



ITEMS FOR DEBATE

COUNCIL MEETING 17 APRIL 2024

ADOPTION BY EXCEPTION RESOLUTION

RECOMMENDATION

That the Committee Recommendations for items 10.1, 10.2, 10.4 and 10.5 and Officer Recommendations for items 11.1, and 11.3 be adopted en bloc:

10.1	Policy and Legislation Committee – 20 March 2024 – Council Policy Review: Purchasing
10.2	Policy and Legislation Committee – 20 March 2024 – Council Policy Review: Regional Price Preference
10.4	Finance Committee – 3 April 2024 – Monthly Financial Report – Year to Date 29 February 2024 <i>Supplementary Agenda</i>
10.5	Finance Committee – 3 April 2024 – List of Payments Made – February 2024 <i>Supplementary Agenda</i>
11.1	2023/2024 Community Assistance Program Round 3 Outcomes
11.3	Review of Bush Fire Advisory Committee Terms of Reference

ITEMS TO BE DEALT WITH BY SEPARATE RESOLUTION

Item No.	Item Title	Reason
10.6	Finance Committee – 3 April 2024 – Budget Amendments – Infrastructure and Environment <i>Supplementary Agenda</i>	Absolute Majority Required
11.2	Busselton Jetty – s43 Prohibition of Fishing (Wire Trace) Order	Pulled by Cr Kaigg
13.1	Redevelopment of Old Tennis Club – Headlease and Sublease of Lot 448 Marine Terrace, Busselton	Absolute Majority Required
13.2	Busselton Jetty Reference Group Terms of Reference	Nomination to vacant position required
13.3	Proposed Hangar Lease at Busselton Margaret River Airport <i>Supplementary Agenda</i>	Absolute Majority Required
14.1	Behaviour Complaints Framework	Absolute Majority Required

ITEMS FOR DEBATE

<p>Item No. 10.3</p>	<p>Policy and Legislation Committee – 20 March 2024 - Council Policy Review: Building Insurance and Waste Collection Services</p>	<p>Pulled by Cr Macnish</p>	<p>Page 24</p>
<p><u>ALTERNATIVE RECOMMENDATION</u></p> <p>The Council adopts:</p> <ol style="list-style-type: none"> 1. its Building Insurance Policy (Attachment 1) and 2. its Waste Collection Service Policy (Attachment 2) with an amendment to point 5.8 to include the calculation used by the Authorised Officer to determine the viability of providing a service. 			
<p><u>REASONS FOR ALTERNATIVE</u></p> <p>The council might wish to adopt one and not the other so they have been numbered.</p> <p>The inclusion of a transparent calculation within the Waste Collection Service Policy so that people can do their own assessment prior to requesting a collection that doesn't comply and so that its transparent.</p>			
<p><u>OFFICER COMMENT</u></p> <p>Officers have no issues with reformatting the resolution to number the policies, allowing for separate adoption if required.</p> <p>With regards to the proposed amendment to the Waste Collection Service Policy, the areas within which the City provides waste collection services are at the discretion of the City and are assessed based on the criteria outlined in the policy at point 5.8, being:</p> <ul style="list-style-type: none"> • suitability in terms of distances, roads, access and safety; • demand for the service; and • cost of providing the service. <p>This assessment is undertaken by the Authorised Officer (authorised within the policy) and is not a mathematical calculation; it requires a considered assessment of each factor as it relates to the requested service. For instance, there may be safety issues or road conditions that mean the service cannot be provided, and if the cost of providing the service is not aligned to the charge for the service, others already in the prescribed area may end up subsidising the service.</p> <p>Given this, and recognising that Councillors may wish to have a role in determining new service areas, officers instead propose that the outcomes of any assessment for a new service could be presented to the Council for the service endorsement. If Councillors would like to support this approach officers recommend that instead of adopting the Waste Collection Service Policy, the Council requests the CEO to further review the Waste Collection Service Policy with that in mind and provide it to the next P&L Meeting.</p>			

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the *Local Government (Administration) Regulations* 1996, if the amended recommendation is adopted by Council, the above Reasons will be recorded in the Minutes.

Item No. 12.1	Albert Street Bus Shelter	Pulled by Cr Kaigg	Page 43
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ALTERNATIVE RECOMMENDATION

That the Council:

- 1. Include \$40,000 in the draft annual budget for the 2024/2025 financial year for the design and implementation of a bus shelter for TRANSWA bus services; and**
- 2. Request that the CEO investigate the location and bus shelter design options available, and provide a report on the suitability of available options and expected costs to the Council in the 2024/25 financial year, prior to commencing detailed design and implementation works.**

REASONS FOR ALTERNATIVE

Currently there is no provided bus shelter or seating on the north side of Albert Street. Those waiting to catch the bus service either must stand or if there is room available sit on a brick fence of a private property, luggage is on the narrow footpath creating a trip hazard. Many of those travellers are aged pensioners.

The officer report stated the constraints of the site (both north and south side of Albert Street) limits installation of a suitable shelter for weather protection. This is due to the narrow width of the footpath and serviceability of the actual bus bay and the need to access the luggage bays of the coaches. The installation of footings may also be restricted due to the location of underground services. Officers further reported that previous bus shelters sourced offered little weather protection.

It is obvious from these remarks that further consideration to the location of the bus shelter is required to identify a location that provides a place to sit protected from inclement weather, which is located further from the road to give the feeling of safety and security, free from trip hazards.

When identifying another location consideration needs also to be given to seek a design through the Public Transport Authority's (PTA) panel contract that is large enough to meet the demand for seating and weather protection that projects a welcoming area for arrival and departure by coach to our Busselton CBD.

The provision of a bus shelter is a shared responsibility between the PTA and local government through the Bus Stop Infrastructure Partnership Agreement.

Coachline is the only mode of transport for residents and visitors to the region without their own vehicle or for students too young to drive, and provides a much-needed service and worthy of our full support in locating and providing the best outcome we can deliver rather than the bare minimum.

With this in mind I ask Councillors to support the alternative recommendation that would facilitate funding for further options analysis and a subsequent report to the Council.

OFFICER COMMENT

The costs to relocate the bus stop and construct a shelter at this stage are unknown, as a final location suitable to accommodate the shelter has not been determined. As part of the project, officers will consult with the required parties to determine the most appropriate location. Once this has been determined a further report will be presented to the Council to determine whether the Council is in agreement with proceeding. The suggested allocation of \$40,000 is to formalise the project for officers to action in the 2024/25 financial year. Should the project not proceed the funds will not be drawn from the reserve

The funding will deal with the uncertainties of this type of project and can assist with any unexpected site findings so they can be addressed appropriately without delays. Officers would also, as part of the project, consult with TRANSWA to determine actual requirements and any external funding opportunities which may reduce the final investment required from the City.

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the *Local Government (Administration) Regulations 1996*, if the amended recommendation is adopted by Council, the above reasons will be recorded in the minutes.

Item No. 14.2	Future of Busselton-Sugito Relationship	Pulled by Cr Ryan	Page 61
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ALTERNATIVE RECOMMENDATION

- 1. That the Council authorise the CEO to arrange an online meeting with the two Mayors and other relevant representatives from Sugito and Busselton within the next 6 months, to discuss ideas which the Council has agreed by Resolution, and any proposals for the future of the Busselton-Sugito Sister City relationship.**
- 2. That the City thank The President of BASSCA, Pauline Vukelic for her dedication over the years of involvement.**

REASONS FOR ALTERNATIVE

The Officer's Report suggests that the risk rating is medium as the perceptions that ratepayer-funded trips do not bring value to the community, I would argue that this is a higher risk of perception. The merit of approving such a trip without any plan being submitted to Council, or indeed the community, is something which does not pass the pub test.

The Report states

"While the Busselton-Sugito sister city relationship has delivered value over many years in supporting Japanese cultural understanding as per its objectives, there is a risk that some members of the community may view a delegation visiting Japan as discretionary and unnecessary.

While this risk is acknowledged, and noting it is acceptable to conduct formal business online in today's world, the sister city relationship with Sugito is a long standing cultural relationship with established cultural protocols. Hence, it is considered appropriate for a small and focused visit such as the one being proposed to be undertaken to discuss future arrangements for the relationship".

The Report goes on to state *"Georgiana Molloy Anglican School is now the only school teaching the Japanese language in the district and they have established their own student exchange program direct with a school in Japan. This means the cohort of students that would normally have been most attracted to the City's exchange program are already being accommodated through the school".*

For this reason, although not diminishing the work and dedication of previous individuals who have been part of this relationship and Sugito representatives, the justification for this trip (paid for by ratepayers funds) is lacking prior to any data such as return on investment to the ratepayer, economic trade, business development: supporting initiatives and opening doors, etc. The Report also makes note of "focus" but fails to articulate what that focus is.

Nothing in the Officer's Report is a justifiable reason to spend \$10,000 of ratepayer funds, considering our discussions recently in relation to the LTFP and the potential rate rises emanating from these discussions. Discretionary spending of this nature is, in my opinion (until justification of a report resolved by Council has been resolved) unnecessary.

OFFICER COMMENT

The officer recommendation was formulated following advice from BASSCA regarding the previously accepted cultural exchange protocols which have been in place since the commencement of the relationship in 1996. The alternative motion involving an online meeting was provided as an option and would enable the two Mayors and relevant associated stakeholders to hold discussions about the future of the relationship.

It should be noted that the addition of the wording "*to discuss ideas which Council has agreed by Resolution*" will result in the need for a separate report with a range of proposals to be brought to the Council to enable such a resolution to be made. It is understood that whatever Council might resolve at that point would be the position held by the Mayor and any other City representatives during the online discussions, and that this position would therefore be predetermined prior to the discussions with the Sugito counterparts, and without having had the opportunity to talk through and explore ideas with them first. An alternative would be to hold discussions first with a report to be presented to Council endorsing proposed future plans.

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the Local Government (Administration) Regulations 1996, if the amended recommendation is adopted by Council, the above reasons will be recorded in the minutes.

Item No. 15.1	Elected Members Bulletin	Pulled by Cr Macnish	Page 25 <i>Supplementary Agenda</i>
<p><u>ALTERNATIVE RECOMMENDATION</u></p> <p>1. That the items from the Councillors Information Bulletin be noted*</p> <ul style="list-style-type: none"> • Minutes of Committee Meetings • Minor Donations Program • Current Active Tenders • State Administrative Tribunal Reviews Update • Council Resolution Status Update <p><i>*Shall not be in any way read that the Council endorses or supports or agrees with the matter being 'noted'. In addition, this 'noting' form of communication does not excuse any party from any obligation or responsibility in relation to the matter/s being 'noted'. It is simply a recognition that the CEO has authorised the placing of the information (being 'noted') on the public Council agenda (as opposed to other media or not at all).</i></p> <p>2. That the Council request the CEO use the asterisk and associated context used in recommendation 1 if and whenever the word noted is used (or the phrase 'the Council notes..' or similar variant of note) again in the Council Agenda at any time in the future.</p>			
<p><u>REASONS FOR ALTERNATIVE</u></p> <p>Noted is a blunt uninformative term -insufficiently sophisticated for important matters presented to the Council for (decisive and informative) decision making.</p>			
<p><u>OFFICER COMMENT</u></p> <p>Officers believe that the officer recommendation for Item 15.1 is sufficiently clear and reflects what officers are asking Councillors to do which is to note the items listed. Councillors are not being asked to agree, endorse or support the items or content of the items, with the noting of the items simply noting them as received.</p>			
<p><u>LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT</u></p> <p>Pursuant to regulation 11(da) of the <i>Local Government (Administration) Regulations</i> 1996, if the amended recommendation is adopted by Council, the above Reasons will be recorded in the Minutes.</p>			