 2 yearly basis. The City currently has 442 properties that are exempt which is a loss of rate income of \$1,663,659 per annum.

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

Analysis of Financial and Budget Implications

Approval of this exemption will result in a reduction of rates income of \$3,863.34 per annum. As the proposed exemption is to be granted effective from 1 July 2025, this application, if approved will have no effect on the forecast Closing Surplus Position to 30 June 2025.

Community Consultation

There is no requirement for community consultation on this application.

Councillor/Officer Consultation

Councillors have previously been provided with a briefing on rate exemptions under the *Local Government Act 1995*.

Applicant Consultation

Not Applicable.

Timeline: Council Decision Implementation

The Applicant will be notified of Councils decision, and that exemption will apply from 1 July 2025.

Outcome of Meeting 8 April 2025

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

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

Council Decision 050/25

That Council grants a rate exemption to Doors Wide Open Inc. under Section 6.26 (g) of the Local Government Act 1995 for 42 Forrest Avenue, Bunbury effective from 1 July 2025.

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

10.2 Financial Management Report for the Period Ending 28 February 2025 (was listed as 10.3.3 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 10.3.3-A - Statement of Comprehensive Income Appendix 10.3.3-B - Statement of Financial Activity Appendix 10.3.3-C - Statement of Net Current Assets Appendix 10.3.3-D - Statement of Financial Position Appendix 10.3.3-E - Capital Projects Expenditure Summary Appendix 10.3.3-F - Operating Projects Expenditure Summary Appendix 10.3.3-G - Monthly Financial Health Report

Summary

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

- Statement of Comprehensive Income (**attached** at Appendix 10.3.3-A)
Actual Financial Performance to 28 February 2025 (refer explanations within the report)
 - Actual operating income of \$70.33M is \$196K more than the year-to-date budgeted income of \$70.14M.
 - Actual operating expenditure of \$51.52M is \$532k under the year-to-date budgeted expenditure of \$52.05M.
 - Actual operating surplus of \$18.82M is \$728K more than the year-to-date budgeted operating surplus of \$18.09M.

- Statement of Financial Activity (**attached** at Appendix 10.3.3-B)

The forecast closing funding surplus to 30 June 2025 is \$0, which is unchanged from the current budget.

- Statement of Financial Position (**attached** at Appendix 10.3.3-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 \$57.42M includes:		
-	Cash and Investments	\$46.21M	\$27.67M
-	Rates Receivable	\$9.34M	\$2.21M
-	Other Current Assets	\$1.87M	\$6.67M
*	Current Liabilities of \$13.58M includes:		
-	Trade and Other Payables	\$5.37M	\$10.82M
-	Annual Leave and LSL Provisions	\$5.31M	\$5.61M

- | | | | |
|---|--|-----------|-----------|
| * | Working Capital
(Current Assets less Current Liabilities) | \$43.85M | \$17.13M |
| | | | |
| * | Equity
(Total Assets less Total Liabilities) | \$602.07M | \$579.72M |
4. Capital Works (**attached** at Appendix 10.3.3-E)
- Actual capital works of \$11.68M is \$3.62M less than the year-to-date budgeted capital works of \$15.30M (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 10.3.3-F)
- Actual operating project expenditure of \$3.03M is \$452K less than the year-to-date budgeted operating project expenditure of \$3.48M.
 - Operating projects include a combination of funding sources including municipal, reserve and grant funds.

Executive Recommendation

The Financial Management Report for the period ending 28 February 2025 be received.

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 10.3.3-A)
- Statement of Financial Activity (**attached** at Appendix 10.3.3-B)
- Statement of Net Current Assets (**attached** at Appendix 10.3.3-C)
- Statement of Financial Position (**attached** at Appendix 10.3.3-D)
- Capital Projects Expenditure Summary (**attached** at Appendix 10.3.3-E)
- Operating Projects Summary (**attached** at Appendix 10.3.3-F)
- Monthly Financial Health Report (**attached** at Appendix 10.3.3-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.

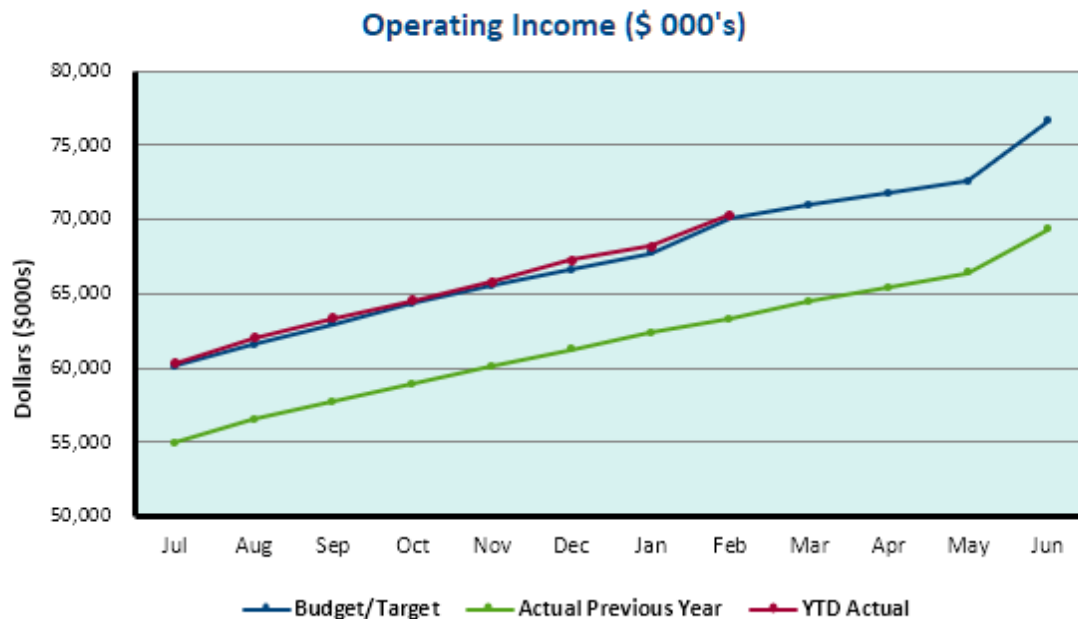
Legislative Compliance

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 10.3.3-B) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

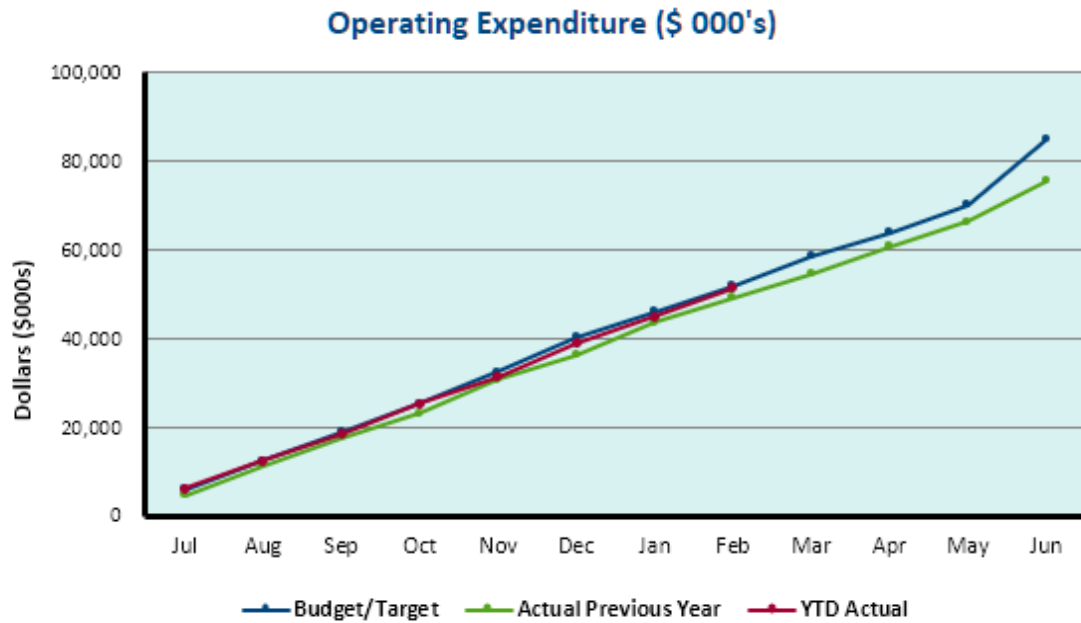
At the Special Council Meeting 23 July 2024, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$25,000 is a material variance for reporting purposes in the Statement of Financial Activity for 2024/25.

Officer Comments

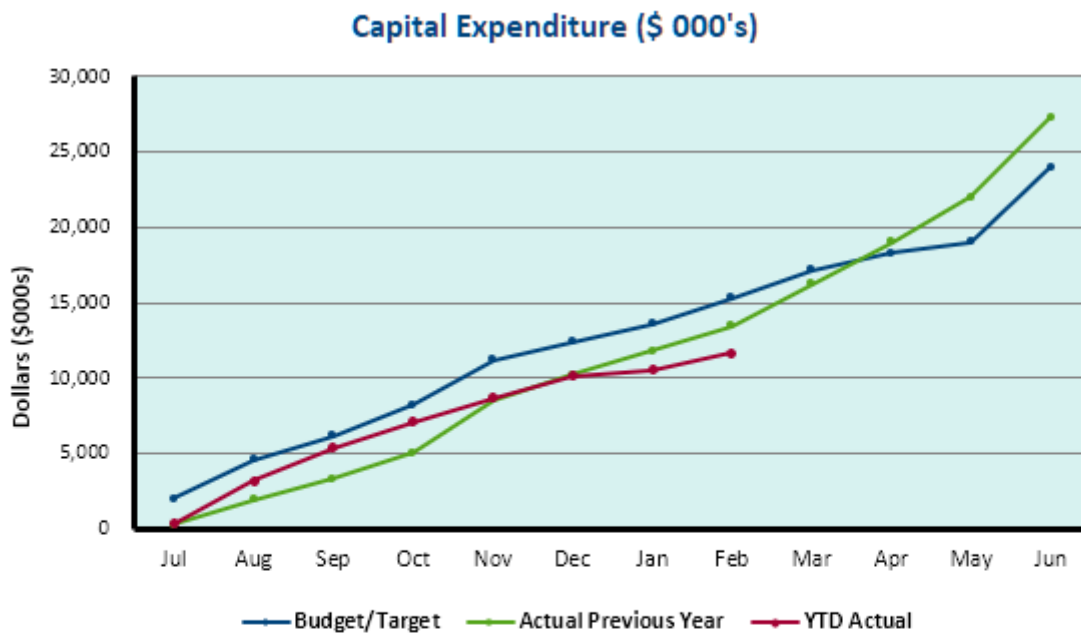
The Operating Income, Operating Expenditure and Capital Expenditure graphs provide an overview on how the actual income/expenditure is tracking to budget and the previous financial year. Comments are provided on each graph regarding the current financial position.



Note: Operating income includes: rates, fees and charges, operating grants and subsidies, contributions, reimbursements and donations, interest and other revenue. Actual operating income of \$70.33M is \$196K more than the year-to-date budgeted income of \$70.14M.



Note: The actual operating expenditure at the end of February 2025 of \$51.52M is \$532K less than the year-to-date budget of \$52.05M. The monthly Operating Projects Summary report provides more detail on all operating projects.



Note: The actual capital expenditure at the end of February 2025 of \$11.68M is \$3.62M less than the year-to-date budget of \$15.30M. 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 10.3.3-E and 10.3.3-F for more detailed information regarding projects:

Statement of Financial Activity	YTD Actual to Budget Variance
Operating Revenue	
<i>Grants and Subsidies – Operating</i> – Unfavourable year-to-date variance of \$220,983 mainly due to grant funds not yet received.	\$220,983 16%
<i>Contributions Reimbursements and Donations</i> – Favourable year-to-date variance of \$241K mainly due to workers compensation reimbursements (\$204K).	\$241,103 12%
Operating Expense	
<i>Other Expenses</i> - Favourable year-to-date variance of \$347K mainly due to contribution donation and sponsorship expense.	\$347,662 13%
Capital Revenue	
<i>Grants/Contributions for Asset Development</i> – Favourable year-to-date variance of \$399,401 mainly due to grants funds received earlier than expected.	\$399,041 15%
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-2403 Replace Forrest Park Pavilion - \$776k PR-5223 Renew playground equipment, as per AMP 2024/25 - \$281k PR-5301 Reseal roads projects for Roads to Recovery 2024/25 - \$265k PR-4877 Renew / Upgrade Local Roads - Strickland Street - \$200K PR-5117 Regional Roadworks program - Leschenault Drive - \$200K PR-5164 Renew or refurbish community, corporate, sport and leisure buildings, as per AMP 2024/25 - \$179K PR-5247 Renew, resleeve and improve drainage network 2024/25 - \$153K PR-5186 IT network and equipment renewals, as per AMP 2024/25 - \$148K PR-5265 Renew South West Sports Centre (SWS) machinery 2024/25 - \$147K PR-5230 Expand path network 2024/25 - \$120K PR-1543 Boulters Heights Redevelopment - \$108K PR-5113 Blackspot Roadworks 2023/24 - \$103K PR-4871 Renew, resleeve and improve drainage (Creek Street) - \$100K PR-5219 Renew open space infrastructure 2024/25 - \$93K PR-5291 Blackspot roadworks 2024/25 - \$87K PR-3898 Construct heritage interpretation, Bunbury Timber Jetty - \$86K PR-5243 Replace boardwalks, lookouts, and access stairs 2024/25 - \$74K PR-5168 Refurbish City Facilities changerooms conveniences 2024/25 \$69K PR-5239 Renew and upgrade paths, as per AMP 2024/25 - \$66K PR-1418 Procure and install Radio Frequency Identification (RFID) and self-loans technology at Bunbury Library \$66K PR-4671 Traffic calming and minor intersection treatments 2022/23 - \$63K PR-5038 Withers Regional Renewal - \$62K PR-4936 CBD Road Works - \$49K PR-5269 Renew bin enclosures 2024/25 - \$40K</p>	\$3,618,944 24%

PR-4696 Replace boardwalks, lookouts and beach access stairs 2023/24 - \$40K	
<i>Right of Use Lease Payments</i> – Favourable year-to-date variance due to timing of new ICT leasing contracts yet to commence (\$63K).	\$63,271 31%

Analysis of Financial and Budget Implications

This Financial Management Report on the financial performance of the City is provided for Councillors information and does not have any financial or budget implications for the 2024/25 financial year.

Community Consultation

There is no requirement for community consultation on this report. A Monthly Financial Health Report (attached at Appendix 10.3.3-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 8 April 2025

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

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

Council Decision 051/25

The Financial Management Report for the period ending 28 February 2025 be received.

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

10.3 Schedule of Accounts Paid for the period 1 February 2025 to 28 February 2025 (was 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"/> Review <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 February 2025 to 28 February 2025 is attached at Appendix 10.3.4-A. The schedule contains details of the following transactions;

1. Municipal Account – payments totalling \$22,199,165.81
2. Trust Account – payments totalling \$12,888.08
3. Visitor Information Centre Trust Account – payments totalling \$3,169.66

Executive Recommendation

The Schedule of Accounts Paid for the period 1 February 2025 to 28 February 2025 be received.

Outcome of Meeting 8 April 2025

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

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

Council Decision 052/25

The Schedule of Accounts Paid for the period 1 February 2025 to 28 February 2025 be received.

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

10.4 Proposed City of Bunbury Bush Fire Brigades Amendment Local Law 2025 (was listed as 10.3.1 in the agenda)

File Ref:	COB/5421						
Applicant/Proponent:	Internal						
Responsible Officer:	Maureen Keegan, Senior Governance Officer Mark Allies, Team Leader Rangers and Emergency Management						
Responsible Manager:	Greg Golinski, Manager Governance Sarah Upton, Manager Community Wellbeing						
Executive:	Karin Strachan, Director Corporate and Community Andrew McRobert, Director Sustainable Development						
Authority/Discretion	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Review</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Legislative</td><td><input type="checkbox"/> Information Purposes</td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes
<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review						
<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial						
<input checked="" type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes						
Attachments:	Appendix 10.3.1-A Proposed City of Bunbury Bush Fire Brigades Amendment Local Law 2025						

Summary

The purpose of this agenda item is for Council to adopt the Bush Fire Brigades Amendment Local Law 2025. This adoption follows the commitment made by the Council at its meeting on 5 November 2024 in response to undertakings requested by the Joint Standing Committee on Delegated Legislation (JSCDL).

A copy of the proposed amendment local law is at 10.3.1-A.

Executive Recommendation

That Council:

1. Notes that zero submissions were received during the statutory advertising period regarding the City of Bunbury Bush Fire Brigades Amendment Local Law 2025.
2. Agrees to the amendments to the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 as detailed within this report and reflected in Appendix 10.3.1-A.
3. Agrees that the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 is not significantly different from what was previously proposed (reference Council Decision 166/24).
4. Adopts the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 as presented at Appendix 10.3.1-A.
5. Requests the Chief Executive Officer undertake all relevant statutory advertising in this regard.

Voting Requirement: Absolute Majority
Strategic Relevance

Pillar	Planet
Aspiration	A healthy and sustainable ecosystem
Outcome 6	An aware and resilient community equipped to respond to natural disasters and emergencies
Objective 6.1	Minimise risks and impacts from fires, floods, heatwaves and other natural disasters.

Regional Impact Statement

Fire and other emergencies are prevalent right across Western Australia, particularly the Southwest due to its high density of rural spaces and natural bushland. Bushfire Brigades (BFBS) are necessary to minimise the impact of fire and other natural disasters within our community and the Greater Bunbury/Geographe regions.

Creation of a relative local law ensure the BFBs have the necessary guidance, and personal liability protection, to ensure continuity of service in addition to the health & wellbeing of all volunteers.

Background

The Joint Standing Committee on Delegated Legislation requested that the City make a several undertakings regarding the City of Bunbury Bush Fire Brigades Local Law 2024, following its gazettal on 28 October 2024.

Council considered and accepted these undertaking at its ordinary council meeting on 5 November 2024.

Council received the amendment local law at the 4 February 2025 meeting and endorsed the public notice of the local law to commence.

A public notice was published on the City website, and noticeboards with submissions due by 24 March 2025.

Correspondence was sent to the Department of Fire and Emergency Services and the Department of Local Government (DFES), Sport and Cultural Industries (DLGSC)

Zero submissions were received including any from DLGSC or DFES.

On 28 February 2025, the DLGSC sent correspondence indicating that comments would be provided if any concerns were raised regarding the amendment local law. However, no comments were received.

Council Policy and Legislative Compliance

Section 3.12 of the *Local Government Act 1995* outlines the process for the creation of a new local law and is applicable.

Officer Comments

The JSCDL undertakings requested revisions related to corrections in references, grammar and layout. The overall intent of the local law remained unaffected.

The amendments included the removal of parts 7,8, and 9, as well as a complete replacement of Schedule 2. These changes have brought the amendment local law in closer alignment with the WALGA Bush Fire Brigade Local Law template.

An administrative correction was made to the title of the Local Law updating the year from 2024 to 2025.

Since no submissions have been received and the Local Law now aligns with the WALGA Bush Fire Brigades Local Law template, it is recommended that Council adopt the proposed City of Bunbury Bush Fire Brigades Amendment Local Law 2025 as presented at Appendix 10.3.1 A.

Analysis of Financial and Budget Implications

Gazettal and advertising costs will be accommodated in the 2024/25 budget.

Community Consultation

Advertising was undertaken on the City website, social media, and newspaper.

Councillor/Officer Consultation

Nil

Applicant Consultation

Nil

Timeline: Council Decision Implementation

Pending Council endorsement of the Executive Recommendation, the Local Law will be gazetted as soon as practicable.

Outcome of Meeting 8 April 2025

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

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

Council Decision 053/25

That Council:

1. Notes that zero submissions were received during the statutory advertising period regarding the City of Bunbury Bush Fire Brigades Amendment Local Law 2025.

2. Agrees to the amendments to the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 as detailed within this report and reflected in Appendix 10.3.1-A.

3. Agrees that the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 is not significantly different from what was previously proposed (reference Council Decision 166/24).

4. Adopts the City of Bunbury Bush Fire Brigades Amendment Local Law 2025 as presented at Appendix 10.3.1-A.

5. Requests the Chief Executive Officer undertake all relevant statutory advertising in this regard.

CARRIED BY ABSOLUTE MAJORITY
7 votes "for" / Nil vote "against"

10.5 Determination of outcome for Project PR-5154 Recreational Ground Cricket Net Replacement (was listed as 10.5.1 in the agenda)

File Ref:	RFQ2425/008		
Applicant/Proponent:	Internal		
Responsible Officer:	Tristan Davenport, Manager Infrastructure Maintenance Services		
Responsible Manager:	Tristan Davenport, Manager Infrastructure Maintenance Services		
Executive:	Aileen Clemens, 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:	Nil		

Summary

To seek Council's determination on whether to allocate additional funds to PR-5154 Recreational Ground Cricket Net Replacement project to enable delivery of the works, or alternatively, to refer the project back to the Colts Cricket Club to secure additional funding in accordance with the original CSRFF application commitments.

Executive Recommendation

That Council authorise additional funds of \$115,000.00 (excluding GST) to be transferred to PR-5154 Support Colts Cricket Club CSRFF application from the Rates Equalisation and Contingency Reserve to allow the project to proceed.

Voting Requirement: Absolute Majority

Strategic Relevance

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

Regional Impact Statement

The Colts Cricket Club participate in the Bunbury and Districts Cricket Association so there will be a benefit to those teams that utilise the facilities that attend from outside the City of Bunbury during the cricket season

Background

On [15 August 2023](#), Council voted to support the Colts Cricket Club Community Sporting and Recreation Facilities Fund application. A copy of the decision is included below.

15 August 2023
Minutes – Council Meeting

Council Decision 155/23

That Council:

- 1. Support the Colts Cricket Club Community Sporting and Recreation Facilities Fund (CSRFF) Grant application.**
- 2. Support the allocation of \$57, 808 excluding GST (one-third of the funding) from the 2023/2024 budget at the February 2024 budget review subject to the grant application being successful through the Department of Local Government, Sport and Cultural Industries (DLGSCI).**

CARRIED

10 votes "for" / nil votes "against"

Council Policy Compliance

The subsequent procurement process undertaken by the City, as the Recipient the CSRFF Grant, was in accordance with the City's Purchasing Council Policy.

Legislative Compliance

This request to transfer funds complies with the *Local Government Act 1995*.

Officer Comments

The Grant identifies the City of Bunbury as the Recipient with the Recitals noting that the Recipient is responsible for constructing the Project.

The initial quotations obtained by the club were not based on a compliant or engineered design. In progressing with the project, the City had an obligation to ensure the facility is designed and constructed in accordance with relevant Australian Standards, including concrete and steel fabrication standards, to ensure public safety and mitigate future liability. Additionally, as a publicly accessible facility, the City is obligated to engage a reputable and suitably qualified contractor with demonstrated experience in delivering similar community infrastructure. The price differential between the original club-sourced quote and the RFQ submissions reflects the inclusion of certified engineering, professional delivery, and compliance with the City's procurement and design obligations.

Because this request was issued as a quotation, and not a public tender, we are unable to award a contract over \$250K for these works, without going back out to public tender in accordance with the F&G Regulations (lead time of 8-16 weeks).

Analysis of Financial and Budget Implications

The original budget for this procurement is \$135,000, this agenda item requests an additional \$115,000 be transferred to allow the project to proceed. Any funds not spent will be returned to the Rates Equalisation and Contingency Reserve.

The City will also submit a request for additional funds from CSRFF if council approves the additional funding.

Community Consultation

The City has maintained communication with the Colts Cricket Club as the project stakeholders. Consultation has occurred throughout the funding application, project design, and procurement phases. Broader community engagement was undertaken through an informal process by the club.

Councillor/Officer Consultation

Consultation has been undertaken with internal City officers, including representatives from Procurement, Finance, and Engineering Services. Director Infrastructure and Manager Infrastructure Maintenance Services have been briefed throughout. A formal Council briefing may be considered prior to the final decision.

Applicant Consultation

Ongoing discussions have occurred with representatives of the Colts Cricket Club. The club has been advised of the budget constraints and the requirement for Council consideration before the project can proceed.

Timeline: Council Decision Implementation

If Council approves the transfer of additional funds

Following Council endorsement, the City will enter a negotiation phase with the preferred contractor to address several required clarifications, revisions, and contractual retractions that emerged during the RFQ evaluation. This step is necessary before a contract can be formally accepted.

This negotiation and finalisation phase is expected to take approximately 1-2 weeks, after which the contract may be awarded. Construction commencement will then be subject to contractor availability and lead time but is anticipated to begin within 3-4 weeks of Council approval, subject to final resolution of terms.

If Council declines to approve additional funding

The project will either be cancelled or referred back to the Colts Cricket Club for further funding efforts. No further action will be taken by the City until such time that the club confirms it has secured the required additional funding and/or revised the project scope in accordance with the original CSRFF funding conditions.

Outcome of Meeting 8 April 2025

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

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

Council Decision 054/25

That Council authorise additional funds of \$115,000.00 (excluding GST) to be transferred to PR-5154 Support Colts Cricket Club CSRFF application from the Rates Equalisation and Contingency Reserve to allow the project to proceed.

CARRIED BY ABSOLUTE MAJORITY
7 votes “for” / Nil vote “against”

11. Applications for Leave of Absence

Nil

12. Motions on Notice

Nil

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

Cr Steck asked the following question.

Question

Cr Steck: Has the Council received the July 2024 McKenzie Report in relation to the Speedway?

Response

Director Sustainable Development: No, Elected Members have not received the report.

13.2 Questions from Members

Nil

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

Nil

15. Meeting Closed to Public

15.1 Matters for which the Meeting may be Closed

Nil

16. Closure

The Deputy Mayor declared the meeting closed at 5:39pm.

Confirmed this day, 29 April 2025 to be a true and correct record of proceedings of the City of Bunbury Council Meeting held 8 April 2025.

Jaysen de San Miguel
Mayor
