



City of Bunbury Council

Minutes

9 February 2021



CITY OF BUNBURY

4 Stephen Street
Bunbury WA 6230
Western Australia

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Acknowledgement of Country

We acknowledge the Traditional Custodians of this land, the Wardandi Noongar people, and pay our respects to Elders past, present and future.

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, directing operations, setting and amending budgets.
- Legislative:** Includes adopting local laws, town planning schemes and policies.
- Review:** When Council reviews decisions made by Officers.
- 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.

1. Declaration of Opening / Announcements of Visitors

The Mayor declared the meeting open at 5.30pm.

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-2019.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 7273.

3. Announcements from the Presiding Member

On behalf of Council, the Mayor extended his admiration and appreciation to the Chief Executive Officer, Directors, and staff of the City of Bunbury for their swift response to the recent COVID-19 lockdown.

The Mayor announced that as per the *Disaster Relief Reserve Fund Council Policy*, the Mayor, Deputy Mayor and Chief Executive Officer signed a \$10,000 grant to be provided to the Perth Lord Mayor's Distress Relief Fund for the Wooroloo and Hills Bushfire Appeal on behalf of the City.

The Mayor expressed his support for the Advanced Manufacturing Technology Hub and the Digital City Projects and reaffirmed his belief that these projects will help 'future-proof' the City for decades to come.

The Mayor announced that the City received a \$2.5 million grant for the development of the Youth Precinct and expressed his thanks for the State Government and Lotterywest.

4. Attendance

Council Members:	
Presiding Member:	Mayor G Brennan
Members:	Deputy Mayor J Miguel
	Councillor K Turner
	Councillor J Hayward
	Councillor B McCleary
	Councillor T Smith
	Councillor C Kozisek
	Councillor W Giles
	Councillor K Steele
	Councillor A Yip
	Councillor T Brown
	Councillor K Plumb
Executive Leadership Team (Non-Voting)	
Chief Executive Officer	Mr M Osborne
Director Infrastructure	Mr G Harris
Director Sustainable Communities	Mr G Barbour
Director Strategy and Organisational Performance	Mr D Chandler
City of Bunbury Officers (Non-Voting)	
Manager Governance	Mr G Golinski
Manager Finance	Mr D Ransom
Media and Communications Officer	Ms K Fielding
Executive Assistant to the Mayor	Mr L Murphy
Others (Non-Voting)	
Members of the Public	1

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Cr Steck is on an approved leave of absence from all Council-related business on 9 February 2021 inclusive as approved at item 11.1.

5. Declaration of Interest

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

Nil

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 8 December 2020 have been circulated.

Recommendation

The minutes of the Ordinary meeting of the City of Bunbury Council held 8 December 2020 be confirmed as a true and accurate record.

Voting Requirement: Simple Majority Required

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Giles and seconded by Cr Plumb.

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

Council Decision 1/21

The minutes of the Ordinary meeting of the City of Bunbury Council held 8 December 2020 be confirmed as a true and accurate record.

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

7.1.2 Minutes – Council Advisory Committees and Working/Project Groups

Applicant/Proponent:	Internal Report
Author:	Various
Executive:	Mal Osborne, Chief Executive Officer
Authority/Discretion:	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Information Purposes
Attachments:	Appendix MTBN-1: YAC Minutes 2 December 2020 Appendix MTBN-2: HAC Minutes 9 December 2020

Summary

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

- Title: Youth Advisory Council Committee Minutes
Author: Danika Wellington, Community Partnership Officer – Youth and Activation
Appendix: MTBN-1
- Title: Heritage Advisory Committee Minutes
Author: Liz Allan, Executive Assistant Research and Projects
Appendix: MTBN-2

Council Committee Recommendation

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

- Youth Advisory Council Committee Minutes 2 December 2020
- Heritage Advisory Committee Minutes 9 December 2020

Voting Requirement: Simple Majority Required

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Kozisek 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 2/21

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

- 1. Youth Advisory Council Committee Minutes 2 December 2020***
- 2. Heritage Advisory Committee Minutes 9 December 2020***

CARRIED UNANIMOUSLY
12 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 recommendations listed for items 10.3.2, 10.3.3, 10.3.4, 10.3.5 and 10.5.1.

Items 10.3.1 and 10.4.1 were discussed and voted on separately. All items have been renumbered with the items voted “by exception” listed first.

The items “*adopted by exception*” were moved by Cr Hayward seconded by Cr McCleary.

* Current Liabilities of \$16.39M includes:		
- Trade and Other Payables	\$10.00M	\$4.86M
- Annual Leave and LSL Provisions	\$4.21M	\$4.75M
* Working Capital (Current Assets less Current Liabilities)	\$54.98M	\$12.51M
* Equity (Total Assets less Total Liabilities)	\$583.10M	\$553.93M

4. Capital Works (**attached** at Appendix DSOP-5)

- Actual capital works of \$4.38M is \$2.86M less than the year-to-date budgeted capital works of \$7.24M, (refer explanation within report).
- The progress of capital works is monitored on a monthly basis.
- Capital works include a combination of funding sources including municipal, reserve and grant funds.

5. Operating Project Expenditure (**attached** at Appendix DSOP-6)

- Actual operating project expenditure of \$1.41M is \$431K less than the year-to-date budgeted operating project expenditure of \$1.84M.
- Operating projects include a combination of funding sources including municipal, reserve and grant funds.

Executive Recommendation

The Financial Management Report for the period ending 30 November 2020 be received.

Voting Requirement: Simple Majority required

Strategic Relevance

Theme 4: Our City.
Goal: Civic leadership, partnerships and sound governance in delivering with and for the community.
Objective No.4.4: A skilled organisation, which exercises responsible asset stewardship, sound financial management, and exemplary customer service.

Background

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

- Statement of Comprehensive Income (**attached** at Appendix DSOP-1)
- Statement of Financial Activity (**attached** at Appendix DSOP-2)
- Statement of Net Current Assets (**attached** at Appendix DSOP-3)
- Statement of Financial Position (**attached** at Appendix DSOP-4)
- Capital Projects Expenditure Summary (**attached** at Appendix DSOP-5)
- Operating Projects Summary (**attached** at Appendix DSOP-6)
- Monthly Community Financial Report (**attached** at Appendix DSOP-7)

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.

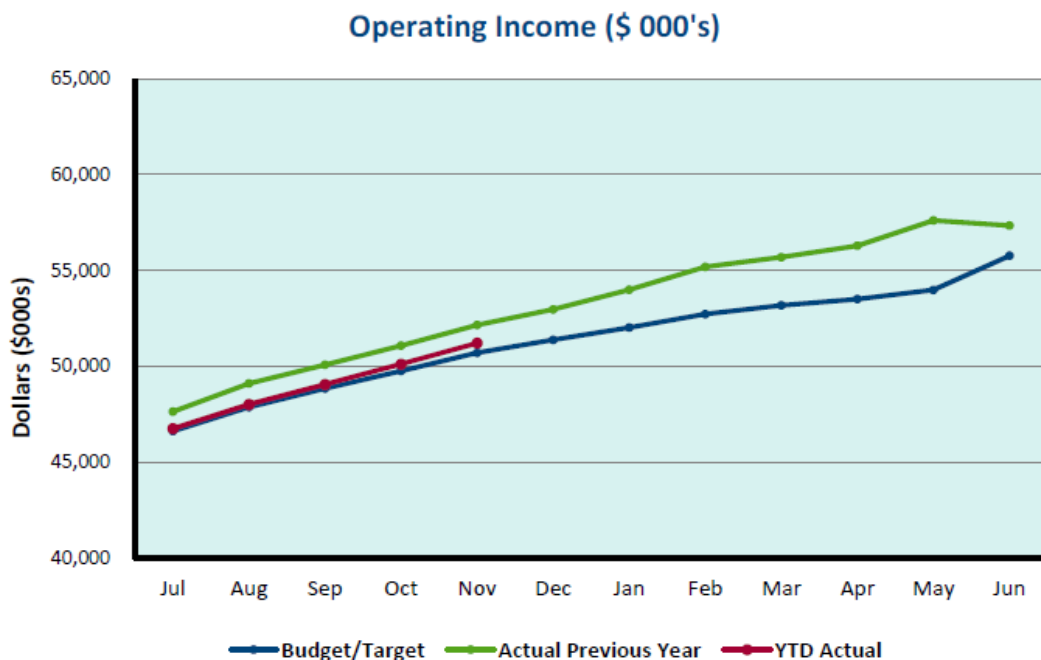
Legislative Compliance

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 DSOP-2) 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 28 July 2020, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$25,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2020/21.

Officer Comments

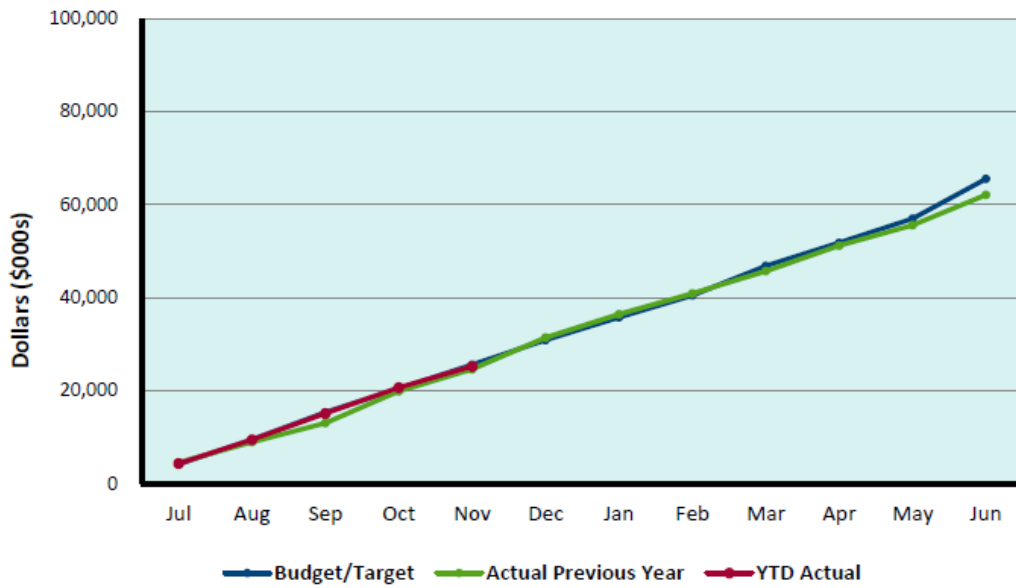
The Operating Income, Operating Expenditure and Capital Expenditure graphs provide an overview on how the actual income/expenditure is tracking to budget and the previous financial year. Comments are provided on each graph regarding the current financial position.



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

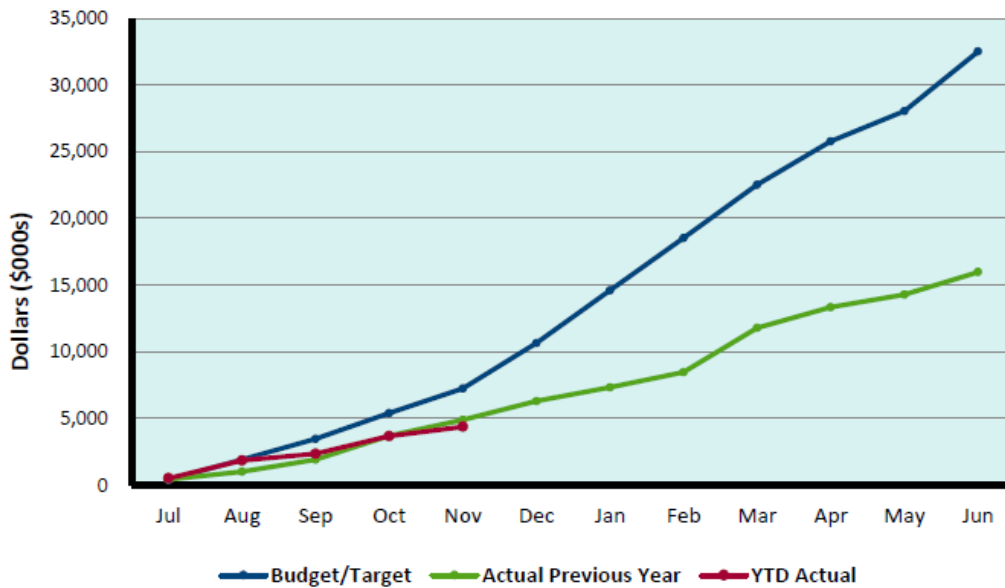
Actual income of \$51.21M is \$509K more than the year-to-date budgeted income of \$50.71M.

Operating Expenditure (\$ 000's)



Note: Actual operating expenditure for both base and operating projects is \$385K under the year-to-date budget.

Capital Expenditure (\$ 000's)



Note: The capital expenditure variance to the end of November 2020 is \$2.86M less than the year-to-date budget. The monthly Capital Works Expenditure Summary Report to Council 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 DSOP-5 and DSOP-6 for more detailed information regarding projects:

Statement of Financial Activity	YTD Actual to Budget Variance
Operating Revenue	
<p>Contributions, Reimbursements and Donations – Favourable year-to-date variance of \$152K mainly due to higher than anticipated contributions received of \$77K (including \$37K of credits for the solar panel installation, and \$38K towards structure planning projects) and various insurance reimbursements of \$83K. Forecast adjustments have been entered and will be included in the February 2021 Budget Review.</p>	<p>\$151,977 35%</p>
Capital Expenses	
<p>Acquisition of Assets – Favourable year-to-date variance due to the timing of capital expenditure. The capital projects are monitored on a monthly basis.</p> <p>PR-4786 - Detailed design and construction of Youth Precinct - \$779K PR-4015 - Improve City’s Landscaping, Parks, Gardens and Entry Statements - \$412K PR-1103 - Realign and widen Ocean Drive - \$400K PR-4799 - Upgrade Halifax Business Park infrastructure - \$248K PR-4943 - Implement land exchange, land acquisitions and rationalisation - \$191K PR-4051 - Renew pavement, drainage and reseal Victoria St - \$153K PR-1112 - Reseal and repair pavement Sandridge Rd - \$150K PR-4847 - Construct new UAT Public Facility at Des Ugle Park - \$117K PR-4781 - Replace SWSC fire system - \$113K PR-4578 - Renew and upgrade Big Swamp shared path - \$106K</p>	<p>\$2,858,025 39%</p>

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 2020/21 financial year. Any forecast changes noted will be included in the February 2021 Budget Review.

Community Consultation

There is no requirement for community consultation on this report. A Monthly Community Financial Report (attached at Appendix DSOP-7) has been prepared to give the community an easy to understand summary of the City’s financial performance. Once received by Council, this report will be 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 reflect the City’s current budget and financial position at all times.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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 3/21

The Financial Management Report for the period ending 30 November 2020 be received.

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

10.2 Schedule of Accounts Paid for the 1 November 2020 to 30 November 2020 (listed as 10.3.3 in the agenda)

File Ref:							
Applicant/Proponent:	Internal Report						
Responsible Officer:	David Ransom, Manager Finance						
Responsible Manager:	David Ransom, Manager Finance						
Executive:	Dave Chandler, Director Strategy & Organisational Performance						
Authority/Discretion:	<table border="0"> <tr> <td><input type="checkbox"/> Advocacy</td> <td><input type="checkbox"/> Review</td> </tr> <tr> <td><input type="checkbox"/> Executive/Strategic</td> <td><input type="checkbox"/> Quasi-Judicial</td> </tr> <tr> <td><input checked="" type="checkbox"/> Legislative</td> <td><input checked="" type="checkbox"/> Information Purposes</td> </tr> </table>	<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
<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 DSOP-8: Schedule of Accounts Paid						

Summary

The City of Bunbury "*Schedule of Accounts Paid*" covering the period 1 November 2020 to 30 November 2020 is attached at Appendix DSOP-8. The schedule contains details of the following transactions;

1. Municipal Account – payments totalling \$4,997,643.27
2. Trust Account – payments totalling \$21,126.12
3. Visitor Information Centre Trust Account – payments totalling \$6,071.37
4. Bunbury-Harvey Regional Council Municipal Account – payments totalling \$320,326.09

Executive Recommendation

The Schedule of Accounts Paid for the period 1 November 2020 to 30 November 2020 be received.

Voting Requirement: Simple Majority required

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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 4/21</p> <p><i>The Schedule of Accounts Paid for the period 1 November 2020 to 30 November 2020 be received.</i></p> <p>CARRIED UNANIMOUSLY 12 votes "for" / nil votes "against"</p>
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10.3 Rates Exemption Application – Group Training South West, Waratah Support Centre and Bunbury Regional Community College (listed as 10.3.4 in the agenda)

File Ref:	COB/1130
Applicant/Proponent:	Group Training South West, Waratah Support Centre & Bunbury Regional Community College
Responsible Officer:	Leonie Barwick, Team Leader Corporate Revenue
Responsible Manager:	David Ransom, Manager Finance
Executive:	Dave Chandler, Director Strategy and Organisational Performance
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

Three rate exemption applications totalling \$50,517 per annum (based on this year's rates) have been received seeking a rates exemption under Section 6.26 (g) of the *Local Government Act 1995* – land used exclusively for charitable purposes.

Group Training South West has applied for a rates exemption for 51 Spencer Street, Bunbury, 26 Zoe Street, Bunbury, 9 Craigie Street, Davenport, 29 Halifax Drive, Davenport, 31 Halifax Drive, Davenport and Unit 7, 10 Victoria Street, Bunbury. The applications will reduce rates income by an estimate of \$29,934 per annum. Note: the application for 31 Halifax Drive, Davenport is not supported as it is vacant land.

Waratah Support Centre have applied for a rates exemption for 167 Spencer Street, South Bunbury which will reduce rates income by an estimate of \$4,557 per annum.

Bunbury Regional Community College have applied for a rates exemption for the entire first floor of 16 Victoria Street, Bunbury which will reduce rates income by an estimate of \$16,026 per annum.

An internal assessment of all applications received indicate that they are eligible for a rate exemption.

These applications are now referred to Council for consideration.

Executive Recommendation

1. That Council grants a rate exemption to Group Training South West under Section 6.26 (g) of the *Local Government Act 1995* for 51 Spencer Street, Bunbury, 26 Zoe Street, Bunbury, 9 Craigie Street, Davenport, 29 Halifax Drive, Davenport, and Unit 7, 10 Victoria Street, Bunbury effective from 1 July 2021;
2. That Council rejects the rates exemption application for 31 Halifax Drive, Davenport;
3. That Council grants a rate exemption to Waratah Support Centre under section 6.26 (g) of the *Local Government Act 1995* for 167 Spencer Street, South Bunbury effective from 1 July 2021;

4. That Council grants a rate exemption to Bunbury Regional Community College under *Local Government Act 1995* section 6.26 (g) for 16 Victoria Street, Bunbury effective from 1 July 2021.

Voting Requirement: Simple Majority

Strategic Relevance

Theme 4: Our City
Goal: Civic leadership, partnerships and sound governance in delivering with and for the community.
Objective 4.4: A skilled organisation, which exercises responsible asset stewardship, sound financial management, and exemplary customer service.

Regional Impact Statement

Accepting the rates exemption applications will reduce the City's rates revenue but will not have a regional impact.

Background

Group Training South West Incorporated is a not for profit, community-based organisation overseen by a voluntary Board of Directors. It is a Registered Training Organisation that provides high quality training.

Waratah Support Services provide safe, private and confidential counselling and support services to women or children in domestic violence. 167 Spencer Street is current being used as a second office to provide services. Waratah Support Services currently receives a rates exemption for 203 Spencer Street, South Bunbury.

The Bunbury Regional Community College is an educational facility that aims to meet the needs of students who find it difficult or impossible to maintain attendance in mainstream schooling.

All organisations are 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

Group Training South West, Waratah Support Services and Bunbury Regional Community College have supplied all 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 Exemption Guidelines” which have been developed in consultation with the WA Rates Officer’s Association.

Should the application be declined, these organisations have the option to take this matter to the State Administrative Tribunal (SAT).

All rate exempt properties are reviewed on a 2 yearly basis, with a review currently in progress. The City currently has 422 properties that are rate exempt which is a loss of rate income of \$1,265,917 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 rate payers.

Analysis of Financial and Budget Implications

Approval of this rate exemption will result in a reduction of rates income of \$50,517 per annum. As the proposed exemption is to be granted effective from 1 July 2021, these applications, if approved will have no effect on the forecast Closing Surplus Position to 30 June 2021.

Community Consultation

There is no requirement for community consultation on this application.

Elected Member/Officer Consultation

Councillors were provided with a briefing on rate exemptions under the *Local Government Act 1995* on 10 September 2018.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

The Applicants will be notified of Councils decision and that exemption will apply from 1 July 2021.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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 5/21

- 1. That Council grants a rate exemption to Group Training South West under Section 6.26 (g) of the Local Government Act 1995 for 51 Spencer Street, Bunbury, 26 Zoe Street, Bunbury, 9 Craigie Street, Davenport, 29 Halifax Drive, Davenport, and Unit 7, 10 Victoria Street, Bunbury effective from 1 July 2021;***
- 2. That Council rejects the rates exemption application for 31 Halifax Drive, Davenport;***
- 3. That Council grants a rate exemption to Waratah Support Centre under section 6.26 (g) of the Local Government Act 1995 for 167 Spencer Street, South Bunbury effective from 1 July 2021;***
- 4. That Council grants a rate exemption to Bunbury Regional Community College under Local Government Act 1995 section 6.26 (g) for 16 Victoria Street, Bunbury effective from 1 July 2021.***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

Background

The City has received a street addressing request from the owner of Lot 5 Picton Road (ASN4942) for commercial units on this lot. The request has highlighted problems with the lack of street numbers available for this section of Picton Road. Street numbering for the South side of Picton Road ends at Forrest Avenue with #1 Picton Road. Therefore, there is no provision for additional numbers between Petherick Street and Forrest Avenue on the South side.

Original street numbering was assigned when Picton Road continued into Forrest Avenue (refer Appendix DSOP-10). Numbering commenced from Forrest Avenue towards Robertson Drive which did not allow for any subsequent numbering when Picton Road was developed further north to join Sandridge Road.

Council Policy Compliance

Street Addressing Council Policy defines the standards and procedures for the assignment and amendment of street numbering within the City of Bunbury.

Naming of Roads, Reserves, Bridges and Other Places Council Policy provides that any request that is within the Policies and Standards for Geographical Naming in Western Australia will be submitted to Council for endorsement.

Legislative Compliance

Local Government Authorities are responsible for, and have control of, the numbering process.

Landgate's Geographic Names Committee is responsible for the official naming of Geographic features such as roads and localities.

Officer Comments

A request to Landgate (Location Intelligence) confirmed the limited options based on the current numbering arrangement.

The current numbering starts from Forrest Avenue on the odd (South) side. This numbering allocation does not allow for the addressing of commercial properties between Petherick Street and Forrest Avenue.

The renaming of the Picton Road slip road (South) would free up eight street numbers to allow for the addressing of affected properties. (Refer Appendix DSOP-9)

Analysis of Financial and Budget Implications

The City will pay for mail re-direction costs for affected property owners for a period of 3 months. This can be accommodated within the current Budget.

Community Consultation

A total of 8 letters were issued to affected property owners and the following suggested street names were received (refer Appendix DSOP-11):

Selwyn Place (x 2)
Dettman Close
Selwyn Close (x2)
Kongras Place

Elected Member/Officer Consultation

The Executive Leadership Team considered this matter on the 15 December 2020 and selected Selwyn Place as its preferred option for the renaming of Picton Road Slip Road.

Applicant Consultation

Not Applicable.

Timeline: Council Decision Implementation

Affected residents will be notified of the road name change as soon as possible.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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 6/21

That Council:

- 1. Proceeds with the renaming of the slip-road on the south side of Picton Road to Selwyn Place;***
- 2. Assists the eight affected property owners to minimise the impact of road name change by notifying relevant authorities and paying for a mail redirection for a period of 3 months.***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

in turn provides an identity that connects people to culture, embodies traditions and passes on knowledge. The City's Reconciliation Action Plan (RAP Reflect) was endorsed by Reconciliation Australia 21 June 2019.

Background

Moorlands Pty Ltd have requested that the public open space Reserve 52113 LOT152 Moonlight Drive refer location map **attached** at Appendix DI-1 in the Riverlea Estate development been formally named 'Barker Park'. The original request was to name the reserve to be named 'Lex Barker Park'. Preliminary enquiries were made with Landgate regarding the name and the advice was that Lex Barker Park' would not be considered an appropriate name. The reasons that it is not considered appropriate are that Lex Barker is honoured by having Barker Boulevard named after him, and typically individuals are not honoured again, in addition Landgate's preference for commemorative naming is for the person being honoured to have done much more for the community rather than just "owned land" (refer the below extract from the Policy and Standards for Geographic Naming in Western Australia). Landgate's preference for naming parks and reserve is to use the adjoining road. Barker Boulevard is one of the adjoining roads the reserve could be named 'Barker Park'. The city commenced the process to formally name Reserve 52113 LOT152 Moonlight Drive, Glen Iris.

Council Policy Compliance

Council Policy: Naming of Roads, Reserves, Bridges and Other Places applies.

Legislative Compliance

Land Administration Act 1997 Part 2 Division 3 Section 26 deals with the naming of any topographical feature, road or reserve.

Officer Comments

The City commenced the process to formally name Reserve 52113 LOT152 Moonlight Drive, Glen Iris. The public consultation with the residents of the Riverlea estate development was undertaken and of the 7 (seven) alternative suggestion two were considered appropriate for further investigation, the remainder of the suggestion would not comply with Geographic Names Committee (GNC) Policy. Public Consultation for naming of Reserve 52113 LOT152 Moonlight Drive, GLEN IRIS **attached** at Appendix DI-2.

One of the alternative suggestions was 'Mikang' pronounced 'Mee-kang' which is the Noongar word for 'Moonlight'. Moonlight is the name of an adjoining road to the reserve and as such would comply with the GNC policy for the name of the reserve. The name Moonlight is the historical local name for the bridge over the Preston River near Moorland Avenue was "Moonlight Bridge". Landgate have produced the Aboriginal and Dual Naming guideline for naming geographic features and places, which states:-

Landgate is committed to the continued recognition of Aboriginal cultural heritage by capturing and recording the original place names and connection to geographical features and places. Assigning Aboriginal names to geographical features and places will help with the wider preservation of Aboriginal heritage and is an important way to progress reconciliation between Aboriginal and non-Aboriginal people in Western Australia.

The guideline includes references to dual naming, however as this reserve is not currently named a dual name for this reserve is not required and it would be known as 'Mikang Park'.

The City sought the input of the Greater Bunbury Aboriginal Community Elders Group on the name 'Mikang' and confirmation of the pronunciation (Mee-Kang). The Elders Group support the naming of the reserve 'Mikang'.

Analysis of Financial and Budget Implications

The standard park name signage and interpretative signage is estimated to be \$500 and can be accommodated with the City's existing signage budget.

Community Consultation

The City undertook a letter box drop of all residence in the Riverlea Estate development requesting feedback on the proposed name 'Barker Park' and the opportunity to request an alternative name. Eleven responses were received with 4 (four) supporting the name and 7 (seven) requesting an alternative.

The Greater Bunbury Aboriginal Community Elders Group were consulted regarding the proposed name 'Mikang' and have agreed to the name 'Mikang'. Greater Bunbury Aboriginal Community Elders Group feedback on proposed park name - Mikang Park **attached** at Appendix DI-3.

Elected Member/Officer Consultation

Nil

Applicant Consultation

Moorlands Pty Ltd have been advised of the consultation required with Greater Bunbury Aboriginal Community Elders Group regarding the suggestion of the name 'Mikang Park'. Moorlands Pty Ltd have advised that they support the original requested name of 'Barker Park'.

Timeline: Council Decision Implementation

The City will submit the endorsed name to Landgate for Ministerial approval. Upon receipt of approval the signage will be installed and information regarding the name will be communicated to the community.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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 7/21

That Council:

- 1. Endorse the name 'Mikang Park' for Reserve 52113 LOT152 Moonlight Drive, Glen Iris.***
- 2. Endorse the alternative name 'Barker Park' for Reserve 52113 LOT152 Moonlight Drive, Glen Iris should 'Mikang Park' not be approved by Geographic Names Committee.***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

10.6 2021 City of Bunbury Council and Mayoral Election (listed as 10.3.1 in the agenda)

File Ref:	COB/468
Applicant/Proponent:	Internal Report
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Dave Chandler, Director Strategy and Organisational Performance
Authority/Discretion	<input checked="" 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:	Nil

Summary

The City of Bunbury has conducted its ordinary elections via postal vote since 1997. The purpose of this report is for Council to consider appointing the Western Australian Electoral Commissioner to be responsible for the conduct of the 2021 City of Bunbury Mayoral and Council elections.

Executive Recommendation

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required.
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

Voting Requirements: Absolute Majority required

Strategic Relevance

Theme 4: Our City.
Goal: Civic leadership, partnerships and sound governance in delivering with and for the community.
Objective 4.3: Trusted leadership and robust decision-making.

Regional Impact Statement

N/A

Background

Correspondence has been received from the WA Electoral Commission (WAEC) seeking a Council decision as to whether the City of Bunbury wishes to conduct its 2021 ordinary elections as a postal election. The *Local Government Act 1995* does not make provision for postal elections to be carried out by anyone other than the Western Australian Electoral Commissioner.

The City first engaged the WAEC to conduct a postal election in 1997 and has used postal voting for every ordinary election thereafter.

Council Policy Compliance

There is no Council policy applicable to this matter. As the decision to appoint the Electoral Commissioner as being responsible for the conduct of an election must be by an Absolute Majority, Council cannot form a policy position in this regard for Officers to implement outside of Council's formal decision-making processes.

Legislative Compliance

Sections 4.20(4) and 4.61(2) of the *Local Government Act 1995* apply.

Officer Comments

Since being introduced as part of the proclamation of the "new" *Local Government Act* in 1995, postal elections have become increasingly popular with local governments throughout the State, largely due to increased voter turnout and participation figures.

As an example, the voter participation rate for the 2019, 2017, 2015, 2013, and 2011 City of Bunbury ordinary elections was 28.55%, 35.10%, 29.2%, 35.5%, and 31.1% respectively. The last two in-person ordinary elections held prior to 1997 attracted participation rates of approximately 11% for each. Further, in 2006 and 2008 Extraordinary Elections were held that were conducted as in person elections, where the voter turnout was 1.8% and 2.3% respectively.

Postal voting has been used in Bunbury for ordinary elections since 1997, with little evidence of complaint from members of the public, as well as a significantly higher voter participation.

Postal voting is more user-friendly than in-person elections, where electors receive their ballot papers well in advance of Election Day, and can return them via post, which is of great benefit to those who work on Saturdays and those who are otherwise unable to attend in person.

Analysis of Financial and Budget Implications

The WAEC has estimated the cost to hold the 2021 City of Bunbury election via postal vote to be \$108,000.

Provision has been made in the City's most recent long-term financial plan for this purpose and will need to be formalised as part of 2021/22 budget deliberations.

Councillor/Officer Consultation

Not applicable.

Community Consultation

Nil

Timeline: Council Decision Implementation

The WAEC will be advised of Council's decision in this regard immediately.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr McCleary.

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

Council Decision 8/21

That Council:

- 1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required.***
- 2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

10.7 Resignation of Youth Advisory Council Committee Member (listed as 10.4.1 in the agenda)

File Ref:	COB/526		
Applicant/Proponent:	Internal		
Responsible Officer:	Danika Wellington, Acting Senior Community Partnerships Officer		
Responsible Manager:	Sarah Upton, Manager Community Services		
Executive:	Gary Barbour, Director Sustainable Communities		
Authority/Discretion:	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review	
	<input type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial	
	<input type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes	
Attachments:	Appendix CRUSC-1: Confidential Matrix		

Summary

The purpose of this report is to advise Council of the resignation of Ella Quick and to refer this matter to Council for endorsement of appointment of a new YAC Member to fill the vacant position on the Committee.

Youth Advisory Council Committee Recommendation

That Council:

1. Note the resignation of Ella Quick from the Youth Advisory Council.
2. Request the Chief Executive Officer formally thank Ella Quick for her contribution to the Youth Advisory Council.
3. Appoint the next highest ranked candidate as outlined in the Confidential Matrix (**attached** at Appendix CRUSC-1) as a member of the Youth Advisory Council.
4. Fill any subsequent vacancies on the Youth Advisory Council that may occur prior to October 2021 utilising the rankings in the Confidential Matrix **attached** at Appendix CRUSC-1.

Voting Requirement: Absolute Majority required

Strategic Relevance

Theme 1 Our community and culture
 Goal A safe, healthy and cohesive community, with a rich cultural life, and supportive social environment
 Objective 1.6 A community that provides for the particular needs of the young and the old

Regional Impact Statement

The Youth Advisory Council Committee is comprised of members from the Greater Bunbury Region to represent the surrounding local government areas of Capel, Dardanup and Harvey.

Background

Following the resignation of two Youth Advisory Council Committee (YAC) members earlier this year, advertising for vacant positions was undertaken from 25 May to 18 June 2020. Four positions had been left vacant at the time of appointment of the new Committee at the last Council election period in October 2019. The six vacant positions were advertised and filled (Council Decision 175/20).

Thirteen nominations had been received at the time of advertising and therefore six young people were unsuccessful.

Council Policy Compliance

Not applicable.

Legislative Compliance

Local Government Act 1995

Officer Comments

Due to advertising for recruitment of the previous vacancies having occurred so recently, it would be more efficient for both applicants and staff to utilise the unsuccessful applications received during the last call nomination period. There were many suitable nominations received and any of the young people who applied would make a valuable addition to the YAC team.

Contact has been made with applicants who submitted previously. One applicant has withdrawn their application. Details of the next candidate on the matrix are **attached** at CRUSC-1.

Analysis of Financial and Budget Implications

There are no financial or budgetary implications associated with this report.

Community Consultation

Not applicable.

Councillor/Officer Consultation

Not applicable.

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Within five working days of the Council Meeting.

Outcome of Meeting 9 February 2021

The recommendation (as printed) was moved by Cr McCleary and seconded by Cr Plumb.

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

Council Decision 9/21

That Council:

- 1. Note the resignation of Ella Quick from the Youth Advisory Council.***
- 2. Request the Chief Executive Officer formally thank Ella Quick for her contribution to the Youth Advisory Council.***
- 3. Appoint the next highest ranked candidate as outlined in the Confidential Matrix (attached at Appendix CRUSC-1) as a member of the Youth Advisory Council.***
- 4. Fill any subsequent vacancies on the Youth Advisory Council that may occur prior to October 2021 utilising the rankings in the Confidential Matrix attached at Appendix CRUSC-1.***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

11. Applications for Leave of Absence

Councillor Steck requests leave of absence from all Council-related business for 9 February 2021.

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*, Councillor Steck is granted leave of absence from all Council-related business for 9 February 2021.

Outcome of Meeting – Ordinary Council Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Hayward and seconded by Cr Giles.

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

Council Decision 10/21

Pursuant to Section 2.25 of the Local Government Act 1995, Councillor Steck is granted leave of absence from all Council-related business for 9 February 2021.

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

12. Motions on Notice

Nil

13. Questions from Members

13.1 Response to Previous Questions from Members taken on Notice

Nil

13.2 Questions from Members

Nil

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

The Chief Executive Officer advised Council of a late item for discussion to allow the execution of point 4, Council Decision 279/20 from the Ordinary Council Meeting held 8 December 2020 and to enable the cascading communication of the finalised 2021 Key Performance Indicator's in a timely manner.

Recommendation

That Council pursuant to section 5.4 of Council's Standing Orders, agree to receive the item titled "14.1. Chief Executive Officer Key Performance Indicators 2021" as a matter of urgent business.

Outcome of Meeting – Ordinary Council Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Giles and seconded by Cr McCleary.

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

Council Decision 11/21

That Council pursuant to section 5.4 of Council's Standing Orders, agree to receive the item titled "14.1. Chief Executive Officer Key Performance Indicators 2021" as a matter of urgent business.

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

14.1. Chief Executive Officer Key Performance Indicators 2021

File Ref:	COB/515
Applicant/Proponent:	CEO Performance Review Panel
Executive:	Mal Osborne, Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input checked="" 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 CEO-1 Proposed CEO KPI's for 2021 Appendix CEO-2 Key action areas for the CEO

Summary

The purpose of this report is to present the 2021 Key Performance Indicators (KPI's) for the Chief Executive Officer (CEO) which were finalised at the CEO Performance Review Panel meeting held 29 January 2021.

Executive Recommendation

That Council:

1. Endorse the CEO Key Performance Indicators for 2021 as presented at CEO-1.
2. Note the summary of the key points for action by the CEO as presented at CEO-2.

Voting Requirement: Simple Majority

Strategic Relevance

Theme 4	Our City
Goal	Civic Leadership, partnerships and sound governance in delivery with and for the community
Objective 4.4	A skilled organisation, which exercises responsible asset stewardship, sound financial management and exemplary customer service.

Regional Impact Statement

Nil

Background

The CEO's Performance Review Report was presented to Council at the Ordinary Council Meeting held 8 December 2020, refer Decision 279/20. Recommendation 4 of that Council Decision noted that setting of the KPI's for the CEO for 2021 will be formalised in January/February of 2021. Two strategic sessions were held with Elected Members, the first on Friday 20 November and the second on Tuesday 15 December to assist in shaping the Chief Executive Officers Key Performance Indicators for 2021.

At these Strategic Sessions other key points for action by the CEO in 2021, in accordance with his contract, were raised and are attached at Appendix CEO-2 for noting.

Council Policy Compliance

No Council Policy applies in this instance.

Legislative Compliance

Section 5.38 of the Local Government Act 1995 requires the performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, to be reviewed at least once in relation to every year of the employment.

Mayor's Comments

The CEO Performance Review Panel met with the CEO on 29 January 2021 to discuss and finalise the Key Performance Indicators for 2021. A copy of the draft Key Performance Indicators for 2021 is attached at Appendix CEO-1.

The Panel and Mr Osborne have reached agreement with Key Performance Indicators and submit these documents to Council for its consideration and approval.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

The CEO Performance Review Panel has considered this matter and have now referred their recommendation to Council for endorsement.

Timeline: Council Decision Implementation

The KPI's will become effective in line with Council's decision in this regard immediately.

Outcome of Meeting – Ordinary Council Meeting 9 February 2021

The recommendation (as printed) was moved by Cr McCleary and seconded by Cr Hayward.

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

Council Decision 12/21

That Council:

- 1. Endorse the CEO Key Performance Indicators for 2021 as presented at CEO-1.***
- 2. Note the summary of the key points for action by the CEO as presented at CEO-2.***

CARRIED

11 votes "for" / 1 vote "against"

Mayor Brennan and Councillors Brown, Giles, Hayward, Kozisek, McCleary, Miguel, Plumb, Smith, Turner and Yip voted "for."

Councillor Steele voted "against."

15. Meeting Closed to Public

15.1 Matters for which the Meeting may be Closed

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

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

Council Decision 13/21

In accordance with sections 5.23(2)(a) of the Local Government Act 1995 and clause 6.2 of the City of Bunbury's Standing Orders Local Law, Council resolves to close the meeting to members of the public to consider the items titled "15.1.1 Request for Tender - Youth Precinct Demolition, Bulk Earthworks & Services" and "15.1.2 Request for Tender – Upgrade Harris Road (Stage 1)."

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

The meeting was closed to the public at 5:41pm

15.1.1 Request for Tender - Youth Precinct Demolition, Bulk Earthworks & Services

File Ref:	RFT2021/020
Applicant/Proponent:	Internal
Responsible Officer:	Lisa McDonald, Team Leader, Contracts & Commercial
Responsible Manager:	David Ransom, Manager Finance
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<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:	Confidential Appendix CRUSC-2 - Request for Tender Youth Precinct Demolition, Bulk Earthworks & Services

This report is confidential in accordance with section 5.23(2)(c) 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-2). The report is not for circulation.

Outcome of Meeting – Ordinary Council Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Turner and seconded by Cr McCleary.

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

Council Decision 14/21

That Council:

- 1. Pursuant to RFT2021/020 Youth Precinct – Demolition, Bulk Earthworks and Services, accept the tender from Geographe Civil Pty Ltd for the price of \$766,534.66, subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations);***
- 2. Authorises the Chief Executive Officer to negotiate and agree with Geographe Civil Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget and the variation being limited to 10% of the contract value; and***
- 3. Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with Geographe Civil Pty Ltd for the Youth Precinct – Demolition, Bulk Earthworks and Services.***

CARRIED

10 votes “for” / 2 votes “against”

Mayor Brennan and Councillors Brown, Giles, Hayward, Kozisek, McCleary, Miguel, Plumb, Turner and Yip voted “for.”

Councillors Steele and Smith voted “against.”

15.1.2 Request for Tender – Upgrade Harris Road (Stage 1)

File Ref:	RFT2021/014
Applicant/Proponent:	Internal
Responsible Officer:	Jane Parsons, Contracts and Procurement Officer
Responsible Manager:	David Ransom, Manager Finance
Executive:	Gavin Harris, Director Infrastructure
Authority/Discretion	<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:	Confidential Appendix CRUSC-3 Request for Tender Upgrade Harris Road (Stage 1)

This report is confidential in accordance with section 5.23(2)(c) 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 – Ordinary Council Meeting 9 February 2021

The recommendation (as printed) was moved by Cr Turner and seconded by Cr Plumb.

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

Council Decision 15/21

That Council:

- 1. Pursuant to RFT2021/014 Upgrade Harris Road (Stage 1), accept the tender from Carbone Bros. Pty Ltd for the contract price of \$255,893.50, subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations);***
- 2. Authorises the Chief Executive Officer to negotiate and agree with Carbone Bros. Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget and the variation being limited to 10% of the contract value; and***
- 3. Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with Carbone Bros. Pty Ltd for the upgrade Harris Road (Stage 1).***

CARRIED UNANIMOUSLY
12 votes "for" / nil votes "against"

A procedural motion to reopen the meeting to the public and press was moved by Cr Giles and seconded by Cr Brown. The Mayor put the motion to the vote, and it was carried as follows:

Council Decision 16/21

That the meeting be reopened to the public.

CARRIED UNANIMOUSLY
12 votes “for” / nil votes “against”

The meeting was reopened to the public at 5.43pm.

15.2 Public Reading of Resolutions that may be made Public

The Mayor read aloud Council’s decision in relation to item 15.1.1 as follows:

That Council:

1. *Pursuant to RFT2021/020 Youth Precinct – Demolition, Bulk Earthworks and Services, accept the tender from Geographe Civil Pty Ltd for the price of \$766,534.66, subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations);*
2. *Authorises the Chief Executive Officer to negotiate and agree with Geographe Civil Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget and the variation being limited to 10% of the contract value; and*
3. *Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with Geographe Civil Pty Ltd for the Youth Precinct – Demolition, Bulk Earthworks and Services.*

The Mayor read aloud Council’s decision in relation to item 15.1.2 as follows:

That Council:

1. *Pursuant to RFT2021/014 Upgrade Harris Road (Stage 1), accept the tender from Carbone Bros. Pty Ltd for the contract price of \$255,893.50, subject to minor variations to be negotiated in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996 (FG Regulations);*
2. *Authorises the Chief Executive Officer to negotiate and agree with Carbone Bros. Pty Ltd minor variations in accordance with Regulation 20 of the FG Regulations, subject to there being sufficient funds available within the approved expenditure budget and the variation being limited to 10% of the contract value; and*
3. *Subject to resolutions 1 and 2, authorise the Chief Executive Officer to enter into a contract with Carbone Bros. Pty Ltd for the upgrade Harris Road (Stage 1).*

16. Closure

The Mayor declared the meeting closed at 5:46pm

Confirmed this day, 23 February 2021 to be a true and correct record of proceedings of the City of Bunbury Council Meeting held 9 February 2021

Mr Gary Brennan
MAYOR