



Policy Review and Development Committee

Minutes

14 April 2022

Committee Terms of Reference

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

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1. Declaration of Opening

The Presiding Member declared the meeting open at 3:32pm.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

Nil

4. Attendances

Committee Members:

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

Ex-officio Members (non-voting):

Member Name	Representing
Mr Gary Barbour	A/Chief Executive Officer
Mrs Karin Strachan (via Microsoft Teams)	Director Strategy and Organisational Performance

Support Staff:

Name	Title
Mrs Leanne French	Senior Governance and Risk Officer
Mr Liam Murphy	Governance Officer
Mr David Russell	Manager Community Facilities
Ms Saphron Wheeler	Environmental Sustainability Officer
Mr Anthony Pick	Senior Planning Officer
Ms Vicki Gregg (via Microsoft Teams)	Team Leader Financial Accounting

4.1 Apologies

Nil

4.2 Approved Leave of Absence

Nil

5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.

Nil

6. Confirmation of Minutes

Committee Decision: Moved: Cr Giles Seconded: Cr Quain

The minutes of the Policy Review and Development Committee Meeting held on 27 January 2022 are confirmed as a true and accurate record.

CARRIED

7. Method of Dealing with Agenda Business

All items were dealt with in the order they appeared in the agenda.

8. Reports

8.1 Review of Council Policy: Elected Member Entitlements

File Ref:	COB/4469
Applicant/Proponent:	Internal
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
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:	Appendix 1: REVISED Council Policy Elected Member Entitlements

Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy – Elected Member Entitlements.

Council Decision 45/22 from the Ordinary Council Meeting held 22 February 2022 requested that the Policy be returned to the PRDC to consider the incorporation of elements that were discussed at the Strategic Workshop held on 8 February 2022, and in particular clarifying matters in regard to ICT expenses.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Elected Member entitlements as presented at Appendix 1.

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 exercise responsible asset stewardship, sound financial management, and exemplary customer service.

Regional Impact Statement

This Policy applies only to the City of Bunbury

Background

The Policy was last reviewed and revised by Council at the Ordinary Council Meeting held on 22 February 2022, however Council decision 45/22 from that Meeting requested that the Policy be returned to the PRDC to consider the incorporation of elements that were discussed at the Strategic Workshop held on 8 February 2022, and in particular clarifying matters in regard to ICT expenses.

Council Policy Compliance

This report facilitates the review of existing Council Policy Elected Member Entitlements.

Legislative Compliance

The *Local Government Act 1995* provides parameters for Elected Member sitting fees and allowances. Further, the SAT determines the levels of sitting fees and allowances payable, with paragraph 17 of the most recent determination into Local Government CEOs and Elected Members relevant in this context:

It is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.

Officer Comments

Officers have reviewed the current policy in the context of discussion at the Strategic Workshop held on 8 February 2022, with changes reflected at Appendix 1. Note that the proposed changes to the Policy merely give clarification and definition to certain aspects while effectively maintaining the status quo.

Analysis of Financial and Budget Implications

Nil. The proposed changes to the Policy merely give clarification and definition to certain aspects while effectively maintaining the status quo.

Community Consultation

Nil

Elected Member/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Immediately following Council decision.

Outcome of Meeting – 14 April 2022

The Executive Recommendation was moved by Cr Giles and seconded by Cr Steele and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommend that Council adopt revised Council Policy Elected Member Entitlements as presented at Appendix 1.

8.2 Review of Council Policy: Private Use of Mayoral Vehicle

File Ref:	COB/4469
Applicant/Proponent:	Internal
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 2: Private Use of Mayoral Vehicle Council Policy

Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Private Use of Mayoral Vehicle. The policy was last reviewed in March 2020 and is now due for its biennial review.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Private Use of Mayoral Vehicle, with no changes recommended.

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

This policy only applies within the City of Bunbury.

Background

Although the *Local Government Act 1995* (the Act) does not expressly provide for the provision of motor vehicles to Elected Members, the Department of Local Government, Sport and Cultural Industries (the Department) considers that there is scope in section 5.98 of the Act to allow the Mayor to be provided with the use of a motor vehicle for the purpose of carrying out his or her official functions and duties.

The Act is however silent in relation to the use of the vehicle for private purposes. The Department advises that private use is clearly considered as a personal benefit over and above the normal entitlements of fees, expenses and allowances that are provided to elected members under the Act. Accordingly, private use does not fall within the scope of an elected member performing their functions and duties under the Act.

To assist in clarifying the provision of a vehicle for official purposes and the payment of expenses, the Department has previously introduced section 5.101A as a new section of the Act to allow for regulations to be made about the method of payment of an expense for which a person may be reimbursed. A motor vehicle is now prescribed in the *Local Government (Administration) Regulations 1996* (the Regulations) as one of those methods of payment of an expense for which a person may be reimbursed.

The Regulations also require that the Council Member to which a vehicle is provided must sign an agreement setting out the responsibilities of the Council Member in relation to the use of that vehicle.

Cognisant of the earlier change to the legislation, the Department suggested that local governments adopt a policy in relation to Mayoral vehicle use. Council has previously adopted a policy in this regard (Appendix 2), which is consistent with guidelines provided by the Department for this purpose.

Furthermore, an agreement is currently in place between the Mayor and the City which formalises acceptance of the terms and conditions of the policy.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

Section 5.101A of the *Local Government Act 1995* and regulation 34AD of the *Local Government (Administration) Regulations 1996* apply.

5.101A. Regulations about payment of expenses

Regulations may be made about the method of payment of an expense for which a person can be reimbursed.

34AD. Method of payment of expenses for which person can be reimbursed (Act s. 5.101A)

- (1) *The provision of a vehicle owned by a local government —*
 - (a) *to a council member who is a mayor or president of the local government; or*
 - (b) *to a council member who is not a mayor or president of the local government if —*
 - (i) *no reasonable alternative method of travel is available to the council member; and*
 - (ii) *the CEO, mayor or president of the local government has given prior written approval for the provision of the vehicle,*

is prescribed under section 5.101A as a method of payment of expenses for which a council member can be reimbursed.
- (2) *Before a vehicle owned by a local government is provided to a council member the local government and the council member must sign an agreement setting out the responsibilities of the council member in relation to the use of the vehicle.*

Officer Comments

Officers have reviewed the current policy and recommend no changes, as the policy still reflects best practice in this regard.

Analysis of Financial and Budget Implications

Nil as the policy is currently in place.

Community Consultation

Nil

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

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

Outcome of Meeting – 14 April 2022

The Executive Recommendation was moved by Cr Quain and seconded by Cr Giles and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Private Use of Mayoral Vehicle, with no changes recommended.

8.3 Review of Council Policy: Privacy Policy

File Ref:	COB/4469
Applicant/Proponent:	Internal
Responsible Officer:	Leanne French, Senior Governance and Risk Officer
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 3: Council Policy: Privacy

Summary

The purpose of this report is to facilitate a review of existing Council's existing policy relating to Privacy. A copy of the current policy is at Appendix 3.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council note the review of Council's Privacy Policy, with no changes recommended.

Voting Requirement: Simple Majority Vote

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

This policy would only apply within the City of Bunbury.

Background

The current policy was adopted by Council in March 2020 as a replacement for an earlier policy that covered publication of information. The earlier policy only covered scenarios where information was received as a result of a public consultation process (i.e., when submissions are sought for a particular development matter), and so it was felt that there were obvious gaps in terms of how the City dealt with other information that was received through the normal course of our business. The result was the current Council Privacy Policy.

Council Policy Compliance

This report proposes the introduction of a new Council Policy.

Legislative Compliance

Not applicable.

Officer Comments

Officers have undertaken a review of Council's current Privacy Policy and suggest that the content still meets best practice in this regard. Accordingly, no changes are recommended.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

Immediately following Council decision.

Outcome of Meeting – 14 April 2022

The Executive Recommendation was moved by Cr Smith and seconded by Cr Quain and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommend that Council note the review of Council's Privacy Policy, with no changes recommended.

8.4 Review of Council Policy: Risk Management

File Ref:	COB/306
Applicant/Proponent:	Internal
Responsible Officer:	Leanne French, Senior Governance and Risk Officer
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
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:	Appendix 4: REVISED Council Policy Risk Management

Summary

The purpose of this Report is for the Policy Review and Development Committee to consider a revised policy concerning risk management.

Executive Recommendation

That the Policy Review and Development Committee recommends that Council adopt the revised Risk Management Council Policy as attached at Appendix 4.

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 4.3: Trusted leadership and robust decision-making

Regional Impact Statement

There will not be any regional impact by endorsing the revised Policy

Background

The City engaged ME Sparks Consulting to undertake a review and update of the City's existing Enterprise Risk Management Framework. The review will be aligned with the Australian Risk Management Standard ISO 31000:2018 Risk Management Guidelines and the City's current Risk Management Framework and Evolve Program.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

This policy was reviewed in the context of Regulation 17 of the *Local Government (Audit) Regulations 1996*.

Officer Comments

The Risk Management Policy was last reviewed in 2017. This review proposes updates to the Policy in alignment with ISO 31000:2018 Risk Management Guidelines. The Policy includes quantification of the Councils broad risk appetite through the Risk Assessment and Acceptance Criteria.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Elected Member/Officer Consultation

This matter is presented to the PRDC for consideration.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

Immediate once Council have endorsed the recommendation.

Outcome of Meeting – 14 April 2022

A general discussion took place in regard to the proposed changes that were recommended to the Risk Management Policy, noting the updated risk assessment and acceptance criteria within the Policy.

The Executive Recommendation was moved by Cr Giles and seconded by Cr Steele and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommends that Council adopt the revised Risk Management Council Policy as attached at Appendix 4.

8.5 Review of Council Policy: Recreation Facilities

File Ref:	COB/306
Applicant/Proponent:	Internal
Responsible Officer:	David Russell, Manager Community Facilities
Responsible Manager:	David Russell, Manager Community Facilities
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 checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 5: REVISED Council Policy Recreation Facilities

Summary

The Recreation Facilities Council Policy is due for review by Council in line with specified time frames with minor change only made as recommended and simplified where appropriate.

Executive Recommendation

That the Policy Review and Development Committee recommends that Council adopt the revised Recreation Facilities Council Policy as attached at Appendix 5.

Voting Requirement: Simple Majority

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 2	An active community, able to access a wide range of sporting, recreation and leisure options.
Theme 1	Our Community and Culture
Goal	A safe, healthy and cohesive community, with a rich cultural life, and supportive social environment.
Objective 2	A community that provides for the particular needs of the young and the old.

Regional Impact Statement

The City needs to ensure renewing, upgrading or providing new recreational facilities and grounds is done with an awareness of neighbouring local government localities to ensure that duplication or dilution of facilities does not occur. Consultation with the Department of Local Government, Sporting and Cultural Industries is paramount to get the regional perspective on areas of priority.

Background

The Recreation Facilities Council Policy is reviewed every two years to reflect any updates and amendments to ensure it is relevant in providing appropriate management, maintenance and renewal/upgrade of the City of Bunbury sporting facilities and grounds.

Council Policy Compliance

Recreation Facilities Council Policy

Legislative Compliance

There is no advertising period required for this item as once a Council has initially endorsed a Recreation Facilities Council Policy (where advertising is required), further amendments can be made at any time without an advertising or notification period.

Officer Comments

The proposed revised Recreation Facilities Council Policy has the following changes proposed as attached in the draft Policy to establish greater clarity and simplified where possible. The changes in the proposed Policy are minor. Any changes requiring explanation to the Policy Committee are addressed below.

1. **Policy Scope (Item 2)** – This has included the words “grounds” to include any playing fields where appropriate to the sport. For example, for a sport to be successful it may rely on the physical building facilities as well as the associated playing surface. The intent of the Policy Scope is to encompass both elements in providing quality overall facilities.
2. **Policy Scope (Item 2d)** – Changed the wording from “highest” to “required” and from “expectations” to “needs”. This has been changed as under the current wording indicates that the City will provide the highest quality and deliver what the community expects. This in many instances may be aspirational rather than reflecting what the demonstrated needs are. The focus on providing recreational facilities and appropriate grounds/surfaces is focused on the demonstrated need based on community consultation, state sporting body trends and industry benchmarking (Parks and Leisure Australia).
3. **Policy Details (Item 1)** – Same intent, wording amended to reflect that consideration will be given in line with the Policy Scope prior to considering any type of rationalisation.
4. **Policy Details (2)** – Same wording change to reflect community “needs” rather than “expectations”. Wording clarified to ensure consultation outcomes are done so in line with existing plans and strategies.
5. **Policy Details (3)** – Wording added to indicate that development will be conducted not just with the Sport and Recreation Strategy in mind but industry standards for benchmarking.
6. **Policy Details (4)** – This point has been added to indicate that the City should be facilitating and encouraging multi-purpose use (sharing) of facilities to maximise utilisation and more favourable in securing grant funding.
7. **Policy Detail (5)** – Inclusion of State Sporting Bodies as they are pivotal in providing the future trends and focus areas for their relative sport. They are equally important as other agencies.

The organisational strategies and plans have been updated to reflect the current position and there is no change to the intent of the organisational plans that affect the application of the Policy.

The Sport and Recreation Plan 2019-2029 will be reviewed and refreshed in the 22/23 financial year. The current plan is the first iteration and while it covered off on most aspects relating to recreation there is additional work to be carried out in identifying asset maintenance and renewal gaps where infrastructure is not owned by the City. This is important as the City supports clubs in placing State funding applications from time to time so needs to be aware of what likely requests are planned for the future as the City may be requested to partially fund these projects.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil – not required.

Elected Member/Officer Consultation

Officers have reviewed this policy which is now presented to the PRDC for consideration.

Applicant Consultation

Not applicable – statutory update

Timeline: Council Decision Implementation

Immediate once Council have endorsed the recommendation.

Outcome of Meeting – 14 April 2022

Discussion took place regarding the proposed change of wording from community “expectations” to community “needs” within the Scope and Details sections of the Council Policy.

Concerns were raised about how the community’s recreational facilities and grounds needs would be assessed based on the Policy Details. The Acting CEO advised that community needs would be identified in consultation with the relevant community groups, state and peak sporting bodies, industry standards and benchmarks. Officers also noted that this Policy does not prevent Council from considering facilities which potentially exceed community needs.

The Executive Recommendation was moved by Cr Quain and seconded by Cr Giles.

The Presiding Member put the motion to the vote and it was CARRIED 3 votes “for”, 2 votes “against”, as follows:

That the Policy Review and Development Committee recommends that Council adopt the revised Recreation Facilities Council Policy as attached at Appendix 5.

Councillors Quain, Giles and Kozisek voted “for.”

Councillors Smith and Steele voted “against.”

The Manager Community Facilities left the meeting at 3:59pm.

8.6 Revocation of City of Bunbury Local Planning Policies

File Ref:	COB/4499; COB/4498; COB/4500; COB/4501; COB/4502
Applicant/Proponent:	Internal
Responsible Officer:	Anthony Pick, Senior Planning Officer
Responsible Manager:	Felicity Anderson, Manager City Growth
Executive:	Gary Barbour, Director Sustainable Communities
Authority/Discretion	<input type="checkbox"/> Advocacy <input checked="" type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 6: Local Planning Policy 35 - Child Care Premises Appendix 7: Local Planning Policy 43 – Electric Fences Appendix 8: Design Guidelines 8 - City Waters Mixed Business Precinct Development Design Guidelines Appendix 9: Design Guidelines 4.5.2 - Tuart Street Precinct Appendix 10: Detailed Area Plan 4.7.1 - Blair Street (former hospital site) Appendix 11: Detailed Area Plan 11 - Lot 100 (#85-89) Clarke Street Appendix 12: Detailed Area Plan 4.6.1 - Stirton Court (former Adam Road)

Summary

The City’s Planning Department is currently undertaking a staged review of the City’s Local Planning Framework. The review process includes identifying those Local Planning Policies (LPPs) that can be revoked where the provisions of the policies are no longer relevant or effective, are inconsistent with the planning framework or superseded by changes to legislation or are better addressed through other planning policies.

The objective of the review process is to provide for a more streamlined and navigable planning framework, eliminating inconsistency of development standards and improving planning outcomes and decision-making. Due to the high number of LPP’s under review, which also include Design Guidelines and Detailed Area Plans where adopted as LPPs, the policies recommended to be revoked will be brought to Council for consideration over two Council rounds.

Whilst there is no statutory requirement to consult prior to revoking an LPP, in the interests of community engagement it is recommended that the City notifies the landowners/occupiers of the identified Design Guidelines/Detailed Area Plans areas. The engagement process will set out the reasoning and intent to revoke the LPP and provide an opportunity for public submissions.

Executive Recommendation

That the Policy Review and Development Committee recommends that Council resolves to:

1. Notify all landowners/occupiers within the following Design Guidelines or DAP areas of the City's intent to revoke the following Local Planning Policies.
 - Design Guidelines 8 - City Waters Mixed Business Precinct Development Design Guidelines
 - Design Guidelines 4.5.2 - Tuart Street Precinct
 - Detailed Area Plan 4.7.1 - Blair Street (former hospital site)
 - Detailed Area Plan 11 - Lot 100 (#85-89) Clarke Street
 - Detailed Area Plan 4.6.1 - Stirton Court (former Adam Road)

Public consultation to occur for a period of 21 days. Council to consider any submissions made during the advertising period prior to revoking the Local Planning Policy.

2. In accordance with the *Planning and Development (Local Planning Schemes) Regulations*, Schedule 2, Clause 6 (b) revokes the following Local Planning Policies and publishes a notice of revocation of these policies in accordance with Schedule 2, Clause 87 of the Regulations:
 - Local Planning Policy 35 – Child Care Premises
 - Local Planning Policy 43 – Electric Fences

Voting Requirement: Simple Majority

Strategic Relevance

Theme 2	Our economy
Goal	A thriving and dynamic economy, that plays to its strengths, and confidently presents to the world.
Objective 2.2	Bunbury is known far and wide for its strengths as a place to live, visit and do business.
Theme 3	Our places and spaces
Goal	A natural and built environment that reflects Bunbury's core values.
Objective 3.3	High-quality urban design, well-planned neighbourhoods with housing chose, and appropriate provision for diverse land uses to meet the community's needs.
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

The Local Planning Policy review will not have any regional impact.

Background

The Planning Department is currently undertaking a review of its LPPs to deliver a more contemporary, efficient, and integrated local planning framework. The review aligns to the State Government's Planning Reform priorities for reduction of red tape, simplification and streamlining of planning processes, and improved navigability of the planning framework.

The review includes identifying the requirement for new or amended LPPs which will be reported back to Council as a separate, ongoing exercise. This agenda item is focused on the identification and revocation of existing LPPs (and Design Guidelines, LDPs – where adopted as LPPs) that are deemed unnecessary, ineffective, or in conflict with higher order planning provisions. In addition, the report also includes Detailed Area Plans, that were specifically adopted as Local Planning Policies.

As background, the LPPs identified in this report to be revoked were adopted prior to the gazettal of the City's Local Planning Scheme No. 8 (LPS8 or Scheme). Furthermore, the State Government has implemented a range of State Planning Policies and amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). The following provides a summary of the key changes: -

- Gazettal of State Planning Policy 7.0 Design of the Built Environment (SPP 7.0) – 24 May 2019
- Gazettal of State Planning Policy 7.3 Residential Design Codes (SPP 7.3) Volume 1 – 24 May 2019
- Gazettal of the interim Review of the R-Codes Volume 1 – operational from 1 July 2021
- Gazettal of State Planning Policy 7.3 Residential Design Codes (SPP 7.3) Volume 2 – Apartments – 24 May 2019

In August 2018 the City adopted Local Planning Policy 3 – Zone Development Requirements, which sets out the general requirements and standards for the development and use of premises in each zone.

The revocation of these policies will simplify and standardise the assessment process for a wide range of development types, remove uncertainty around outcomes, and improve the decision-making process and timeframes.

The LPPs identified to be revoked are provided at Appendices 6-10.

Council Policy Compliance

Not applicable.

Legislative Compliance

Clause 6 (b), Part 2, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) sets out the procedural requirements for the revocation of an LPP.

Schedule 2, Part 2, Division 2 – Local Planning Policies
6. Revocation of a local planning policy

A local planning policy may be revoked –

- (a) by a subsequent local planning policy that –
- (i) is prepared in accordance with this Part; and
 - (ii) expressly revokes the local planning policy.

Or (b) by a notice of revocation – (i) prepared by the local government; and (ii) published by the local government in accordance with clause 87.

Officer Comments

The following section provides the rationale for the revocation of each of the LPPs.

Local Planning Policy 35 – Child Care Premises

LPP35 was adopted in February 2003. The permissibility of the land use Child Care Premises references the City of Bunbury Town Planning Scheme No. 7 (TPS7). TPS7 has been superseded by LPS8 and Child Care Premises is now an 'A' use across all zones, except for the Light Industry Zone, General Industry Zone, and Rural Zone where they are 'X' uses.

LPP35 seeks to direct Child Care Premises within Residential Zones to 'frame areas'. However, the terminology of 'frame areas' is no longer used and LPS8 has introduced mixed use zones, adjacent to Activity Centres (e.g., Mixed Use – Residential; Mixed Use - Commercial). Development standards and parking provisions within the LPP refer to TPS7 requirements.

It is considered that LPP35 is outdated and inconsistent with the planning framework. It is considered that development proposals for Child Care Premises can be appropriately assessed against the existing planning framework including:

1. *Planning and Development (Local Planning Scheme) Regulations* - Clause 67, which sets out the matters to be given due regard by the local government in the consideration of an application for development approval;
2. City of Bunbury Local Planning Scheme, including Schedule 5 – Additional Zone Development Requirements;
3. LPP3 – Zone Development Requirements;
4. LPP5.4 Non-Residential Development Adjoining Residential Development;
5. State Planning Policy 7 – Design of the Built Environment; and,
6. WAPC Planning Bulletin 72/2009, which provides guidance on the relevant planning considerations and locational requirements for childcare facilities.

The recommendation is, therefore, that the policy be revoked.

Local Planning Policy 43 – Electric Fences

LPP43 was adopted in November 2007 and provides guidance on a single issue that is infrequently considered. Electric fencing is generally controlled through Local Laws. The City's Private Property Local Law 2003, Private Property Amendment Local Law 2007 requires the approval of the local government for any electrified fencing. The specifications within the Local Law for a 'sufficient fence' only apply to rural lots for electrified fencing.

Development approval would also be required. It is considered that any development proposal for electric fencing can be considered against the planning framework, including:

1. *Planning and Development (Local Planning Scheme) Regulations* - Clause 67, which sets out the matters to be given due regard by the local government in the consideration of an application for development approval;
2. City of Bunbury Local Planning Scheme; and,
3. State Planning Policy 7 – Design of the Built Environment.

Where applications are capable of being approved (e.g., Industrial Zone), fencing would be required to comply with AS/NZS3016:2002 and the relevant documentation submitted with the development application. The Australian Standard sets out safety requirements for the installation and operation of electric security fences and their associated equipment. The City will be reviewing LPP3 – Zone Development Requirements, and further guidance on fencing design / standards may be incorporated into LPP3 as part of the review process.

Local Planning Policies – Design Guidelines and DAPs

The LPPs (Design Guidelines and DAPs) in Table 1 below either duplicate provisions within the local planning framework, are ineffective, inefficient or have been superseded by more recent planning instruments and are therefore recommended to be revoked for the reasons provided in the third column.

Table 1: Design Guidelines

Local Planning Policy (Design Guidelines)	Date Adopted, Last Reviewed	Comments
Design Guidelines 8 - City Waters Mixed Business Precinct Development Design Guidelines	1 November 2005	<p>The Design Guidelines (DG) No. 8 were adopted back in 2005. The objective of the DG was to facilitate a high standard of mixed business development within what was known as the 'City Waters Mixed Business Precinct'. The area relates to Lots 442, 443 and 444 Plaza Street. At the time of the adoption of the Design Guidelines the subject sites were zoned Special Use 15 under TPS7. Subsequently, LPS8 rezoned the site to Mixed Use – Residential, with an R-Coding of R40 / R60.</p> <p>The site also forms part of a Special Control Area – Development Area, which includes Lot 103 Spencer Street to the south. Therefore, a Structure Plan is required to guide lot layout, urban design of buildings (including height and setbacks) and open spaces, landscaping, pedestrian movement, vehicle access and parking, and land use interface treatments as appropriate.</p> <p>The DG sets out a range of land use references, development standards and provisions that refer to TPS7 and are therefore outdated and inconsistent with the desired urban design outcomes that are provided in the LPS8, SPP7 – Design of the Built Environment, and LPP3 – Zone Development Requirements.</p>

Local Planning Policy (Design Guidelines)	Date Adopted, Last Reviewed	Comments
Design Guidelines 4.5.2 - Tuart Street Precinct	22 February 2005, Reviewed in 2009 and 2013	<p>The Design Guidelines (DG) No. 4.5.2 were adopted back in 2005. Since the DG was adopted, the Residential Design Codes have been amended several times, mostly recently in July 2021. The Tuart Street Precinct area has predominantly been developed.</p> <p>The DG refers to the land use permissibility of TPS7 and the Special Use provisions that are now outdated, replaced by LPS8.</p> <p>Building Heights are inconsistent with Table 3 of the R-Codes, which were amended in July 2021.</p> <p>Any variation to front setbacks can be considered through the relevant Design Principles of the R-Codes (e.g., being consistent with the established streetscape).</p> <p>The DG seeks to control façade treatment, materials, and colours. However, those elements are not controlled through the R-Codes and a Single House that complies with the deemed-to-comply requirements of the R-Codes would be exempt from development approval, except where the works are located within a heritage-protected place.</p> <p><u>Zoning</u></p> <p>The R-Coding has changed from R40 under TPS7 (Special Use Zone 15) to R40/R60 for a number of properties in Francis Street. The remainder of the area is R40.</p> <p>The zoning has also now changed to either Residential Zone or Mixed Use Residential.</p>
Detailed Area Plan 4.7.1: Blair Street (former hospital site)	14 March 2006, Reviewed 2011	<p>The Blair Street DAP was adopted in 2006 with the objective to set out design standards to achieve a high quality of residential design for small lots. The development of the area has now been built out. A portion of the zoning for the area has also subsequently changed from TPS7 to LPS8, with Lot 928 Mitchell Crescent now reserved Civic and Community (R30).</p> <p>It is considered that the LDP has served its purpose with the area built out and any future residential development is to be assessed against the Residential Design Codes, reflecting contemporary planning practices. For any non-residential development the following legislation and policy requirements would apply.</p> <ol style="list-style-type: none"> 1. Planning and Development (Local Planning Scheme) Regulations - Clause 67 ‘matters to be consider’ in the consideration of a development application

Local Planning Policy (Design Guidelines)	Date Adopted, Last Reviewed	Comments
		<ol style="list-style-type: none"> 2. City of Bunbury Local Planning Scheme 3. LPP3 – Zone Development Requirements 4. LPP5.4 Non-Residential Development Adjoining Residential Development. 5. State Planning Policy 7 – Design of the Built Environment.
LPP - Detailed Area Plan 11 - Lot 100 #85-89 Clarke Street	12 December 2006	<p>The DAP was adopted in 2006, as part of discharging a subdivision condition, to guide the development of a small lot subdivision to deliver high residential standards. The development has now been fully built out. It is considered that the policy has therefore achieved its purpose and any future development can be considered against the Residential Design Codes. Where a development application is required in order to consider a variation to the R-Codes, the following planning legislation and policy requirements would apply.</p> <ol style="list-style-type: none"> 1. Planning and Development (Local Planning Scheme) Regulations - Clause 67 'matters to be consider' in the consideration of a development application 2. City of Bunbury Local Planning Scheme 3. LPP3 – Zone Development Requirements 4. State Planning Policy 7 – Design of the Built Environment
LPP - Detailed Area Plan 4.6.1 - Stirton Court (former Adam Road)	21.12.2004, reviewed 7.06.2011	<p>The Stirton Court DAP was approved in 2004. The purpose of the DAP was to orientate dwellings (habitable rooms) towards Five Mile Brook, protecting local character and amenity, and achieve a high quality of residential design. The site has been built out. Where a development application is required in order to consider a variation to the R-Codes, the following planning legislation and policy requirements would apply.</p> <ol style="list-style-type: none"> 1. Planning and Development (Local Planning Scheme) Regulations - Clause 67 'matters to be consider' in the consideration of a development application 2. City of Bunbury Local Planning Scheme 3. LPP3 – Zone Development Requirements 4. State Planning Policy 7 – Design of the Built Environment

Analysis of Financial and Budget Implications

The revocation of the LPPs will not have any financial or budget implications.

Community Consultation

The Regulations require the City to publish a notice of revocation. However, there is no requirement for public consultation as part of the consideration of whether to revoke an LPP.

Notwithstanding, in the interests of community engagement it is recommended that all landowners/occupiers of properties within the Design Guidelines/Detailed Area Plan area are notified of the City's intent to revoke. Landowners/occupiers will be advised of the rationale for revoking and advised of the planning framework that will supersede the revocation of the LPP (e.g., R-Codes, LPP3: Zone Development Requirements).

Councillor / Officer Consultation

The list of policies to be revoked has been circulated internally to the City's Building, Environmental Health and Development Engineer.

Timeline: Council Decision Implementation

The recommendation of the Policy Review and Development Committee will be included in the agenda item presented to Council.

Where Council resolves to revoke an LPP a notice of revocation is to be published on the City's website. The notice will be published on the website for 7 days and the Local Planning Policy page updated.

Outcome of Meeting – 14 April 2022

A general discussion took place in regard to proposed revocations to the identified Local Planning Policies. The Senior Planning Officer provided an overview of the policies, including where the provisions of the policies are no longer relevant or effective, are inconsistent with the planning framework, are superseded by changes to legislation, or are better addressed through other planning policies.

The Executive Recommendation was moved by Cr Steele and seconded by Cr Quain and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommends that Council resolves to:

- 1. Notify all landowners/occupiers within the following Design Guidelines or DAP areas of the City's intent to revoke the following Local Planning Policies.**
 - **Design Guidelines 8 - City Waters Mixed Business Precinct Development Design Guidelines**
 - **Design Guidelines 4.5.2 - Tuart Street Precinct**
 - **Detailed Area Plan 4.7.1 - Blair Street (former hospital site)**
 - **Detailed Area Plan 11 - Lot 100 (#85-89) Clarke Street**
 - **Detailed Area Plan 4.6.1 - Stirton Court (former Adam Road)**

Public consultation to occur for a period of 21 days. Council to consider any submissions made during the advertising period prior to revoking the Local Planning Policy.

2. In accordance with the *Planning and Development (Local Planning Schemes) Regulations*, Schedule 2, Clause 6 (b) revokes the following Local Planning Policies and publishes a notice of revocation of these policies in accordance with Schedule 2, Clause 87 of the Regulations:

- **Local Planning Policy 35 – Child Care Premises**
- **Local Planning Policy 43 – Electric Fences**

8.7 Proposed Council Policy: Climate Change

File Ref:	COB/1313
Applicant/Proponent:	Internal
Responsible Officer:	Saphron Wheeler, Environmental Sustainability Officer
Responsible Manager:	Aaron Lindsay, Manager Projects & Asset Management
Executive:	Gavin Harris, Director of Infrastructure
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 13: PROPOSED Council Policy Climate Change Appendix 14: WALGA Policy Statement on Climate Change 2018 Appendix 15: WALGA Climate Change Action Framework Appendix 16: WALGA Climate Change Declaration

Summary

This agenda item seeks Council adoption of a new Council Policy Climate Change (Appendix 13).

The proposed Council Policy Climate Change (The Policy) outlines:

- Acknowledgement of key projected climate change impacts to the South Western Flatlands of Western Australia, including Bunbury;
- Commitment to climate change management;
- Support of the Western Australian Local Government Association’s Policy Statement on Climate Change 2018 (WALGA Policy Statement); and
- Acknowledgement and commitment to international obligations.

Executive Recommendation

That the Policy Review and Development Committee recommends that Council resolves to adopt the proposed Council Policy Climate Change as attached at Appendix 13.

Voting Requirement: Simple Majority

Strategic Relevance

Theme 3	Our Places and Spaces
Goal	A natural and built environment that reflects Bunbury’s core values.
Objective 3.4	Minimised risk of flooding through effective management that has regard to the impacts of climate change.
Objective 3.6	The public health and amenity of the community is protected.
Objective 3.7	Management of significant natural areas which provides for human enjoyment while protecting habitat and environmental values for generations to come.

Background

At the Ordinary Council Meeting held on 1 February 2022, an agenda Item was raised regarding the development of the Council Policy, 'Climate Change', refer Council Decision (019/22):

"That Council request the Chief Executive Officer draft a City of Bunbury Council Policy, 'Climate Change', which is consistent with the WALGA Policy Statement on Climate Change and present to the Policy Review and Development Committee for endorsement."

This agenda item supports Council Decision (019/22) by providing a Council Policy, 'Climate Change' to the Policy Review and Development Committee for endorsement and adoption.

In addition, on 14 December 2021, an agenda item was raised regarding the Sustainability and Climate Change Action Frameworks, refer Council Decision (278/21):

"That Council request the Chief Executive Officer prepare a City of Bunbury Sustainability Strategy for Council consideration, including climate change actions and recommendations based on informed corporate net zero emission target scenarios."

This agenda item relates to Council Decision (278/21) in that the Council Policy, 'Climate Change' will inform climate action within the Sustainability Strategy.

Council Policy Compliance

There are no Council policies related to this report and recommendation.

Legislative Compliance

The responsibility for Local Governments to mitigate the impacts of climate change is reflected in the *Local Government Act 1995* (WA):

"In carrying out its functions a Local Government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity. (Section 1.3(3))"

Officer Comments

WALGA's Climate Change Action Framework

Developing The Policy is one of the primary actions, along with the signing of the WALGA Climate Change Declaration listed in WALGA's Climate Change Action Framework (Appendix 15), which sets out a logical sequence of steps that Local Governments can follow to respond to climate change.

Acknowledgement of Key Projected Climate Change Impacts

The Policy recognises the urgency of the scientific consensus-based Intergovernmental Panel on Climate Change (IPCC) Assessment Reports findings, with the latest report being finalised on the 27th of February 2022. The IPCC prepares comprehensive Assessment Reports about knowledge on climate change, its causes, potential impacts and response options.

The Policy acknowledges the projected climate change impacts to the South Western Flatlands region of WA, including the Bunbury Local Government Area (LGA), as outlined in the State Government's 2021 Western Australian Climate Projections Paper (The Paper). This Paper provides a summary of the changes in climate and sea levels likely to occur over the coming decade, including:

- Higher temperatures.
- Hotter and more frequent extreme weather, with less frost.
- Less rainfall, with increased intensity of heavy rainfall events.
- Increased evaporation and reduced soil moisture.
- Harsher bushfire weather.
- Higher sea levels, with more frequent sea level extremes, coastal erosion, and inundation.
- Warmer and more acidic oceans in the future.

The Policy acknowledges that these changes have the potential to impact our environment, assets and infrastructure in our Local Government area, and the health, safety and wellbeing of our people. We therefore need to plan for, and adapt to, these changes to ensure our City remains a resilient and vibrant area.

Commitments to Climate Change Management

Council Decision (019/22) on 1 February 2022, authorised the signing of the WALGA Climate Change Declaration (Appendix 16). The Policy's commitments to climate change management are informed by the commitments listed in the WALGA Climate Change Declaration.

In addition, the commitments support the following National and State Government climate action commitments:

- As a signatory to the *Paris Agreement* (2016) under the United Nations Framework Convention on Climate Change, Australia has committed to acting on climate change and to reducing Australia's emissions to 26-28% below 2005 levels by 2030. The Paris Agreement expressly recognises the importance of engagement at all levels of government and invites:

Civil society, the private sector, financial institutions, cities and other subnational authorities [...]to scale up their efforts and support actions to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change.

- Seventeen (17) Sustainable Development Goals (SDGs) were adopted by all United Nations Member States in 2015, including Australia. The SDGs "recognize that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests."

- In August 2019, the State Government committed to working with all sectors of the economy to achieve net zero emissions for our State by 2050. Acceptance of consensus climate change science is also reflected in State planning policies, in particular the *State Planning Policy 2.6: State Coastal Planning Policy*.

WALGA's Policy Statement on Climate Change 2018

Council Decision (019/22) on 1 February 2022 requested that the Chief Executive Officer draft a City of Bunbury Council Policy, 'Climate Change', which is consistent with the WALGA Policy Statement on Climate Change.

The WALGA Policy Statement on Climate Change was endorsed by the WALGA State Council on Wednesday, 4 July 2018, following extensive consultation with Local Governments. It represents the consolidated position of Western Australian Local Governments and forms the basis for WALGA's climate change advocacy on behalf of the WA Local Government sector. Individual Local Governments are encouraged to support and utilise this Policy Statement in developing and implementing their own climate change strategies and programs, however, are not bound by the Policy.

International Commitments

As a signatory to the *Paris Agreement* (2016) under the United Nations Framework Convention on Climate Change, Australia has committed to acting on climate change and to reducing Australia's emissions to 26-28% below 2005 levels by 2030. The Paris Agreement expressly recognises the importance of engagement at all levels of government and invites:

Civil society, the private sector, financial institutions, cities and other subnational authorities [...]to scale up their efforts and support actions to reduce emissions and/or to build resilience and decrease vulnerability to the adverse effects of climate change.

In August 2019, the State Government committed to working with all sectors of the economy to achieve net zero emissions for our State by 2050. Acceptance of consensus climate change science is also reflected in State planning policies, in particular *State Planning Policy 2.6: State Coastal Planning Policy*.

In support of the above commitments, the Policy states its commitment to supporting state, national and international targets required to achieve the UNFCCC Paris Agreement goal of limiting global temperature rise to well below 2° Celsius and to pursue efforts to limit the temperature increase even further to 1.5° Celsius.

Analysis of Financial and Budget Implications

No Financial or budget implications

Community Consultation

N/A

Councillor/Officer Consultation

A presentation was made to Councillors on 2 December 2021 on a roadmap towards achieving sustainability and climate change outcomes. This matter is now presented to the PRDC for consideration.

Applicant Consultation

N/A

Timeline: Council Decision Implementation

N/A

Outcome of Meeting – 14 April 2022

A general discussion took place in regard to proposed new Policy. The Environmental Sustainability Officer provided an overview of the new Council Policy on Climate Change.

The Executive Recommendation was moved by Cr Smith and seconded by Cr Giles and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommends that Council resolves to adopt the proposed Council Policy Climate Change as attached at Appendix 13.

The Environmental Sustainability Officer and Senior Planning Officer left the meeting at 4:10pm.

8.8 Review of Council Policy: Disaster Relief Reserve Fund

File Ref:	COB/4469
Applicant/Proponent:	Internal
Responsible Officer:	Vicki Gregg, Team Leader Financial Accounting
Responsible Manager:	David Ransom, Manager Finance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 17: REVISED Disaster Relief Reserve Fund Council Policy

Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Disaster Relief Reserve Fund Council Policy. The policy was last reviewed in December 2019 and is now due for review.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt the revised Disaster Relief Reserve Fund Council Policy as presented at appendix 17.

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

This policy only applies within the City of Bunbury.

Background

At the Ordinary Council Meeting held 12 December 2017, Council requested (refer Council Decision 446/17) the Policy Review and Development Committee develop a policy that guides the collection, accrual and distribution of funds by the City of Bunbury Disaster Relief Fund.

The current revision was adopted on 21 January 2020 (refer Council Decision 008/20) and is now presented to the Committee for review as part of the biennial review schedule for all Council policies.

The policy proposes some criteria to be considered when determining whether funding should be provided to certain causes, as well as proposing that such determinations could generally be

made by an informal group comprised the Mayor, Deputy Mayor and Chief Executive Officer to ensure timeliness in decision-making.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

Section 2.7(2) of the *Local Government Act 1995* applies.

2.7 Role of Council.

...

- (2) *Without limiting subsection (1), the council is to –*
- (a) *oversee the allocation of the local government’s finances and resources; and*
 - b) *determine the local government policies.*

Officer Comments

Officers have reviewed the current policy and recommend minor changes to the Policy Statement, reflecting more recent donations made by Council in 2020 and 2021.

Analysis of Financial and Budget Implications

Any payments approved under the terms of this policy are made from the specific reserve account for that purpose.

Community Consultation

Nil

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

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

Outcome of Meeting – 14 April 2022

General discussion took place regarding the Policy. A question was asked regarding the capital funding available. Officers advised that the City maintains \$100,000 in the reserve fund. There is also a \$20,000 operating project allocation, which would require a Council decision if this were to be exceeded.

Following discussion, the Executive Recommendation was moved by Cr Quain and seconded by Cr Kozisek and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommend that Council adopt the revised Disaster Relief Reserve Fund Council Policy as presented at appendix 17.

8.9 Review of Council Policy: Corporate Revenue Debt Collection

File Ref:	COB/4469
Applicant/Proponent:	Internal
Responsible Officer:	Vicki Gregg, Team Leader Financial Accounting
Responsible Manager:	David Ransom, Manager Finance
Executive:	Karin Strachan, Director Strategy and Organisational Performance
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 18: REVIEWED Corporate Revenue Debt Collection Council Policy

Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Corporate Revenue Debt Collection Council Policy. The policy was last reviewed in December 2019 and is now due for review.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Corporate Revenue Debt Collection, with no changes recommended.

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

This policy only applies within the City of Bunbury.

Background

This Policy was last reviewed by Council in December 2019 and is now presented to the Committee for its biennial review. A copy of the current policy is attached at appendix 18.

Council Policy Compliance

This report facilitates the review of an existing Council Policy.

Legislative Compliance

The *Local Government (Financial Management) Regulations 1996* apply.

Officer Comments

Officers have reviewed the current policy, and don't consider that any changes are necessary at this time.

Please note Council Decision 067/20 on 31 March 2020, where:

1. Council suspended interest charges on current (2019/20) outstanding rates, backdated to 1 March 2020; and
2. Council suspended the application of Council Policy Corporate Revenue Debt Collection until 30 September 2020.

Thereafter, the City of Bunbury will suspend its debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then the City will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to an agreed payment plan, then for any Rates and Service Charge debts that remain outstanding after the Local Government (COVID-19 Response) Ministerial Order 2020 is revoked or expires, the City will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the following financial year. Rates and service charge debts that remain outstanding at the end of this period will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995* and Council Policy Corporate Revenue Debt Collection.

Analysis of Financial and Budget Implications

Nil

Community Consultation

Nil

Councillor/Officer Consultation

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

Applicant Consultation

Not applicable.

Timeline: Council Decision Implementation

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

Outcome of Meeting – 14 April 2022

The Executive Recommendation was moved by Cr Steele and seconded by Cr Giles and was CARRIED unanimously as follows:

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Corporate Revenue Debt Collection, with no changes recommended.

9. Questions from Members

9.1 Response to Previous Questions from Members taken on Notice

Nil

9.2 Questions from Members

Cr Quain asked under what mechanism a Council Member can request a Council Policy be amended.

The Acting CEO suggested that a Council Member may contact the CEO in the first instance. Alternatively a Council Member may submit a Notice of Motion for inclusion in an Ordinary Council Meeting agenda as per the City's Standing Orders Local Law.

10. Urgent Business

Nil

11. Date of Next Meeting

3.30pm, Thursday, 26 May 2022

12. Close of Meeting

The Presiding Member closed the meeting at 4:20pm.

**Confirmed as a true and accurate record of proceedings at the
Policy Review and Development Committee Meeting held on
26 May 2022.**

**Signed: _____
Cr Cheryl Kozisek, Chair**