

# Policy and Legislation Committee Agenda

25 January 2023

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

### **CITY OF BUSSELTON**

### **MEETING NOTICE AND AGENDA – 25 JANUARY 2023**

# TO: THE MAYOR AND COUNCILLORS

**NOTICE** is given that a meeting of the Policy and Legislation Committee will be held in the Committee Room, Administration Building, Southern Drive, Busselton on Wednesday, 25 January 2023, commencing at 10.00am.

The attendance of Committee Members is respectfully requested.

# **DISCLAIMER**

Statements or decisions made at Council meetings or briefings should not be relied on (or acted upon) by an applicant or any other person or entity until subsequent written notification has been given by or received from the City of Busselton. Without derogating from the generality of the above, approval of planning applications and building permits and acceptance of tenders and quotations will only become effective once written notice to that effect has been given to relevant parties. The City of Busselton expressly disclaims any liability for any loss arising from any person or body relying on any statement or decision made during a Council meeting or briefing.

TONY NOTTLE

**CHIEF EXECUTIVE OFFICER** 

19 January 2023

# **CITY OF BUSSELTON**

# AGENDA FOR THE POLICY AND LEGISLATION COMMITTEE MEETING TO BE HELD ON 25 JANUARY 2023

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1.	ECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY AND ANNOUNCEMENT
	F VISITORS

2. ATTENDANCE

**Apologies** 

- 3. PUBLIC QUESTION TIME
- 4. <u>DISCLOSURE OF INTERESTS</u>
- 5. <u>CONFIRMATION AND RECEIPT OF MINUTES</u>
- 5.1 <u>Minutes of the Policy and Legislation Committee Meeting held 9 November 2022</u>

# **RECOMMENDATION**

That the Minutes of the Policy and Legislation Committee Meeting held 9 November 2022 be confirmed as a true and correct record.

# 6. REPORTS

# 6.1 <u>COUNCIL POLICY REVIEW: MEETINGS, INFORMATION SESSIONS AND DECISION MAKING</u> PROCESSES

**STRATEGIC THEME** LEADERSHIP - A Council that connects with the community and is

accountable in its decision making.

**STRATEGIC PRIORITY** 4.2 Deliver governance systems that facilitate open, ethical and

transparent decision making.

**SUBJECT INDEX BUSINESS UNIT**Council Policy Review
Governance Services

**REPORTING OFFICER** Governance Officer - Jo Barrett-Lennard

**AUTHORISING OFFICER** Acting Director, Finance and Corporate Services - Sarah Pierson

**NATURE OF DECISION** Executive: Substantial direction setting, including adopting budgets,

strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee

recommendations

VOTING REQUIREMENT ATTACHMENTS

Simple Majority

Attachment A Proposed Council policy: Meetings, Information

Sessions and Decision Making Processes (Clean) U

Attachment B Current Council policy: Meetings, Information

Sessions and Decision Making Processes 1

Attachment C Proposed Council policy: Meetings, Information

Sessions and Decision Making Processes (Tracked

Changes) 🗓 🛣

# **OFFICER RECOMMENDATION**

That the Council adopts the amended Council policy: Meetings, Information Sessions and Decision Making Processes (the Policy) (Attachment A) to replace the current policy (Attachment B).

### **EXECUTIVE SUMMARY**

This report presents an amended Council policy: Meetings, Information Sessions and Decision Making Processes (the Policy) (Attachment A). The Policy has been amended to include new provisions for public question time (PQT) during Council and Committee meetings, and also includes new provisions for Public Agenda Presentations (PAP) - previously Public Presentation Sessions - and amended provisions for Community Access Sessions (CAS). Officers recommend it replace the current policy (Attachment B).

### **BACKGROUND**

A policy in relation to council meetings and decision making processes was first implemented in March 2011, as a consolidation of two policies: 005 - Electors and Special Electors' Meetings, and 246 – Governance Reform. Minor edits were made to the policy in March 2017, with a further review in March 2022, where amendments were made around the functioning of CAS (C2203/060).

At the Ordinary Meeting of Council on 27 April 2022, Council resolved to trial an alternative monthly meeting schedule, with CAS held once a month and a new public agenda presentation session introduced the week prior to the Council meeting. At the Ordinary Meeting of Council on 21 December 2022 Council resolved to continue with this meeting schedule (C2212/310).

Additionally, a review of PQT processes has been undertaken by officers, looking at practices of other local governments. Local Government Operational Guideline Number 3 – Managing Public Question Time (published by the Department of Local Government, Sport and Cultural Industries) was also reviewed.

Officers briefed Council in October 2022 and have now prepared the Policy, containing new PQT protocols, new guidelines for PAP and amended guidelines for CAS.

### **OFFICER COMMENT**

The Policy updates the guidelines for how the public is able to present to Council, both formally within a meeting and informally during CAS and PAP. This Policy is also applicable to all working groups involving Councillors.

### **Public Question Time**

The Local Government Administration Regulations 1996 (the Regulations) requires that each member of the public who wishes to ask a question during PQT is given an equal and fair opportunity to ask the question and receive a response. The City of Busselton Standing Orders Local Law 2018 (the Standing Orders) contains some provisions in relation to PQT, and with an increase in participation from members of the public at Council meetings, officers recommend provisions governing PQT are also added to the Policy to provide further guidance in relation to fairness and equity of PQT.

Regulation 6 of the Regulations sets the minimum time for PQT during Ordinary Meetings of Council as 15 minutes. The practices of other local governments also include a maximum time limit, in recognition that PQT is just one matter of business within a Council Meeting. The Policy proposes a maximum time of 30 minutes for PQT and a maximum of 3 questions per person per PQT. The Policy stipulates the order in which questions are to be heard, generally being the order of registration, with a new pre-registration process for questions also being proposed. The new pre-registration process aims to assist the Presiding Member with the allocation of time. Additional questions may be permitted by the Presiding Member where time permits. While not mandatory, the pre-registration of questions will also assist in the provision of responses during PQT.

The Standing Orders sets out instances where the Presiding Member may decide that a question is not to be responded to, which includes where a question is offensive or defamatory or is one which, if asked by an Elected Member, would be in breach of the Standing Orders or any other law. The Policy seeks to support these provisions by clearly setting out that questions which question the competency or personal affairs of Elected Members or employees will not be considered; given that any such question asked by an Elected Member would be against the City's Code of Conduct provisions, provisions which stem from regulations.

# **Public Agenda Presentations**

The intent of PAP is to provide members of the public with an opportunity to present to Council on matters on the current Council Agenda – hence the title Public Agenda Presentations. The Policy provides guidance for the function of PAP.

### **Behaviour Protocols**

General Behaviour Protocols, which were included with reference to CAS as part of the review in March 2022, have been amended to be applicable to all Council meetings and forums, including working groups involving Councillors.

### **Statutory Environment**

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* (the Act), it is the role of the Council to determine the local government policies.

Regulation 5 of the Regulations prescribe the meetings which require Public Question Time, with the minimum time for PQT for each of the prescribed meetings stated in Regulation 6. Clause 6.7 of the Standing Orders sets out other procedures for PQT.

# **Relevant Plans and Policies**

The following Departmental guidelines are relevant to the Policy:

- Department of Local Government and Communities Local Government Operational Guideline No. 3 – Managing Public Question Time
- Department of Local Government and Communities Local Government Operational Guideline No. 5 – Council Forums

# **Financial Implications**

There are no financial implications associated with the officer recommendation.

# **Stakeholder Consultation**

No external stakeholder consultation was required or undertaken in relation to this matter, however research of other local governments has been undertaken.

### **Risk Assessment**

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

### **Options**

As an alternative to the proposed recommendation the Council could:

- 1. Choose not to adopt the amended Policy, or
- 2. Adopt the Policy with further amendments.

### **CONCLUSION**

Officers are recommending the adoption of the amended Council policy: Meetings, Information Sessions and Decision making Processes, which reflect changes to Council's meeting structures and include provisions for the improved functioning of PQT in Council and Committee meetings.

# TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be placed on the City's website within one week of Council adoption, with the Policy taking effect immediately.

Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Clean)



# **Council Policy**

Council Policy Name: Meetings, Information Sessions and Decision Making Processes
Responsible Directorate: Finance and Corporate Services Version: DRAFT

### 1. PURPOSE

- 1.1. A key role of a Councillor is to participate in the Local Government's decision-making processes at Council and Committee meetings. A key function of the CEO is to ensure that advice and information is available to the Council so that informed decisions can be made.
- 1.2. The purpose of this Policy is to set out guidelines for the provision of information to Councillors at Council and Committee meetings and Information Sessions, as well as how Information Sessions will be managed.

# 2. SCOPE

2.1. This Policy is applicable to all Council and Committee meetings and Information Sessions.

### 3. DEFINITIONS

Term	Meaning			
Information Session	Councillor workshops, agenda briefing sessions, briefing sessions, community access			
	sessions and working groups involving Councillors			
Policy	this City of Busselton Council policy titled "Meetings, Information Sessions and			
	Decision Making Processes"			

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Key Theme 4: LEADERSHIP A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:
  - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making; and
  - b. 4.4: Govern a professional organisation that is healthy, capable and engaged.

### 5. POLICY STATEMENT

5.1. The City utilises a range of mechanisms to ensure Councillors can make informed decisions, including workshops, briefing sessions, community access sessions and working groups.

### **Council and Committee Meetings**

- 5.2. Council and Committee Meetings are conducted in accordance with the Local Government Act 1995 (the Act), the Local Government (Administration) Regulations 1996 (the Regulations), Local Government (Administration) Amendment Regulations 2022 and the City of Busselton Standing Orders Local Law 2018 (the Standing Orders).
- 5.3. Formal decisions of the Council are made at Council and Committee meetings.

# Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Clean)

### **Public Question Time**

- 5.4. Public question time allows members of the public to participate in local government by asking questions of the Council in relation to issues affecting the City. It also assists the City in identifying issues of importance to the community and assists the public to be better informed about how the City is governed.
- 5.5. The requirements for public question time are dealt with in the Act, the Regulations, the Standing Orders, and this Policy.
- 5.6. The City will allocate a minimum of 15 minutes and a maximum of 30 minutes per Council meeting for public question time.
- 5.7. Members of the public should register their intent to ask a question at a Council meeting by completing and submitting the Public Question Time form before 4pm the day prior to the relevant meeting.
- 5.8. Subject to paragraph 5.9, members of the public will be invited to ask their question in order of registration. Where time permits, members of the public who have not submitted a question will then be invited to ask a question.
- 5.9. The Presiding Member may group together questions that deal with a particular item.
- 5.10. Questions will be limited to three per person, to ensure that each person who is registered to ask a question has an opportunity to do so within the time allocated. Additional questions may be permitted by the Presiding Member where time permits.
- 5.11. Where a person is not present to ask their submitted question it will be responded to administratively as general correspondence.
- 5.12. Questions may be taken on notice, to be responded to at a later time by the CEO in accordance with clause 6.7 of the Standing Orders.
- 5.13. Public question time is for the tabling of questions, not for members of the community to make statements. For context, the Presiding Member may allow a short preamble only.
- 5.14. Questions containing defamatory remarks or offensive language, or that question the competency or personal affairs of Elected Members or employees will be ruled inappropriate by the Presiding Member and will not be considered.
- 5.15. No debate or discussion will take place on any question or answer.

### **Public Agenda Presentations**

- 5.16. Public Agenda Presentations (PAP) provide the opportunity for members of the community to give a presentations on items relating to the current Council agenda.
- 5.17. PAP will be run in the same order as the current Council agenda. Items may be brought forward at the discretion of the Presiding Member.
- 5.18. The Presiding Member will generally allow between 4 and 6 presenters on each item, with a maximum of 5 minutes per presentation.

# Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Clean)

5.19. Bookings are encouraged prior to commencement of the PAP.

### **Community Access Sessions**

- 5.20. Community Access Sessions provide community members with the opportunity to ask questions of Councillors on any matters of local government business. While Community Access Sessions are not formal meetings of Council, it is important that they are conducted in a way that is consistent with the principles and objectives of the Act, the Regulations and the Standing Orders in relation to the conduct of business.
- 5.21. The CEO will keep a record of matters raised at Community Access Sessions, including who they were raised by.

# **Agenda Briefing Sessions**

- 5.22. Agenda briefing sessions provide Elected Members with the opportunity to ask questions of officers and other Elected Members on items on the current Council agenda.
- 5.23. Agenda briefing sessions shall be conducted in an open, accountable manner, subject to confidentiality provisions.

### **Briefing Sessions and Workshops**

- 5.24. Outside of agenda briefing sessions it is usual for workshops and briefing sessions on a range of matters to be convened by the CEO for the purpose of providing relevant information to Councillors.
- 5.25. Briefing sessions and workshops are convened to offer Councillors the opportunity to:
  - a. explore options and discuss ideas;
  - b. discuss future agenda items and strategic direction;
  - to be briefed on key ongoing projects and have input prior to the allocation of resources in taking forward reports to the Council;
  - d. provide feedback and input in relation to decisions being made, or which may be made, by officers (under delegation, authorisation or similar, or 'acting through');
  - e. discuss and resolve where possible grievances and concerns.
- 5.26. Briefing sessions are relatively informal and are not open to the general public (unless invited) due to the preliminary and exploratory nature of the discussions.
- 5.27. Formal decisions of the Council are only made during a formal Council meeting and therefore collective or implied agreement on any issue during any briefing, information session or workshop cannot bind the Local Government.

### **Behaviour Protocols**

- 5.28. In addition to the protocols already outlined in this Policy, the following will apply to all Council and Committee meetings or Information Sessions that are attended by members of the public:
  - a. a public address will be limited to a period of 5 minutes unless the person is granted an extension by the presiding member;
  - b. a person must show respect to Councillors and employees;
  - c. a person must not create a disturbance by interrupting or interfering with the proceedings;
  - d. the Presiding Member may decide that a question or address is not to be responded to:
    - i. where the same or similar question or matter was asked or dealt with at a previous CAS, PAP or Council meeting and a response provided; or
    - ii. where an address breaches paragraph 5.14 of this Policy;

# Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Clean)

- e. no person is to use any electronic, visual or audio recording device or instrument to record the proceedings without the permission of the Presiding Member, unless it is at the discretion of the CEO for the purposes of recordkeeping.
- 5.29. If the Presiding Member considers a member of the public has engaged in conduct contrary to the requirements of 5.28, they may request the person to refrain from the inappropriate behaviour and / or to withdraw inappropriate comments.
- 5.30. Where a member of the public fails to comply with the Presiding Members request, the Presiding Member may immediately require the person to stop speaking and / or may require the person to leave the meeting or session.

### **Information Provision**

- 5.31. Requests by Councillors' for information should be directed to the CEO or relevant Director and circulated to all Councillors for information. The officer's response should be circulated to all Councillors.
- 5.32. Councillors can ask for personal information of a private nature to be provided on a "Private and Confidential" basis. The CEO will consider the appropriateness of the request and determine whether such information is to be provided.
- 5.33. Where a question cannot be sufficiently answered at an Information Session or Council or Committee meeting, any further information is to be circulated to all Councillors.
- 5.34. In addition to disclosure requirements that apply at formal meetings, the Department of Local Government guidelines promote disclosure of interests at agenda forums, as participation without disclosing an interest is ethically unacceptable. Interests shall therefore be disclosed at Information Sessions.

### 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995
- 6.2. Local Government (Administration) Regulations 1996
- 6.3. Local Government (Administration) Amendment Regulations 2022
- 6.4. City of Busselton Standing Orders Local Law 2018
- $6.5. \quad \text{Department of Local Government Operational Guideline No.\,3-Managing Public Question Time} \\$
- 6.6. Department of Local Government Operational Guideline No. 5 Council Forums

Review Frequency		3 yearly		
Council Adoption DATE			Resolution #	
Previous Adoption	DATE	23 March 2022	Resolution #	C2203/060

Current Council policy: Meetings, Information Sessions and Decision Making Processes

Version:

**ADOPTED** 



### 1. PURPOSE

Responsible Directorate:

1.1. A key role of a Councillor is to participate in the Local Government's decision-making processes at Council and Committee meetings. A key function of the CEO is to ensure that advice and information is available to the Council so that informed decisions can be made.

Finance and Corporate Services

1.2. The purpose of this Policy is to set out guidelines for the provision of information to Councillors at Council and Committee meetings and Information Sessions, as well as how Information Sessions will be managed.

# 2. SCOPE

2.1. This Policy is applicable to all Information Sessions and formally-constituted meetings involving Councillors of the City of Busselton.

### 3. **DEFINITIONS**

Term	Meaning
Information Session	Councillor workshops, agenda briefing sessions, briefing sessions and community access sessions
Policy	this City of Busselton Council policy titled "Meetings, Information Sessions and Decision Making Processes"

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 4. LEADERSHIP A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:
  - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making; and
  - b. 4.4: Govern a professional organisation that is healthy, capable and engaged.

### 5. POLICY STATEMENT

5.1. The City utilises a range of mechanisms to ensure Councillors can make informed decisions, including workshops, briefing sessions, and community access sessions, in addition to its formal Council and Committee meetings.

### **Council and Committee Meetings**

5.2. Council and Committee Meetings are conducted in accordance with the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and the City of Busselton Standing Orders Local Law 2018.

# Current Council policy: Meetings, Information Sessions and Decision Making Processes

5.3. Formal decisions of the Council are made at Council and Committee meetings.

### **Agenda Briefing Sessions**

- 5.4. Agenda briefing sessions are utilised to discuss matters that appear on the current Council agenda
- 5.5. Agenda briefing sessions shall be conducted in an open, accountable manner, subject to confidentiality provisions.

### **Briefing Sessions and Workshops**

- 5.6. Outside of agenda briefing sessions it is usual for workshops and briefing sessions on a range of matters to be convened by the CEO for the purpose of providing relevant information to Councillors.
- 5.7. Briefing sessions and workshops are convened to offer Councillors the opportunity to:
  - a. explore options and discuss ideas;
  - b. discuss future agenda items and strategic direction;
  - to be briefed on key ongoing projects and have input prior to the allocation of resources in taking forward reports to the Council;
  - d. provide feedback and input in relation to decisions being made, or which may be made, by officers (under delegation, authorisation or similar, or 'acting through');
  - e. discuss and resolve where possible grievances and concerns.
- 5.8. Briefing sessions are relatively informal and are not open to the general public (unless invited) due to the preliminary and exploratory nature of the discussions.
- 5.9. Formal decisions of the Council are only made during a formal Council meeting and therefore collective or implied agreement on any issue during any briefing, information session or workshop cannot bind the Local Government.

### **Community Access Sessions**

- 5.10. Community Access Sessions provide community members the opportunity to address Councillors on matters of local government business. Administrative matters may be responded to by the CEO or taken on notice.
- 5.11. Community Access Sessions may also be used to present on a matter currently before Council for a decision, either ahead of the Council meeting as a party with an interest (as per the City of Busselton's Standing Orders Local Law) or as an 'other' interested person.
- 5.12. At the discretion of the Presiding Member, community members wishing to present on a matter not on a current Council meeting agenda will be heard first, followed by those wishing to present on an item before Council.
- 5.13. While Community Access Sessions are not formal meetings of Council, it is important that they are conducted in a way that is consistent with the principles and objectives of the *Local Government Act* 1995 in relation to the conduct of business. Accordingly the following will apply
  - each member of the public will be given an equal and fair opportunity, to be determined by the presiding member, to address Councillors;
  - an address will be limited to a period of 5 minutes unless the person is granted an extension by the presiding member;
  - c. the presiding member may decide that a question or matter is not be responded to where the same or similar question or matter was:
    - i. asked or dealt with at a previous CAS or Council meeting and a response provided; or

# Current Council policy: Meetings, Information Sessions and Decision Making Processes

- ii. where the question is offensive or defamatory in nature;
- d. no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of CAS without the permission of the presiding member, unless it is at the discretion of the CEO for the purposes of recordkeeping;
- e. a person must comply with the City's Behaviour Protocols at all times and must not create a disturbance by interrupting or interfering with the proceedings.
- f. community members must show respect to Councillors and employees and must not publicly make adverse reflections on the character or conduct of a Councillor or employee.
- 5.14. If the presiding member considers a community member has engaged in conduct contrary to the requirements of 5.13, they may request the person to refrain from the inappropriate behaviour and / or to withdraw inappropriate comments.
- 5.15. Where a community member fails to comply with the Presiding Members request, the presiding member may immediately require the person to stop speaking and / or may require the person to leave the Community Access Session.
- 5.16. The CEO will keep a record of matters raised at Community Access Sessions, including who they were raised by.

### **Information Provision**

- 5.17. Requests by Councillors' for information should be directed to the CEO or relevant Director and circulated to all Councillors for information. The officer's response should be circulated to all Councillors.
- 5.18. Councillors can ask for personal information of a private nature to be provided on a "Private and Confidential" basis. The CEO will consider the appropriateness of the request and determine whether such information is to be provided.
- 5.19. Where a question cannot be sufficiently answered at an Information Session or Council or Committee meeting, any further information is to be circulated to all Councillors.
- 5.20. In addition to disclosure requirements that apply at formal meetings, the Department of Local Government guidelines promote disclosure of interests at agenda forums, as participation without disclosing an interest is ethically unacceptable. Interests shall therefore be disclosed at Information

### 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995
- 6.2. Local Government (Administration) Regulations 1996
- 6.3. Department of Local Government Council Forums Guideline

Review Frequency		3 yearly		
Council Adoption DATE		23 March 2022 Resolution # C2203/060		C2203/060
Previous Adoption	DATE	10 May 2017	Resolution #	C1705/101

DRAFT

6.1 Attachment C

Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Tracked Changes)



### 1. PURPOSE

- 1.1. A key role of a Councillor is to participate in the Local Government's decision-making processes at Council and Committee meetings. A key function of the CEO is to ensure that advice and information is available to the Council so that informed decisions can be made.
- 1.2. The purpose of this Policy is to set out guidelines for the provision of information to Councillors at Council and Committee meetings and Information Sessions, as well as how Information Sessions will be managed.

# 2. SCOPE

2.1. This Policy is applicable to all Council and Committee meetings and Information Sessions

### 3. DEFINITIONS

Term	Meaning			
Information Session	Councillor workshops, agenda briefing sessions, briefing sessions, and community			
	access sessions and working groups involving Councillors			
Policy	this City of Busselton Council policy titled "Meetings, Information Sessions and			
	Decision Making Processes"			

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Key Theme 4. LEADERSHIP A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:
  - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making; and
  - b. 4.4: Govern a professional organisation that is healthy, capable and engaged.

### 5. POLICY STATEMENT

5.1. The City utilises a range of mechanisms to ensure Councillors can make informed decisions, including workshops, briefing sessions, and community access sessions and working groups. , in addition to its formal Council and Committee meetings.

### **Council and Committee Meetings**

5.2. Council and Committee Meetings are conducted in accordance with the Local Government Act 1995 (the Act), the Local Government (Administration) Regulations 1996 (the Regulations), Local Government (Administration) Amendment Regulations 2022 and the City of Busselton Standing Orders Local Law 2018 (the Standing Orders).

# Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Tracked Changes)

5.3. Formal decisions of the Council are made at Council and Committee meetings.

### **Public Question Time**

- 5.4. Public Question Time allows members of the public to participate in local government by asking questions of the Council in relation to issues affecting the City. It also assists the City in identifying issues of importance to the community and assists the public to be better informed about how the City is governed.
- 5.5. The requirements for public question time are dealt with in the Act, the Regulations, the Standing Orders, and this Policy.
- 5.6. The City will allocate a minimum of 15 minutes and a maximum of 30 minutes per Council meeting for public question time.
- 5.7. Members of the public should register their intent to ask a question at a Council meeting by completing and submitting the Public Question Time form before 4pm the day prior to the relevant meeting.
- 5.8. Subject to paragraph 5.9, members of the public will be invited to ask their questions in order of registration. Where time permits, members of the public who have not submitted a question will then be invited to ask a question.
- 5.9. The Presiding Member may group together questions that deal with a particular item.
- 5.10. Questions will be limited to three per person, to ensure that each person who is registered to ask a question has an opportunity to do so within the time allocated. Additional questions may be permitted by the Presiding Member where time permits.
- 5.11. Where a person is not present to ask their submitted question it will be responded to administratively as general correspondence.
- 5.12. Questions may be taken on notice, to be responded to at a later time by the CEO in accordance with clause 6.7 of the Standing Orders.
- 5.13. Public Question Time is for the tabling of questions, not for members of the community to make statements. For context, the Presiding Member may allow a short preamble only.
- 5.14. Questions containing defamatory remarks or offensive language, or that question the competency or personal affairs of Elected Members or employees will be ruled inappropriate by the Presiding Member and will not be considered.
- 5.15. No debate or discussion will take place on any question or answer.

### **Public Agenda Presentations**

- 5.16. Public Agenda Presentations (PAP) provide the opportunity for members of the community to give presentations on items relating to the current Council agenda.
- 5.17. PAP will be run in the same order as the current Council agenda. Items may be brought forward at the discretion of the Presiding Member.
- 5.18. The Presiding Member will generally allow between 4 and 6 presenters on each item, with a maximum of 5 minutes per presentation.
- 5.19. Bookings are encouraged prior to commencement of PAP.

Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Tracked Changes)

### **Community Access Sessions**

- 5.20. Community Access Sessions provide community members the opportunity to ask questions of Councillors on any matters of local government business. While Community Access Sessions are not formal meetings of Council, it is important that they are conducted in a way that is consistent with the principles and objectives of the Act, the Regulations and the Standing Orders in relation to the conduct of the business.
- 5.21. The CEO will keep a record of matters raised at Community Access Sessions, including who they were raised by.

### **Agenda Briefing Sessions**

- 5.4. 5.22. Agenda briefing sessions provide Elected Members with the opportunity to ask questions of officers and other Elected Members on items are utilised to discuss matters that appear on the current Council agenda
- 5-5- 5.23. Agenda briefing sessions shall be conducted in an open, accountable manner, subject to confidentiality provisions.

### **Briefing Sessions and Workshops**

- 5.6. 5.24. Outside of agenda briefing sessions it is usual for workshops and briefing sessions on a range of matters to be convened by the CEO for the purpose of providing relevant information to Councillors.
- 5.7. 5.25. Briefing sessions and workshops are convened to offer Councillors the opportunity to:
  - a. explore options and discuss ideas;
  - b. discuss future agenda items and strategic direction;
  - to be briefed on key ongoing projects and have input prior to the allocation of resources in taking forward reports to the Council;
  - d. provide feedback and input in relation to decisions being made, or which may be made, by officers (under delegation, authorisation or similar, or 'acting through');
  - e. discuss and resolve where possible grievances and concerns.
- 5.8. 5.26. Briefing sessions are relatively informal and are not open to the general public (unless invited) due to the preliminary and exploratory nature of the discussions.
- 5.9 5.27. Formal decisions of the Council are only made during a formal Council meeting and therefore collective or implied agreement on any issue during any briefing, information session or workshop cannot bind the Local Government.

### **Behaviour Protocols**

- 5.28. In addition to the protocols already outlined in this Policy, the following will apply to all Council and Committee meetings or Information Sessions that are attended by members of the public:
  - a. a public address will be limited to a period of 5 minutes unless the person is granted an extension by the presiding member;
  - b. a person must show respect to Councillors and employees;
  - c. a person must not create a disturbance by interrupting or interfering with the proceedings;
  - d. the Presiding Member may decide that a question or address is not to be responded to:
    - i. where the same or similar question or matter was asked or dealt with at a previous CAS, PAP or Council meeting and a response provided; or
    - ii. where an address breaches paragraph 5.14 of this Policy;
  - e. no person is to use any electronic, visual or audio recording device or instrument to record the
    proceedings without the permission of the Presiding Member, unless it is at the discretion of the CEO
    for the purposes of recordkeeping.

# Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Tracked Changes)

- 5.29. If the Presiding Member considers a member of the public has engaged in conduct contrary to the requirements of 5.28, they may request the person to refrain from the inappropriate behaviour and / or to withdraw inappropriate comments.
- 5.30. Where a member of the public fails to comply with the Presiding Members request, the Presiding Member may immediately require the person to stop speaking and / or may require the person to leave the meeting or session.

### **Community Access Sessions**

- 5.10. Community Access Sessions provide community members the opportunity to address Councillors on matters of local government business. Administrative matters may be responded to by the CEO or taken on notice.
- 5.11. Community Access Sessions may also be used to present on a matter currently before Council for a decision, either ahead of the Council meeting as a party with an interest (as per the City of Busselton's Standing Orders Local Law) or as an 'other' interested person.
- 5.12. At the discretion of the Presiding Member, community members wishing to present on a matter not on a current Council meeting agenda will be heard first, followed by those wishing to present on an item before Council.
- 5.13. While Community Access Sessions are not formal meetings of Council, it is important that they are conducted in a way that is consistent with the principles and objectives of the *Local Government Act* 1995 in relation to the conduct of business. Accordingly the following will apply
  - each member of the public will be given an equal and fair opportunity, to be determined by the presiding member, to address Councillors;
  - b. an address will be limited to a period of 5 minutes unless the person is granted an extension by the presiding member:
  - c. the presiding member may decide that a question or matter is not be responded to where the same or similar question or matter was:
    - i. asked or dealt with at a previous CAS or Council meeting and a response provided; or
    - ii. where the question is offensive or defamatory in nature;
  - d. no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of CAS without the permission of the presiding member, unless it is at the discretion of the CEO for the purposes of recordkeeping;
  - e. a person must comply with the City's Behaviour Protocols at all times and must not create a disturbance by interrupting or interfering with the proceedings.
  - community members must show respect to Councillors and employees and must not publicly make adverse reflections on the character or conduct of a Councillor or employee.
- 5.14. If the presiding member considers a community member has engaged in conduct contrary to the requirements of 5.13, they may request the person to refrain from the inappropriate behaviour and / or to withdraw inappropriate comments.
- 5.15. Where a community member fails to comply with the Presiding Members request, the presiding member may immediately require the person to stop speaking and / or may require the person to leave the Community Access Session.
- 5.16. The CEO will keep a record of matters raised at Community Access Sessions, including who they were raised by:

Proposed Council policy: Meetings, Information Sessions and Decision Making Processes (Tracked Changes)

### **Information Provision**

- 5.17. 5.31. Requests by Councillors' for information should be directed to the CEO or relevant Director and circulated to all Councillors for information. The officer's response should be circulated to all Councillors
- 5.18. 5.32. Councillors can ask for personal information of a private nature to be provided on a "Private and Confidential" basis. The CEO will consider the appropriateness of the request and determine whether such information is to be provided.
- 5.19. 5.33. Where a question cannot be sufficiently answered at an Information Session or Council or Committee meeting, any further information is to be circulated to all Councillors.
- 5.20. 5.34. In addition to disclosure requirements that apply at formal meetings, the Department of Local Government guidelines promote disclosure of interests at agenda forums, as participation without disclosing an interest is ethically unacceptable. Interests shall therefore be disclosed at Information Sessions.

### 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995
- 6.2. Local Government (Administration) Regulations 1996
- 6.3. Local Government (Administration) Amendment Regulations 2022
- 6.3 Department of Local Government Council Forums Guideline
- 6.4. City of Busselton Standing Orders Local Law 2018
- 6.5. Department of Local Government Operational Guideline No. 3 Managing Public Question Time
- 6.6. Department of Local Government Operational Guideline No. 5 Council Forums

Review Frequency		3 yearly		
Council Adoption DATE		23 March 2022 Resolution # C2203/060		<del>C2203/060</del>
Previous Adoption	DATE	23 March 2022 10 May 2017	Resolution #	C2203/060 C1705/101

### 6.2 COUNCIL POLICY REVIEW: VARIOUS

**STRATEGIC THEME** LEADERSHIP - A Council that connects with the community and is

accountable in its decision making.

**STRATEGIC PRIORITY** 4.2 Deliver governance systems that facilitate open, ethical and

transparent decision making.

**SUBJECT INDEX BUSINESS UNIT**Council Policy Review
Governance Services

**REPORTING OFFICER** Governance Coordinator - Emma Heys

**AUTHORISING OFFICER** Acting Director, Finance and Corporate Services - Sarah Pierson

**NATURE OF DECISION** Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies);

unding, donations and sponsorships; reviewing committee

recommendations

VOTING REQUIREMENT Simple Majority
ATTACHMENTS Attachment A

ITS Attachment A Draft Council Policy: Rehoming of Impounded Dogs

and Cats U

Attachment B Draft Council Policy: Vandalism - Reward for

Information Relating to the Damage of City Property.

Adebe

Attachment C Draft Council Policy: City Brands 1

Attachment D Draft Council Policy: Honorary Freeman of the City of

Busselton U

Attachment E Draft Council Policy: City Promotion - Government

Partnerships U

Attachment F Current Policies: Various U

Attachment G Tracked Changes Council Policy: City Branding (for

reference) U

Attachment H Tracked Changes Council Policy: Honorary Freeman of

the City of Busselton (for reference).

### **OFFICER RECOMMENDATION**

That the Council adopts the following policies:

- Council Policy: Rehoming of Impounded Dogs and Cats (Attachment A)
- Council Policy: Vandalism Reward for Information Relating to the Damage of City Property (Attachment B)
- Council Policy: City Brands (Attachment C)
- Council Policy: Honorary Freeman of the City of Busselton (Attachment D)
- Council Policy: City Promotion Government Partnerships (Attachment E)

to replace current Council policies contained in Attachment F, with the Policies having been reviewed as part of the City's ongoing policy review cycle.

# **EXECUTIVE SUMMARY**

This report presents four amended Council Policies (the Policies) (Attachments A to E), each having been reviewed as part of the City's ongoing review of it Council policies. Officers recommend the Policies replace the current Council policies contained in Attachment F.

### **BACKGROUND**

It is the function of the Policy and Legislation Committee to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing cycle of policy review, whereby all policies of the Council will be reviewed at least every 3 years, with the aim of determining the ongoing strategic importance and applicability of the policy.

### **OFFICER COMMENT**

The Policies have been reviewed and are considered of ongoing relevance and strategic importance.

Updates have been made to the Strategic Context of the Policies to reflect the changes made in the 2021-2031 Strategic Community Plan, and the Policies have been transferred into the most current Council policy template if required. Additionally the following minor changes have been made as listed in the below table:

Policy	Previous Review/Adoption	Amendment
Rehoming of Impounded Dogs and Cats	14 September 2017 C1709/211	Addition of City of Busselton Local Laws (Dogs; Keeping and Control of Cats) to Related Documentation/Legislation.
Vandalism – Reward for Information Relating to the Damage of City Property	10 October 2018 C1810/208	Amendment of word 'He' to 'They' in paragraph 5.5 in reference to the CEO.  Removal of specifically listed sections of the Act from Related  Documentation/Legislation.
City Branding – now City Brands	14 November 2018 C1811/221	Minor change to title to City Brands, recognising that City Branding is more than just the City's logos and emblems.
		Addition of reference to the City's Style Guide as the reference document guiding the application and use of the City's Brands.
		Removal of generally understood terms from definitions.
		A tracked changes version is attached for reference (Attachment G).
Honorary Freeman of the City of Busselton	12 June 2019 C1906/095	Addition of wording 'the next practicable' to paragraph 5.8(e).
		Amended paragraph 5.8(d) to provide clearer guidance on the support of the nomination process by Elected Members.
		A tracked changes version is attached for reference (Attachment H).

City Promotion – Government Partnerships	12 September 2018 C1809/183	Purpose has been reduced and reworded to provide a more succinct statement of the strategic purpose in forming partnerships with Federal and State government counterparts.
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### **Statutory Environment**

In accordance with section 2.7(2(b) of the *Local Government Act 1995* (the Act), it is the role of the Council to determine the local government policies. The Council does this on recommendation of a Committee it has established in accordance with section 5.8 of the Act.

# **Relevant Plans and Policies**

The officer recommendation aligns to the City's Policy Framework. The framework sets out the intent of Council policies, as opposed to operational documents such as operational practices and work procedures.

# **Financial Implications**

There are no financial implications associated with the officer recommendation.

# **Stakeholder Consultation**

No external stakeholder consultation was required or undertaken in relation to this matter.

# **Risk Assessment**

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

### **Options**

As an alternative to the proposed recommendation the Council could decide not to adopt the Policies or require further amendments to be made to the Policies.

# **CONCLUSION**

Four Council Policies have been reviewed as part of the City's ongoing review of it Council policies. Officers recommend these policies replace the current policies of the same name.

### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policies will be effective immediately upon adoption by Council.

### Draft Council Policy: Rehoming of Impounded Dogs and Cats



### 1. PURPOSE

1.1. The purpose of this Policy is to establish a framework for the rehoming of impounded dogs and cats in accordance with the relevant legislation and established Memorandums of Understandings.

### 2. SCOPE

2.1. This Policy is applicable to dogs or cats that have been impounded into the City's Animal Care Facility and who have not been claimed within the period prescribed by the applicable Act (*Dog Act 1976* or *Cat Act 2011*).

### 3. DEFINITIONS

Term	Meaning		
Animal Care Facility	the facility located at 306 Queen Elizabeth Avenue, Vasse		
Memorandums of Understanding	understandings entered into with approved animal rescue and welfare		
	organisations		
Policy	this City of Busselton Council policy titled "Rehoming of Impounded Dogs		
	and Cats"		

### 4. STRATEGIC CONTEXT

4.1. This Policy links to Key Theme 4: LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

### 5. POLICY STATEMENT

- 5.1. The City supports the rehoming of suitable impounded and unclaimed dogs and cats and will facilitate this through the establishment and use of Memorandums of Understanding.
- 5.2. Any Memorandum of Understanding entered into will contain obligations requiring the rescue and/or welfare organisation to ensure that dogs and cats are sterilised, microchipped and vaccinated prior to rehoming.
- 5.3. The Council acknowledges that organisations entering into Memorandums of Understanding are not-for-profit and volunteer based, and as such will consider waiving registration fees for a maximum of 12 months for dogs and cats under the immediate care of foster carers representing the organisation; conditional on the animal being both microchipped and sterilised.

Draft Council Policy: Rehoming of Impounded Dogs and Cats

# 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Dog Act 1976
- 6.2. Cat Act 2011
- 6.3. City of Busselton Keeping and Control of Cats Local Law 2014
- 6.4. City of Busselton Dogs Local Law 2014

Review Frequency		3 yearly		
Council Adoption DATE		Resolution # 00		00
Previous Adoption	DATE	14 September 2017	Resolution #	C1709/211

6.2 Attachment B

# Draft Council Policy: Vandalism - Reward for Information Relating to the Damage of City Property



### 1. PURPOSE

1.1. The purpose of this Policy is to set guidelines for the rewarding of a person who provides information as to the identity of an offender who has vandalised or damaged City property, where the information leads to a successful conviction of the offender or a successful outcome on the matter.

### 2. SCOPE

2.1. This Policy is applicable to vandalism resulting in damage to City property.

### 3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "Vandalism – Reward for Information
	Relating to the Damage of City Property"

### 4. STRATEGIC CONTEXT

4.1. This Policy links to the following themes and strategic priorities of the City's Strategic Community Plan June 2021:

Key Theme 1 ENVIRONMENT	1.1 Ensure protection and enhancement of environmental values is a central	
	consideration in land use planning	
Key Theme 2 LIFESTYLE	2.2 Work with key partners to facilitate a safe, healthy and capable	
	community	

### 5. POLICY STATEMENT

- 5.1. The City of Busselton actively seeks to reduce and prevent vandalism in the community.
- 5.2. Identification and prosecution of offenders may reduce the likelihood of future occurrences. To this end the City may offer a reward to anyone who provides information leading to the conviction of a person for an act of vandalism or damage of City property.
- 5.3. When an act of vandalism of City property has occurred, the Chief Executive Officer is authorised to set an appropriate reward up to a value of \$1,000 for information leading to a successful conviction, or to pay a reward to a person who voluntarily provides information as to the identity of an offender which leads to a successful conviction.
- 5.4. The amount of the reward is to take into consideration the level of damage that has been caused to City property.

6.2 Attachment B

# Draft Council Policy: Vandalism - Reward for Information Relating to the Damage of City Property

- 5.5. Where the CEO considers a reward of greater than \$1,000 to be appropriate, they will discuss and agree this with the Mayor.
- 5.6. Rewards will not be paid to City employees, Elected Members, or members of the WA Police Service.

# 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1996
- 6.2. Graffiti Vandalism Act 2016

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	10 October 2018	Resolution #	C1810/208

6.2 Attachment C Draft Council Policy: City Brands



### 1. PURPOSE

1.1. The purpose of this Policy is to guide the appropriate use of the City of Busselton's Brands.

### 2. SCOPE

- 2.1. This Policy is applicable to the reproduction and application of the City's Brands, including, but not limited to the Brands for:
  - a. Geographe Leisure Centre;
  - b. ArtGeo Cultural Complex;
  - c. Saltwater Busselton;
  - d. Naturaliste Community Centre;
  - e. Busselton and Dunsborough Libraries;
  - f. Busselton Jetty Tourist Park;
  - g. Busselton Margaret River Airport; and
  - h. Busselton Youth Services and SHIFT.
- $2.2. \quad \hbox{This Policy applies to the use of the official emblems of the City of Busselton:} \\$ 
  - a. fauna the Common (Western) Ringtail Possum Pseudocheirus peregrinus occidentalis
  - b. flora the One-Sided Bottle Brush Calothamnus graniticus var graniticus

### 3. **DEFINITIONS**

Term	Meaning
Brands	an identifying symbol, design or feature distinguishing the organisation from others
Policv	this City of Busselton Council policy titled "City Brands"

### 4. STRATEGIC CONTEXT

4.1. This Policy links to Key Theme 4. – LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.

### 5. POLICY STATEMENT

5.1. The City of Busselton Style Guide sets out the City's Brands and their appropriate use, and must be adhered to in order to maintain professional and consistent branding for the City.

City Brands Page 1 of 2

25 January 2023

# 6.2 Attachment C

- **Draft Council Policy: City Brands**
- 5.2. Permission for the use of the City's Brands, by any person or organisation external to the City is to be obtained from the City, prior to use.
- 5.3. The City of Busselton logo is to be displayed at all City of Busselton operated facilities, in addition to the display of other separately identifiable logos, excluding Saltwater Busselton.
- 5.4. Any changes to the City's Brands are subject to Council approval on recommendation by the Chief Executive Officer.

# 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Trade Mark 1477428

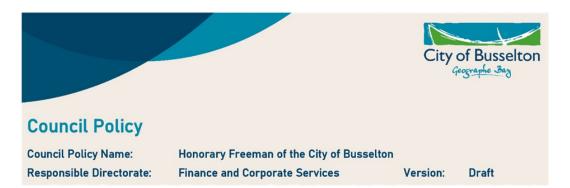
### 7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	14 November 2018	Resolution #	C1811/221

City Brands Page 2 of 2

6.2 Attachment D

# Draft Council Policy: Honorary Freeman of the City of Busselton



### 1. PURPOSE

1.1. The purpose of this Policy is to set guidelines for the nomination, selection and awarding of the prestigious title of Honorary Freeman of the City of Busselton to an individual.

### 2. SCOPE

2.1. This Policy is applicable to all nominations, applications and awards of the title Honorary Freeman of the City of Busselton.

### 3. **DEFINITIONS**

Term	Meaning
Australian Honours System	a system of honours and awards in recognition of excellence, achievement
	or meritorious service and contribution to society, free of patronage or
	political influence
Policy	this City of Busselton Council policy titled "Honorary Freeman of the City of
	Busselton"

### 4. STRATEGIC CONTEXT

4.1. This Policy links to Key Theme 2. LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority 2.1: Recognise, respect and support community diversity and cultural heritage.

# 5. POLICY STATEMENT

- 5.1. Council may bestow the title of Honorary Freeman of the City of Busselton upon an individual in recognition of outstanding and meritorious service to the City of Busselton.
- 5.2. The high honour associated with an Honorary Freeman is however reserved for the community's most significant contributors.

# **Eligibility Criteria**

- 5.3. Nominees will ordinarily be a resident of the City of Busselton and have lived within the City for a significant number of years, usually 15 years or greater, although this may be reduced by the significance of service.
- 5.4. The nominee should have given extensive and distinguished service to the community in either a civic, professional, or voluntary capacity and have made a contribution that is considered extraordinary.
- 5.5. The nominee's endeavours will have demonstrable benefits to the community of the City of Busselton and possibly the wider region.

### 6.2 Attachment D

# Draft Council Policy: Honorary Freeman of the City of Busselton

- 5.6. The nominee's specific achievement/s must be of a nature which would encourage the City of Busselton to nominate that person for an honour under the Australian Honours System.
- 5.7. A current Elected Member cannot be nominated for the award.

### **Nomination Procedure**

- 5.8. The following nomination procedure is to be observed:
  - a. nominations must be made in the strictest confidence without the nominees knowledge;
  - b. any resident or elector of the City of Busselton may make a nomination;
  - nominations must clearly outline in chronological order the history of service to the community of the person being nominated;
  - d. nominations must be made in writing to the Chief Executive Officer. The CEO must obtain support for the nomination, in writing by at least one third of the total number of Elected Members of Council; and;
  - e. on receiving a conforming nomination, the nomination is to be submitted as a confidential report for consideration at the next practicable Ordinary Meeting of Council.

### **Awarding the Title**

- 5.9. An Honorary Freeman will be awarded on an individual basis and by absolute majority of Council.
- 5.10. Once Council has approved the award, the nominee will be contacted by the Chief Executive Officer on a confidential basis to determine whether the award will be accepted. Should a nominee decline to accept the award, all Elected Members will be informed and the matter will lapse.
- 5.11. On confirmation of the acceptance of the award, all Elected Members will be informed and a suitable media statement shall be prepared for release.

### **Entitlements and Presentation**

- 5.12. Any individual awarded an Honorary Freeman of the City of Busselton may designate themselves 'Honorary Freeman of the City of Busselton'.
- 5.13. Conferral of the title is to be carried out at a formal function of Council.
- 5.14. The recipient shall be awarded a certificate to commemorate the receiving of the award.
- 5.15. Any Honorary Freeman of the City of Busselton is to be invited to all subsequent Civic events and functions.
- 5.16. The recipient's name shall be engraved/included on the City of Busselton Honour Roll Board.

# 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Nil

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	12 June 2019	Resolution #	C1906/095

6.2 Attachment E

# Draft Council Policy: City Promotion - Government Partnerships



### 1. PURPOSE

1.1. The purpose of this Policy is to highlight and facilitate the strategic importance of the City establishing relationships with Federal and State Governments for the purposes of maximising funding opportunities and the promotion of the City of Busselton.

### 2. SCOPE

2.1. This Policy is applicable to activities undertaken for the purposes of establishing partnerships and relationships at State and Federal Government levels.

### 3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "City Promotion – Government
	Partnerships"

### 4. STRATEGIC CONTEXT

This Policy links to Key Theme 4: LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority: 4.1 Provide opportunities for the community to engage with Council and contribute to decision making.

### 5. POLICY STATEMENT

- 5.1. The City of Busselton will utilise a range of mechanisms to promote projects and development opportunities in the City of Busselton for the purposes of potential government investment. This will include regular communication and the provision of information, as well as the facilitation of visits, to and from State and Federal Government Ministers, Members, Departments and key personnel.
- 5.2. The City of Busselton invests in joint lobbying through being members of industry and other relevant associations.
- 5.3. Federal Ministers, Members and Departments are generally not as readily accessible as State Government equivalents by reason of distance and broad areas of responsibility. This Policy specifically authorises visits to Canberra or other appropriate intra or interstate locations (annually or as the need arises) by a City of Busselton delegation for the purposes of relationship building and promotion of the City of Busselton to the Federal Government.
- 5.4. Delegations will, whenever possible, include the Mayor and Chief Executive Officer, and may include another Councillor and City officer as required.

# 6.2 Attachment E

# Draft Council Policy: City Promotion - Government Partnerships

- 5.5. In arranging a delegation the CEO should have due regard to the following matters:
  - a. the promotional activities of other local governments occurring at the time, such that the City's message is not lost or diluted;
  - b. the opportunity to combine a delegation with other development or conference opportunities available at the time;
  - the potential for a delegation to be jointly conducted with neighbouring local government/s for projects and development opportunities of regional significance; and
  - d. the potential for visits to be coordinated in conjunction with and supported by the local Federal Member to assist with introductions and relevant contacts.
- 5.7 Delegations shall be conducted utilising funds established within the budget for formal civic and ceremonial purposes.

### 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Nil

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	12 September 2018	Resolution #	C1809/183



### 1. PURPOSE

1.1. The purpose of this Policy is to establish a framework for the rehoming of impounded dogs and cats in accordance with the relevant legislation and established Memorandums of Understandings.

### 2. SCOPE

2.1. This Policy is applicable to dogs or cats that have been impounded into the City's Animal Care Facility and who have not been claimed within the period prescribed by the applicable Act (Dog Act 1976 or Cat Act 2011).

### 3. DEFINITIONS

Term	Meaning		
Animal Care Facility	the facility located at 306 Queen Elizabeth Avenue, Vasse		
Memorandums of Understanding	understandings entered into with approved animal rescue and welfare		
	organisations		
Policy	this City of Busselton Council policy titled "Rehoming of Impounded Dogs		
	and Cats"		

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 4. LEADERSHIP A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

# 5. POLICY STATEMENT

- 5.1. The City supports the rehoming of suitable impounded and unclaimed dogs and cats and will facilitate this through the establishment and use of Memorandums of Understanding.
- 5.2. Any Memorandum of Understanding entered into will contain obligations requiring the rescue and/or welfare organisation to ensure that dogs and cats are sterilised, microchipped and vaccinated prior to rehoming.
- 5.3. The Council acknowledges that organisations entering into Memorandums of Understanding are not-for-profit and volunteer based, and as such will consider waiving registration fees for a maximum of 12 months for dogs and cats under the immediate care of foster carers representing the organisation; conditional on the animal being both microchipped and sterilised.

6.2 Attachment F

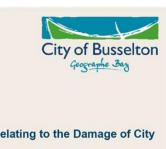
**Current Policies: Various** 

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# 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Dog Act 1976
- 6.2. Cat Act 2011

Review Frequency		3 yearly		
Council Adoption	DATE	14 September 2017	Resolution #	C1709/211
Previous Adoption	DATE	8 December 2010	Resolution #	C1012/415



# **Council Policy**

Council Policy Name: Vandalism – Reward for Information Relating to the Damage of City

**Property** 

Responsible Directorate: Finance and Corporate Services Version: Adopted

### 1. PURPOSE

1.1. The purpose of this Policy is to set guidelines for the rewarding of a person who provides information as to the identity of an offender who has vandalised or damaged City property, subject to that information leading to successful conviction of the offender or a successful outcome on the matter.

### 2. SCOPE

2.1. This Policy is applicable to vandalism resulting in damage to City property.

### 3. **DEFINITIONS**

Term	Meaning
Policy	this City of Busselton Council policy titled "Vandalism – Reward for Information
	Relating to the Damage of City Property"

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 1. ENVIRONMENT An environment that is valued, conserved and able to be enjoyed by current and future generations, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 1.1: Ensure protection and enhancement of environmental values is a central consideration in land use planning.
- 4.2. This Policy links to Strategic Theme 2. LIFESTYLE A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 2.2: Work with key partners to facilitate a safe, healthy and capable community.

### 5. POLICY STATEMENT

- 5.1. The City of Busselton actively seeks to reduce and prevent vandalism in its community.
- 5.2. Identification and prosecution of offenders may reduce the likelihood of future occurrences. To this end the City may offer a reward to anyone who provides information leading to the conviction of a person for an act of vandalism or damage of City property.
- 5.3. When an act of vandalism of City property has occurred, the Chief Executive Officer is authorised to set an appropriate reward up to a value of \$1,000 for information leading to a successful conviction, or to pay a reward to a person who voluntarily provides information as to the identity of an offender which leads to a successful conviction.

- 5.4. The amount of the reward is to take into consideration the level of damage that has been caused to City property.
- 5.5. Where the CEO considers a reward of greater than \$1,000 to be appropriate, he will discuss and agree this with the Mayor.
- 5.6. Rewards will not be paid to City employees, Elected Members, or members of the WA Police Service.

# 6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1996, Section 2.7 and 5.42
- 6.2. Graffiti Vandalism Act 2016

Review Frequency		3 yearly		
Council Adoption	DATE	10 October 2018	Resolution #	C1810/208
Previous Adoption	DATE	14 June 2017	Resolution #	C1706/131



# **Council Policy**

Council Policy Name: City Branding

Responsible Directorate: Finance and Corporate Services Version: Adopted

### 1. PURPOSE

1.1. The purpose of this Policy is to provide for the appropriate development and application of the City of Busselton's Brand, associated Brands, Logos and Emblems, to ensure that a positive and consistent image of the City of Busselton is maintained.

### SCOPE

- 2.1. This Policy is applicable to internal and external individuals or organisations in relation to the development, reproduction and application of the City's Branding, including those no longer in use.
- 2.2. This Policy also applies to facilities, events or programs that may have separately identifiable Logos but still fall under the City of Busselton Brand. These include, but are not limited to:
  - a. Geographe Leisure Centre;
  - b. ArtGeo Cultural Complex;
  - c. Naturaliste Community Centre;
  - d. Busselton and Dunsborough Libraries;
  - e. Busselton Jetty Tourist Park;
  - f. Busselton Margaret River Airport; and
  - g. Busselton Youth Services and SHIFT.

### 3. DEFINITIONS

Term	Meaning
Branding	the City of Busselton's Brand, associated Brands, Logos and Emblems
Brand	an identifying symbol, design or feature distinguishing the organisation from others
Emblem	a symbolic or distinctive badge of an organisation
Logo	a symbol or object adopted by an organisation to identify its products, services or uniform
Policy	this City of Busselton Council policy titled "City Branding"

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 4. LEADERSHIP A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 4.1: Provide opportunities for the community to engage with Council and contribute to decision making.

City Branding Page 1 of 2

### 5. POLICY STATEMENT

- 5.1. Any development and application of the City's Branding must be in accordance with and reflect this Policy and any associated principles and guidelines of the City, ensuring the City is able to maintain and present a consistent professional image.
- 5.2. The City of Busselton Geographe Bay Brand is a registered trademark. Variations to this Brand require the approval of the Chief Executive Officer.
- 5.3. The official Emblems of the City of Busselton are:
  - a. Fauna The Common (Western) Ringtail Possum Pseudocheirus peregrinus occidentalis
  - b. Flora The One-Sided Bottle Brush Calothamnus graniticus var graniticus
- 5.4. Permission for the use of the City's Branding, by any person or organisation external to the City is to be obtained from the City, prior to use.
- 5.5. The City of Busselton Logo is to be displayed at all City of Busselton operated facilities, in addition to the display of other separately identifiable Logos.
- 5.6. Any changes to the City's Branding are subject to Council approval on recommendation by the Chief Executive Officer.

### 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Trade Mark 1477428

### 7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	14 November 2018	Resolution #	C1811/221
Previous Adoption	DATE	12 November 2014	Resolution #	C1411/284

City Branding Page 2 of 2



# **Council Policy**

Council Policy Name: Honorary Freeman of the City of Busselton

Responsible Directorate: Finance and Corporate Services Version: Adopted

### 1. PURPOSE

1.1. The purpose of this Policy is to set guidelines for the nomination, selection and awarding of the prestigious title of Honorary Freeman of the City of Busselton to an individual.

### 2. SCOPE

2.1. This Policy is applicable to all nominations, applications and awards of the title Honorary Freeman of the City of Busselton.

### 3. DEFINITIONS

Term	Meaning
Australian Honours System	a system of honours and awards in recognition of excellence, achievement
	or meritorious service and contribution to society, free of patronage or
	political influence
Policy	this City of Busselton Council policy titled "Honorary Freeman of the City of
	Busselton"

### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 2. LIFESTYLE A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 2.1: Recognise, respect and support community diversity and cultural heritage.

# 5. POLICY STATEMENT

- 5.1. Subject to the eligibility and selection criteria of this Policy, Council may bestow the title of Honorary Freeman of the City of Busselton upon an individual in recognition of outstanding and meritorious service to the City of Busselton.
- 5.2. Council recognises the contribution made by many members of the community through the awarding of the annual Australia Day WA Community Citizen of the Year Awards, and the Volunteer of the Year Awards. The high honour associated with an Honorary Freeman is however reserved for the community's most significant contributors.

### **Eligibility Criteria**

- 5.3. Nominees will ordinarily be a resident of the City of Busselton and have lived within the City for a significant number of years, usually 15 years or greater, although this may be reduced by the significance of service.
- 5.4. The nominee should have given extensive and distinguished service to the community in either a civic, professional, or voluntary capacity and have made a contribution that is considered extraordinary.

**Current Policies: Various** 

- 5.5. The nominee's endeavours will have demonstrable benefits to the community of the City of Busselton and possibly also the wider region.
- 5.6. The nominee's specific achievement/s must be of a nature which would encourage the City of Busselton to nominate that person for an honour under the Australian Honours System.
- 5.7. A current Elected Member cannot be nominated for the award.

### **Nomination Procedure**

- 5.8. In bestowing the title of Honorary Freeman of the City of Busselton, the following nomination procedure is to be observed:
  - a. nominations must be made in the strictest confidence without the nominees knowledge;
  - b. any resident or elector of the City of Busselton may make a nomination;
  - c. nominations must clearly outline in chronological order the history of service to the community of the person being nominated;
  - d. nominations must be made in writing to the Chief Executive Officer. A nomination must be supported in writing by at least one third of the total number of Elected Members of Council; and
  - e. on receiving a conforming nomination, the nomination is to be submitted as a confidential report for consideration at an Ordinary Meeting of Council.

### **Awarding the Title**

- 5.9. An Honorary Freeman will be awarded on an individual basis and by absolute majority of Council.
- 5.10. Once Council has approved the award, the nominee will be contacted by the Chief Executive Officer on a confidential basis to determine whether the award will be accepted. Should a nominee decline to accept the award, all Elected Members will be informed and the matter will lapse.
- 5.11. On confirmation of the acceptance of the award, all Elected Members will be informed and a suitable media statement shall be prepared for release under the Mayor's name.

### **Entitlements and Presentation**

- 5.12. Any individual declared an Honorary Freeman of the City of Busselton may designate themselves 'Honorary Freeman of the City of Busselton'.
- 5.13. Conferral of the title is to be carried out at a formal function of Council.
- 5.14. The recipient shall be awarded a certificate to commemorate the receiving of the award.
- 5.15. Any Honorary Freeman of the City of Busselton is to be invited to all subsequent Civic events and functions.
- 5.16. The recipient's name shall be engraved/included on the City of Busselton Honour Roll Board.

### 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Nil

Review Frequency		3 yearly		
Council Adoption	DATE	12 June 2019	Resolution #	C1906/095
Previous Adoption	DATE	N/A	Resolution #	N/A

6.2 Attachment G

# Tracked Changes Council Policy: City Branding (for reference)



### 1. PURPOSE

- 1.1. The purpose of this Policy is to guide the appropriate use of the City of Busselton's Brands.
- 1.1. The purpose of this Policy is to provide for the appropriate development and application of the City of Busselton's Brand, associated Brands, Logos and Emblems, to ensure that a positive and consistent image of the City of Busselton is maintained.

### 2. SCOPE

- 2.1. This Policy is applicable to the reproduction and application of the City's Brands, including, but not limited to the Brands for:
- 2.1. This Policy is applicable to internal and external individuals or organisations in relation to the development, reproduction and application of the City's Branding, including those no longer in use.

This Policy also applies to facilities, events or programs that may have separately identifiable Logos but still fall under the City of Busselton Brand. These include, but are not limited to:

- a. Geographe Leisure Centre;
- b. ArtGeo Cultural Complex;
- b.c. Saltwater Busselton;
- ed\_Naturaliste Community Centre;
- de\_Busselton and Dunsborough Libraries;
- ef.\_Busselton Jetty Tourist Park;
- fg\_Busselton Margaret River Airport; and
- <u>h.</u> Busselton Youth Services and SHIFT.
- 2.2. This Policy applies to the use of the official emblems of the City of Busselton:
  - <u>a.</u> fauna the Common (Western) Ringtail Possum

    <u>Pseudocheirus peregrinus occidentalis</u>
  - b. flora the One-Sided Bottle Brush
    Calothamnus graniticus var graniticus

### 3. DEFINITIONS

Term	Meaning
Branding	the City of Busselton's Brand, associated Brands, Logos and Emblems
Brand <u>s</u>	an identifying symbol, design or feature distinguishing the organisation from others
Emblem	a symbolic or distinctive badge of an organisation
Logo	a symbol or object adopted by an organisation to identify its products, services or uniform
Policy	this City of Busselton Council policy titled "City Brandsing"

# 4. STRATEGIC CONTEXT

City Brandsing Page 1 of 3

6.2 Attachment G

Tracked Changes Council Policy: City Branding (for reference)

4.1.—This Policy links to Strategic Key Theme 4.2.—LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following-Strategic Priority 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making. 4.1: Provide opportunities for the community to engage with Council and contribute to decision making:

4.2. 4.1: Provide opportunities for the community to engage with Council and contribute to decision making.

City Brandsing Page 2 of 3

6.2 Attachment G

Tracked Changes Council Policy: City Branding (for reference)

### 5. POLICY STATEMENT

- 5.1. The City of Busselton Style Guide sets out the City's Brands and their appropriate use, and must be adhered to in order to maintain professional and consistent branding for the City.
- 5.1. Any development and application of the City's Branding must be in accordance with and reflect this Policy and any associated principles and guidelines of the City, ensuring the City is able to maintain and present a consistent professional image.
- 5.2. The City of Busselton Geographe Bay Brand is a registered trademark. Variations to this Brand require the approval of the Chief Executive Officer.
- 5.3. The official Emblems of the City of Busselton are:
  - a. <u>f</u>Fauna <u>t</u>The Common (Western) Ringtail Possum <u>Pseudocheirus peregrinus occidentalis</u>
  - b. <u>fFlora tThe One-Sided Bottle Brush</u> *Calothamnus graniticus var graniticus*
- 5.4.5.2. Permission for the use of the City's Brandsing, by any person or organisation external to the City is to be obtained from the City, prior to use.
- 5-5-5.3. The City of Busselton Lego is to be displayed at all City of Busselton operated facilities, in addition to the display of other separately identifiable Legos, excluding Saltwater Busselton.
- 5.6.5.4. Any changes to the City's Brandsing are subject to Council approval on recommendation by the Chief Executive Officer.

### 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Trade Mark 1477428

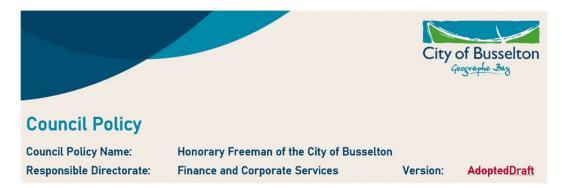
### 7. REVIEW DETAILS

Review Frequency		3 yearly			
Council Adoption	DATE	14 November 2018	Resolution #	C1811/221	
Previous Adoption	DATE	<u>14 November</u> <u>201812 November</u> <del>201</del> 4	Resolution #	C1811/221C1411/284	

City Brandsing Page 3 of 3

6.2 Attachment H

Tracked Changes Council Policy: Honorary Freeman of the City of Busselton (for reference)



### 1. PURPOSE

1.1. The purpose of this Policy is to set guidelines for the nomination, selection and awarding of the prestigious title of Honorary Freeman of the City of Busselton to an individual.

### 2. SCOPE

2.1. This Policy is applicable to all nominations, applications and awards of the title Honorary Freeman of the City of Busselton.

### 3. DEFINITIONS

Term	Meaning
Australian Honours System	a system of honours and awards in recognition of excellence, achievement
	or meritorious service and contribution to society, free of patronage or
	political influence
Policy	this City of Busselton Council policy titled "Honorary Freeman of the City of
	Busselton"

# 4. STRATEGIC CONTEXT

4.1. This Policy links to Strategic Key Theme 2. LIFESTYLE - A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority 2.1: Recognise, respect and support community diversity and cultural heritage.:

a. 2.1: Recognise, respect and support community diversity and cultural heritage.

### 5. POLICY STATEMENT

- 5.1. Subject to the eligibility and selection criteria of this Policy, Council may bestow the title of Honorary Freeman of the City of Busselton upon an individual in recognition of outstanding and meritorious service to the City of Busselton.
- 5.2. Council recognises the contribution made by many members of the community through the awarding of the annual Australia Day WA Community Citizen of the Year Awards, and the Volunteer of the Year Awards. The high honour associated with an Honorary Freeman is however reserved for the community's most significant contributors.

### **Eligibility Criteria**

- 5.3. Nominees will ordinarily be a resident of the City of Busselton and have lived within the City for a significant number of years, usually 15 years or greater, although this may be reduced by the significance of service.
- 5.4. The nominee should have given extensive and distinguished service to the community in either a civic, professional, or voluntary capacity and have made a contribution that is considered extraordinary.

6.2 Attachment H

# Tracked Changes Council Policy: Honorary Freeman of the City of Busselton (for reference)

- 5.5. The nominee's endeavours will have demonstrable benefits to the community of the City of Busselton and possibly also the wider region.
- 5.6. The nominee's specific achievement/s must be of a nature which would encourage the City of Busselton to nominate that person for an honour under the Australian Honours System.
- 5.7. A current Elected Member cannot be nominated for the award.

### **Nomination Procedure**

- 5.8. In bestowing the title of Honorary Freeman of the City of Busselton, T the following nomination procedure is to be observed:
  - a. nominations must be made in the strictest confidence without the nominees knowledge;
  - b. any resident or elector of the City of Busselton may make a nomination;
  - nominations must clearly outline in chronological order the history of service to the community of the person being nominated;
  - d. nominations must be made in writing to the Chief Executive Officer. The CEO must obtain support for
    the nomination, in writing by at least one third of the total number of Elected Members of Council;
    and A nomination must be supported in writing by at least one third of the total number of Elected
    Members of Council; and
  - e. on receiving a conforming nomination, the nomination is to be submitted as a confidential report for consideration at the next practicable an Ordinary Meeting of Council.

#### Awarding the Title

- 5.9. An Honorary Freeman will be awarded on an individual basis and by absolute majority of Council.
- 5.10. Once Council has approved the award, the nominee will be contacted by the Chief Executive Officer on a confidential basis to determine whether the award will be accepted. Should a nominee decline to accept the award, all Elected Members will be informed and the matter will lapse.
- 5.11. On confirmation of the acceptance of the award, all Elected Members will be informed and a suitable media statement shall be prepared for release under the Mayor's name.

### **Entitlements and Presentation**

- 5.12. Any individual declared awarded an Honorary Freeman of the City of Busselton may designate themselves 'Honorary Freeman of the City of Busselton'.
- 5.13. Conferral of the title is to be carried out at a formal function of Council.
- 5.14. The recipient shall be awarded a certificate to commemorate the receiving of the award.
- 5.15. Any Honorary Freeman of the City of Busselton is to be invited to all subsequent Civic events and functions.
- 5.16. The recipient's name shall be engraved/included on the City of Busselton Honour Roll Board.

### 6. RELATED DOCUMENTATION / LEGISLATION

6.1. Nil

Review Frequency		3 yearly			
Council Adoption	DATE	12 June 2019	Resolution #	C1906/095	

6.2 Attachment H

Tracked Changes Council Policy: Honorary Freeman of the City of Busselton (for reference)

Previous Adoption	DATE	12 June 2019 N/A	Resolution #	C1906/095N/A

- 7. <u>NEXT MEETING DATE</u>
- 8. <u>CLOSURE</u>