



## **ITEMS FOR DEBATE**

### **COUNCIL MEETING 18 SEPTEMBER**

#### **ADOPTION BY EXCEPTION RESOLUTION**

##### **RECOMMENDATION**

That the Committee Recommendations for items 10.3, 10.4 and 10.5 and the Officer Recommendations for items 11.2, 12.1 and 15.2 be adopted en bloc:

10.3	Finance Committee – 4 September 2024 – List of Payments Made - July 2024
10.4	Finance Committee – 4 September 2024 – Monthly Financial Report - Year to Date 31 July 2024
10.5	Bush Fire Advisory Committee – 10 September 2024 – Adoption of Bush Fire Brigade Operating Procedures
11.2	Review of Dog Management Controls - Consultation Outcomes
12.1	RFT17/21 Natural Areas Management
15.2	Elected Member Information Bulletin

**ITEMS TO BE DEALT WITH BY SEPARATE RESOLUTION**

<b>Item No.</b>	<b>Item Title</b>	<b>Reason</b>
10.2	Finance Committee – 4 September 2024 – DFES Funding Approved - BFB Building Capital Works	Absolute Majority Required
13.2	Budget Amendments - Airport Artwork	Absolute Majority Required
16.1	Notice of Motion – Reasons for Voting Against	Notice of Motion
16.2	Notice of Motion – Elected Members Only Sessions (EMOs)	Notice of Motion
18.1	Establishment of CEO Performance Criteria 2024/2025 and Contract Variation	Confidential Item Financial Interest: CEO

## ITEMS FOR DEBATE

Item No. 10.1	Airport Advisory Committee – 21 August 2024 – Busselton Margaret River Airport General Aviation Precinct Lease	Pulled by Cr Ryan	Page 15
<p><b><u>ALTERNATIVE RECOMMENDATION</u></b></p> <p>That the Council:</p> <ol style="list-style-type: none"><li>1. Not enter into the head lease arrangements proposed by the Busselton Aero Club for the occupation of a portion of Lot 1974, Deposited Plan 411016, Volume 2931, Folio 507, 86 Neville Hyder Drive Yalyalup as referred to as B6, B7 and B8 on Attachment 1; and</li><li>2. Authorise an extension to the existing Busselton Aero Club lease arrangements from 31 March 2028 to 31 March 2030, with a further 2 year option and considers the negotiation of a financial contribution of up to \$300,000 to be paid by the City to the Busselton Aero Club, for the purpose of the financial contribution towards the construction of a new hanger and clubroom in the General Aviation precinct in the location marked H1 in attachment 2.</li><li>3. Following the completion of the negotiation in point 2, the CEO is to bring a report back to the Council to vary the current lease arrangements with the Busselton Aero Club.</li></ol>			
<p><b><u>REASONS FOR ALTERNATIVE</u></b></p> <p>By providing an option both parties will have an opportunity to re-evaluate where the development of BMRA is at and if the BAC would be better staying where they are currently or are in a position to move to the new lease area in 2030 or require more time there until 2032</p>			
<p><b><u>OFFICER COMMENT</u></b></p> <p>Officers support the alternative recommendation as it allows flexibility in 6 years time to determine the best outcome for the Club and BMRA development.</p>			
<p><b><u>LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT</u></b></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>			

<p>Item No. 11.1</p>	<p>DA24/0125 – Industry Extractive (Gravel) – Lot 1758 (No.161) Gulberti Road, Ruabon – Lot 1757 (No.49) Gulberti Road, Ruabon – Lot 61 (No.755) Ludlow-Hithergreen Road, Ruabon</p>	<p>Pulled by officers</p>	<p>Page 26</p>
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**AMENDED RECOMMENDATION**

That the Council determines:

1. This decision constitutes development approval for an Industry-Extractive (gravel) at Lot 1758, (No.161) Gulberti Road, Lot 1757 (No.49) Gulberti Road and Lot 61 (No. 755) Ludlow-Hithergreen Road ('the Development Sites'). The approval is valid for a period of five years from the date of approval.
2. The Development Sites must be fully rehabilitated, in accordance with the approved Rehabilitation and Staging and Extraction Plan, before the expiry date of this development approval.
3. The development must be undertaken in accordance with the following approved plans, as amended and in accordance with any plans approved pursuant to other conditions of this approval:
  - 3.1 Development Site Plan dated 6 March 2024
  - 3.2 Stage 2 Proposal Plan Revision C dated 15 April 2024
  - 3.3 Acoustic Assessment Revision 5 dated 5 July 2024
  - 3.4 Dieback Management Plan dated 20 February 2024
  - 3.5 Dust Management Plan dated 20 February 2024
  - 3.6 Ground and Surface Water Management Plan dated 20 February 2024
  - 3.7 Noise Management Plan dated 20 February 2024
  - 3.8 Rehabilitation Plan dated 6 March 2024
  - 3.9 Surface Water Management Plan dated 20 February 2024
  - 3.10 Weed Management Plan dated 6 March 2024
  - 3.11 Works Summary Version 3 dated 11 July 2024

Where there is a conflict between a condition of this development approval and any approved plan, the requirements of the condition shall prevail.

4. If at any time, any of the conditions have not been complied with, all extraction activities (including haulage) must cease until such time as the breach has been rectified, to the satisfaction of the City in writing.

**PRIOR TO COMMENCEMENT OF ANY WORKS CONDITIONS:**

5. No works can occur on the Development Sites until the following plans and other things have been submitted to, and approved by the City:
  - 5.1 Lodge and have determined an application to cancel development approval DA20/0438.

- 5.2 A 3D Digital Terrain Model prepared by a licensed surveyor for 161 (Lot 1758) Gulberti Road demonstrating the following in Australian Height Datum (refer to Advice Note d):
- a) Existing ground levels;
  - b) Proposed maximum extraction depth;
  - c) Minimum final ground levels after rehabilitation; and
  - d) **Global Positioning System (GPS)** coordinates of the boundaries of the stages, stockpiles, crusher and screening location **in the relevant data format as determined by the City of Busselton.**
- 5.3 A Staging and Extraction Plan including but not limited to the following:
- a) The updated extraction area divided into 2-hectare cells and indicating the sequence and timeframe within which each individual cell to be extracted and rehabilitated.
  - b) All existing and proposed development including all plant and equipment, stockpiles, bunds, settling ponds, drainage swales, washdown bays, internal roads, vegetation, and fencing.
  - c) Vegetation to be retained (refer to Condition 7.15).
  - d) A 10m vegetation buffer zone from the vegetation crown drip line (tree line).
  - e) Fencing of vegetation buffer zones.
  - f) Finished ground levels post rehabilitation which shall be a minimum of 700mm above the maximum seasonal ground water table.
- 5.4 An amended Dust Management Plan shall be submitted and shall include, but is not limited to, details of an approved and adequate source of water to implement the approved dust management measures for the life of the development.
- 5.5 An amended Rehabilitation Plan, prepared by a suitably qualified professional, shall be submitted to the satisfaction of the City of Busselton including demonstrating tree planting of endemic species within 161 (Lot 1758) Gulberti Road.
- 5.6 An amended Surface Water Management Plan, prepared by a suitably qualified professional, to the specifications of Department of Water and Environmental Regulation (DWER) and to the satisfaction of the City of Busselton.
- 5.7 An amended Acoustic Assessment, prepared by a suitably qualified professional, to the specifications of DWER and to the satisfaction of the City of Busselton.
- 5.8 A new Noise Management Plan, prepared by a suitably qualified professional, addressing the recommendations in the amended Acoustic Assessment (as required by Condition 5.7 of this approval), including but not limited to:
- a) Details of, and expected levels of noise emissions;
  - b) Details of noise reduction measures to be implemented to control noise (including vibration) emissions;
  - c) Noise complaint response procedures; and
  - d) Assumed mitigation included in noise modelling to be addressed and details of implementation.
- 5.9 The crossover to 755 (Lot 61) Ludlow-Hithergreen Road shall be constructed and sealed to the specifications and satisfaction of the City (refer to Advice Note e).

**5.10 Warning signage (Main Roads sign W5-22) shall be installed 100 metres from the approved crossover location on both approaches to the entrance/exit to 755 (Lot 61) Ludlow-Hithergreen Road.**

**5.11 Entry signage shall be erected within the lot boundaries of 755 (Lot 61) Ludlow-Hithergreen Road adjacent to the driveway and crossover, visible and legible to entering/exiting vehicles and shall include the following details:**

- a) Approved operating hours;**
- b) Site contact details;**
- c) Approved haulage route and times; and**
- d) School bus times.**

**5.12 A bond of \$30,000 (being an unconditional and irrevocable bank guarantee from an institution acceptable to the City) to be held by the City for Compliance Surveys, Road Maintenance, Dust Management and Rehabilitation, which is to be maintained for the life of the development and thereafter until the City is satisfied that the obligations imposed by this approval have been completed.**

**5.13 An executed legal agreement with the City (all associated costs being borne by the owner of the land or their nominee). The legal agreement shall provide for:**

- a) The ability for the City to use the bond, or parts of the bond as appropriate, and any costs to the City including administrative costs of completing or rectifying any outstanding works in accordance with the conditions of this development approval and any further costs;**
- b) Written authorisation from the owners of the land that the City may enter the Development Sites at any time to permit the City to complete or rectify any outstanding work the subject of the bond, to the satisfaction of the City acting reasonably;**
- c) If at any time any part of the bond is called upon, used or applied by the City in accordance with the legal agreement, the restoration of the bond to the full amount required by these conditions; and**
- d) The power to lodge an absolute caveat over the Development Sites to secure the City's interest (all associated costs with lodgement and removal being borne by the land owner or nominee).**

**5.14 A Stormwater Management Plan for the Development Sites, prepared by a suitably qualified professional, to the specifications of the DWER, in accordance with the DWER *Water Quality Protection Note No. 15 Basic raw materials extraction*, and to the satisfaction of the City of Busselton.**

**5.15 An Acid Sulphate Soils (ASS) Investigation, by a suitably qualified professional, and submitted to the specifications of the DWER and to the satisfaction of the City of Busselton. Subject to the outcomes and recommendations of the ASS Investigation, an ASS Management Plan shall be prepared and implemented on site from commencement of works to the satisfaction of the City of Busselton.**

**5.16 A Groundwater Monitoring Plan, to the specifications of DWER, which provides for:**

- a) Location and type of on-site monitoring bores;**
- b) Monitoring methodology; and**
- c) Reporting schedule.**

**PRIOR TO COMMENCEMENT OF EXTRACTION CONDITION:**

**6. No material shall be extracted from the Development Sites until:**

**6.1 All of the plans and other things required by Condition 5 have been provided to, approved by, and implemented to the satisfaction of, the City.**

**6.2 The City has issued a 'Permit to Commence', confirming that extraction can commence.**

**ONGOING CONDITIONS:**

**7. The development must be carried out in accordance with all of the plans and other things approved pursuant to Conditions 1, 2, 3, 4, 5 and 6 and maintained for the life of the development. In addition, the following conditions must be complied with:**

**7.1 The development hereby approved shall be limited to:**

- a) The excavation of gravel from its natural state from within the Stage 2 extraction area on 161 (Lot 1758) Gulberti Road and in accordance with the approved Staging and Extraction Plan required in abovementioned Condition 5.3;**
- b) Haulage of gravel extracted from 161 (Lot 1758) Gulberti Road through 49 (Lot 1757) Gulberti Road;**
- c) Crushing and screening of gravel extracted from 161 (Lot 1758) Gulberti Road at 755 (Lot 61) Ludlow-Hithergreen Road;**
- d) Transportation of sand within 161 (Lot 1758) Gulberti Road for the purpose of recontouring and rehabilitation 161 (Lot 1758) Gulberti Road;**
- e) Construction of internal roads and rehabilitation works.**

**At no time shall blasting works be carried out.**

**7.2 The extraction areas of the Industry-Extractive, hereby approved, shall at all times maintain a minimum setback of 20 metres from the eastern boundary of 161 (Lot 1758) Gulberti Road.**

**7.3 The Industry-Extractive operating at 161 (Lot 1758) Gulberti Road under development approval DA20/0438 (Stage 1), shall cease and be entirely rehabilitated prior to commencement of extraction operations in Stage 2, the subject of this approval.**

**7.4 Ground levels shall at no point be less than 24.9 metres AHD or closer than 500mm to the maximum seasonal ground water table (whichever is higher).**

**7.5 In the event the ground water table is intercepted, all works shall cease and the City is to be advised within 24 hours, in writing. Immediate remedial action shall be undertaken by, and at the full cost of the landowner of 161 (Lot 1758) Gulberti Road, to the specifications of DWER and satisfaction of the City. Extraction cannot recommence until a revised Staging and Extraction Plan with an increase in the height of the pit floor is submitted to and agreed by the City.**

**7.6 Stormwater is to be disposed of within the Development Sites, in accordance with the approved Stormwater Management Plan (refer to Advice Note i).**

- 7.7** No more than two hectares of the Stage 2 extraction area, the subject of this approval, is permitted to be extracted from at any one time. This area shall then be rehabilitated in accordance with the approved Rehabilitation Plan concurrently with extraction in the following two hectares area.
- 7.8** All plant, equipment and haulage vehicles associated with the development the subject of this approval shall only access and egress the Industry-Extractive from 755 Ludlow-Hithergreen Road.
- 7.9** A maximum of 70 truck movements (35 trucks entering and 35 trucks exiting) are permitted to exit/enter 755 (Lot 61) Ludlow-Hithergreen Road on any approved operating day. No truck movements shall be permitted on any other day or outside the approved operating hours.
- 7.10** The designated haulage routes and maximum truck movements that are permitted will be:
- a) A maximum of twenty (20) truck movements north along Ludlow- Hithergreen Road, then west along Ruabon Road to Bussell Highway; and
  - b) A maximum of fifty (50) truck movements south on Ludlow-Hithergreen Road to Vasse Highway.
- 7.11** All plant, equipment and haulage vehicles associated with the Industry-Extractive the subject of this approval shall access and egress 755 (Lot 61) Ludlow-Hithergreen Road using the designated haulage routes. At no time shall Gulberti Road be used for haulage associated with the Industry-Extractive the subject of this approval.
- 7.12** Operating hours, including the use of any vehicle or machinery, or the transportation/haulage of materials, shall be restricted to the hours between:
- a) 7:00am and 5:00pm Mondays to Fridays; and
  - b) 8:00am and 1:00pm Saturdays for rehabilitation works only.
- No works of any kind are permitted on Sundays or public holidays.
- 7.13** Trucks may not arrive at or depart from the Development Sites prior to 7.00am and may not arrive at or depart from the Development Sites after 5:00pm (Monday to Friday excluding public holidays).
- 7.14** Entry and warning signage, required in abovementioned Conditions 5.10 and 5.11, shall be in place at all times.
- 7.15** Existing mature vegetation in the Stage 2 extraction area, the subject of this approval, shall be retained.
- 7.16** Trucks going to and from the Development Sites shall not use the designated haulage routes during nor within 15 minutes before or after scheduled school bus times, and with regard to any unforeseen modifications that may occur to this service, to the specifications and the satisfaction of the City of Busselton (refer to Advice Note n).
- 7.17** The Applicant shall notify the City in writing of the scheduled school bus times prior to the commencement of each school term. The City may impose amended exclusion times as required and advise the Applicant in writing.



- 7.18** Should the Applicant fail to notify the City of the school bus service times, in accordance with abovementioned Condition 7.17, trucks going to and from the Development Sites shall not use the designated haulage routes between 7:00am and 8:30am and between 3:30pm and 5:00pm.
- 7.19** All stockpiles, overburden, transport and rehabilitation works shall be contained within the approved development area in accordance with the approved Staging and Extraction Plan.
- 7.20** All stockpiles (gravel) shall be maintained at a maximum height of no greater than 3 metres.
- 7.21** Upon completion of rehabilitation, there shall be no standing ground water.
- 7.22** An annual survey of Lot 1758 (No 161) Gulberti Road (in its entirety) from a practicing licensed surveyor shall be submitted to the satisfaction of the City no later than 1 September of each year (with the surveyor's attendance and report date to fall within 60 calendar days of the 1 September). The annual survey shall include a 3D Digital Terrain Model including Global Positioning System (GPS) coordinates and a report/statement by a licensed surveyor certifying:
- a) The extent/size and location of the area which has been extracted;
  - b) The extent/size and location of the area which has been rehabilitated; and
  - c) The extent/size and location of the area which is currently under operation.
  - d) Details confirming that the conditions of this approval have been complied with and how the conditions have been complied with.
  - e) Monthly data from on-going ground water monitoring within the approved extraction area.
- 7.23** No extraction operations, including the use of any vehicle or machinery or the stockpiling or transportation of extracted material, is to be undertaken on the Development Sites at any time when an annual written report is due after 1 September and has not been provided to the City.
- 7.24** No development, including the use of any vehicle or machinery or the stockpiling or transportation of extracted material, may be carried out at any time when any bond that is required to be in full force and effect is not in full force and effect.
- 7.25** Dewatering works are not permitted to be undertaken.
- 7.26** All surface water shall be managed on site to the specification and satisfaction of the City of Busselton and in accordance with the approved Stormwater Management Plan and approved Surface Water Management Plan(s).
- 7.27** No hydrocarbons (fuels, oils, lubricants etc) shall be stored within the pit area. All refuelling and maintenance must be carried outside of the pit area in bunded areas.

**ADVICE NOTES**

- a) If the applicant and/or owner are aggrieved by this decision, including any conditions of approval, there is a right to lodge a request for reconsideration.

- b) If the applicant and/or owner are aggrieved by this decision, there may also be a right of review under the provisions of Part 14 of the Planning and Development Act 2005. A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made by the City of Busselton.
- c) This Decision Notice grants development approval to the development the subject of this application. It cannot be construed as granting development approval for any other structure shown on the Approved Development Plan(s), which was not specifically included in this application.
- d) The 3D Digital Terrain Model Survey data is to be delivered to the City of Busselton in 3D .dwg or .dxf with pdf copy to verify digital data. Please contact the City of Busselton prior to engaging the licensed surveyor.
- e) In accordance with the requirements of the *Local Government (Uniform Local Provisions) Regulations 1996*, any vehicle access from the land to a road or other public thoroughfare must be in accordance with the City's adopted Crossover Policy and Vehicle Crossovers Technical Specification. The crossover is required to be sealed for a minimum of 10 metres plus the length of vehicles expected to use the access. Loose material covering the crossover and driveway is required to be removed and any necessary repairs to the existing crossover and driveway implemented.
- f) In relation to the bonds required under this approval payment may be via cash and/or bank guarantee. Should a bank guarantee be provided you will need to provide the original, ink signed bond documentation from your relevant bank to the City.
- g) No dewatering of the extraction area is permitted without authorisation under the *Rights in Water and Irrigation Act 1914*.
- h) You are advised that on-site refuelling of equipment is required to comply with the requirements of the Department of Mines, Industry Regulations and Safety. No major repairs or maintenance to take place on site.
- i) Stormwater impacts from the operation must be managed in accordance with the DWER *Water Quality Protection Note 15*. Stormwater flowing from disturbed areas, including areas for stockpiles, to be managed particularly for turbidity, to mitigate erosion and flood risks.
- j) The DWER advise that activities such as crushing and screening during extractive industry operations, may cause the premises to become prescribed for the purposes of Part V Division 3 of the '*Environmental Protection Act 1986*' (EP Act). This will occur if the proposed crushing and screening equipment has a design capacity (when operated 24/7 or at a capacity limited by a planning approval) that meets or exceeds the specified production or design capacity of the relevant category under Schedule 1 of the *Environmental Protection Regulations 1997*. The Applicant is therefore advised that their operation may meet the requirement for Prescribed Premises and as such they might require a works approval to construct/install the equipment (mobile or otherwise) and a licence or registration to operate. It should be noted that planning approvals may influence the Department's determination of production or design capacity, where an approval has the effect of restricting capacity (such as constraining hours of operation).
- k) DWER advise that under section 51C of the EP Act, clearing of native vegetation is an offence unless undertaken under the authority of a clearing permit, or the clearing is subject to an exemption. Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESA) are contained in the '*Environmental Protection (Clearing of Native Vegetation) Regulations 2004*'. No exemption applies to clearing in this case and therefore a clearing permit is required and amended to this development approval.
- l) The proponent is advised that they must comply with the *Environmental Protection (Noise) Regulations 1997* at all times.

- m) The proponent is advised that they must comply with the *Environmental Protection (Unauthorised Discharge) Regulations 2004*.
- n) School bus services currently operate from Vasse Highway north up Ludlow-Hithergreen Road before turning right onto Ruabon Road up to the intersection of Bussell Highway between 0740 and 0755 and travelling in the same direction between 1600 and 1615. Trucks are excluded from use of the designated haulage routes between 7:25am and 8:10am and between 3:45pm and 4:30pm on any given school day.

**REASONS FOR AMENDMENT**

Condition 5.2 d) is recommended to be amended to provide discretion for the City to determine the data requirements based on the systems that are available and appropriate to the development at that time.

**OFFICER COMMENT**

As above.

**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.

<b>Item No. 13.1</b>	<b>Proposed Marine Discovery Building Lease Terms</b>	<b>Pulled by Cr Anne Ryan</b>	<b>Page 60</b>
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**ALTERNATIVE RECOMMENDATION**

**That this item is deferred to the 11 December 2024 meeting.**

**REASONS FOR ALTERNATIVE**

The Project Control Group (PGC) is still working on the funding to be transferred from the Federal Government to the State and no information has yet filtered through to Councillors from the PCG. We can therefore not be assured that this project can/will proceed for various reasons (for instance approved funding may be less than the build costs).

It most certainly is a requirement under the Act to adhere to Section 3.59. This is not in dispute but is also putting the cart before the horse. We need to be cohesive in the information which goes out to the public, ie to be advertising under 3.59 something which has not yet been granted approval of funding (and could/may not be) is not recommended.

Further, the 25% JMR funding and the Jetty Licence needs to be simplified; this has been discussed for years and was raised at the recent Councillor/BJI strategy meeting again last week. It is also noted in this Report "Given the recognised need to also review and simplify the Jetty Licence Agreement". It would be quite timely to have that simplification before any consideration of the MDB is debated.

**OFFICER COMMENT**

Officers sought confirmation from the Department of Primary Industries and Regional Development (DPIRD) who confirmed that they (as the agency controlling the funds for the Jetty through the PCG) expect that there will be resolution of the leasing arrangements prior to the next PCG meeting being called and the funding variation agreement being developed. They are able to postpone the next PCG meeting but have requested to know a timeframe by which a decision of the Council can be expected.

Should the Council decide to postpone, it should be noted that advertising to the community of the proposed disposition as per Section 3.58 of the Local Government Act 1995 (the Act) will still need to occur. This has to be done for a minimum of 14 days prior to any decision on the lease. In the public notice details of the proposed lease are required (i.e. names of all parties concerned, term, amount, market value etc.). Should the Council wish these details to be informed by the review of the 50 year jetty maintenance plan, it is unlikely the review will be complete before the first quarter of 2025. Some indicative costs and information could however be available before then.

Based on a decision by the Council to advertise the disposition at 11 December Council meeting. The Community feedback period would occur across the holiday period, with a report of submissions at the earliest being considered by the Council at the first meeting in 2025.

**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.

<p><b>Item No.</b> 15.1</p>	<p><b>Future of Busselton-Sugito Sister City Relationship</b></p>	<p><b>Pulled by</b> Cr Macnish</p>	<p><b>Page 74</b></p>
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**ALTERNATIVE RECOMMENDATION**

**That the Council:**

- 1. Discontinues the MOU arrangements between the CoB and SSSCA.**
- 2. Corresponds with Sugito City to relay the above and seek its interest in it making a final visit to Busselton (30 year anniversary) to formally end the official relationship. The CEO to report back the outcome of this dialogue.**
- 3. In preparation of part 2 above, the CEO research the feasibility of a digital (screen) real-time connection/portal to the Sugito Community hub.**
- 4. The CEO to schedule a future strategy workshop segment for EM discussion on criteria for identifying (and then approaching) other City/s for a special relationship.**

**REASONS FOR ALTERNATIVE**

The underpinning rationale for the existing MOU is no longer strategically relevant.

The above proposed way forward is efficient yet dignified.

**OFFICER COMMENT**

There is an original sister city agreement between Busselton and Sugito which was signed approximately 28 years ago, and formally reaffirmed in 2017. A separate MOU between the City and the local BASSCA group was signed in 2018 to deliver sister city activities on behalf of the City (e.g. coordinate exchanges, events etc).

Officers understand from Cr Macnish that the intent of this motion is to bring an end to the sister city relationship with Sugito, however should the Council support this intent, officers recommend the following amendments to the form of the motion for accuracy and clarity.

If the intent of Recommendation 1 is to discontinue the MOU with the Busselton and Sugito Sister Cities Association (BASSCA) then that is supported by Officers, but 'SSCA' should then be amended to 'BASSCA' to ensure accuracy and clarity. It should be noted that simply discontinuing the MOU with BASSCA as per Recommendation 1 will not automatically imply or result in an end to the actual sister city relationship that the City is a partner in, and only serves to confirm that the City will no longer rely on BASSCA to undertake activities on its behalf.

If Recommendation 2 is being written with the intent of confirming a decision by the Council to terminate the sister city agreement with Sugito, then it is suggested that the first part of Recommendation 2 is rewritten to ensure it is explicit with regard to this intent. In addition, formalisation of the end of the relationship at the 30 year anniversary in 2026 would be respectful, but may seem unusual if the decision to end the relationship was made in 2024 and no interactions to support the relationship occur in the intervening two years.

Recommendation 3 refers to a Sugito Community hub. An online connection for discussions in line with Recommendations 1 and 2 is supported, but it is suggested that Sugito should be able to decide the method and portal they wish to use to join an online discussion with the City, rather than the Council making a decision specifically about how and where they want Sugito to participate in the discussions.

Recommendation 4, if supported, will require additional officer or consultancy time to research opportunities. An additional budget allocation will be required to enable this research to proceed once criteria are determined by the Council. If the Council is to determine that the Sugito relationship is no longer relevant, but to look for a new international relationship, clear parameters would be required. If elected members intend to travel to any other cities as part of any research or negotiations, then associated travel and accommodation costs will also need to be budgeted for.

**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.