

Please note: These minutes are yet to be confirmed as a true record of proceedings



**CITY OF BUSSELTON**

**MINUTES OF THE POLICY AND LEGISLATION COMMITTEE MEETING HELD ON 1 MARCH 2023**

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## MINUTES

MINUTES OF THE POLICY AND LEGISLATION COMMITTEE HELD IN THE COMMITTEE ROOM, ADMINISTRATION BUILDING, SOUTHERN DRIVE, BUSSELTON, ON 1 MARCH 2023 AT 10:00AM.

### 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 10.01am.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and paid our respects to their Elders past and present.

The Presiding Member advised the meeting was being recorded.

### 2. ATTENDANCE

Presiding Member:

Cr Ross Paine

Members:

Cr Anne Ryan  
Cr Kate Cox  
Cr Phill Cronin  
Cr Jodie Richards

Officers:

Ms Sarah Pierson, Acting Director, Finance and Corporate Services  
Mrs Peta Pulford, Acting Manager Community Services (*from 10:02am*)  
Mrs Emma Heys, Governance Coordinator  
Ms Jo Barrett-Lennard, Governance Officer

Apologies:

Nil

### 3. PUBLIC QUESTION TIME

Nil

### 4. DISCLOSURE OF INTERESTS

Nil

10:02am At this time, Mrs Pulford entered the meeting.

**5. CONFIRMATION AND RECEIPT OF MINUTES**

**5.1 Minutes of the Policy and Legislation Committee Meeting held 25 January 2023**

**COMMITTEE DECISION**



**PL2303/482** Moved Councillor J Richards, seconded Councillor K Cox

**That the Minutes of the Policy and Legislation Committee Meeting held 25 January 2023 be confirmed as a true and correct record.**

**CARRIED 5/0**

## 6. REPORTS

### 6.1 PROPOSED COUNCIL POLICY: EXECUTION OF DOCUMENTS

<b>STRATEGIC THEME</b>	LEADERSHIP - A Council that connects with the community and is accountable in its decision making.
<b>STRATEGIC PRIORITY</b>	4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
<b>SUBJECT INDEX</b>	Execution of Documents
<b>BUSINESS UNIT</b>	Governance Services
<b>REPORTING OFFICER</b>	Governance Coordinator - Emma Heys Manager Legal and Property Services - Ben Whitehill
<b>AUTHORISING OFFICER</b>	Acting Director, Finance and Corporate Services - Sarah Pierson
<b>NATURE OF DECISION</b>	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations
<b>VOTING REQUIREMENT</b>	Simple Majority
<b>ATTACHMENTS</b>	Attachment A Council Policy: Execution of Documents  

#### COMMITTEE RECOMMENDATION

**PL2303/483** Moved Councillor P Cronin, seconded Councillor J Richards

**That the Council adopts the proposed Council policy: Execution of Documents, as at Attachment A.**

**CARRIED 5/0**

#### OFFICER RECOMMENDATION

That the Council adopts the proposed Council policy: Execution of Documents, as at Attachment A.

#### **EXECUTIVE SUMMARY**

This report presents a proposed Council policy: Execution of Documents (the Policy) (Attachment A) for Council's endorsement.

#### **BACKGROUND**

Part 9, Division 3 of the *Local Government Act 1995* (the Act) outlines provisions relating to Documents. Section 9.49 sets out that a document, unless the Act requires otherwise, is sufficiently authenticated by a local government without its common seal if signed by the CEO or by an employee of the local government who purports to be authorised by the CEO to so sign. Section 9.49A further sets out that a document is duly executed by a local government if the common seal is affixed to it, or it is signed by an officer authorised to do so under sub-clause (4):

*A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*

The City has generally taken a pragmatic approach to the interpretation and application of section 9.49A, which is to construe it to apply to all documents signed by an employee, and therefore that specific authorisation of Council under section 9.49A(4) is required. This is notwithstanding that the breadth of 9.49A, which is expressed broadly enough to apply to the signing of routine and mundane documents, could be seen as inconsistent with widely accepted governance principles and the statutory division between governance functions that are given to a Council and management functions given to a CEO.



To this end the CEO has an authorisation to sign any document necessary to sign in carrying out his functions (C1908/168). The CEO has then delegated that power to senior employees under section 5.44.

#### **OFFICER COMMENT**

While this approach has served the City sufficiently to date, the current delegations from the CEO to employees are quite narrow and a lot of documents are submitted to the CEO for signing. Many local governments have in place a policy which sets out which officers, in addition to the CEO, can execute documents. On review we consider this to be a more effective approach and recommend Council adopt the proposed policy, which outlines which documents require common seal affixation and which can be executed by authorised officers.

The Policy categorises documents into three categories – those requiring affixing of the common seal, those that can be executed through signature of the CEO, or a relevant Director or, in more limited circumstances, Manager, and those that are documents created in the normal course of business to discharge the duties of an officer where the authority and accountability has been extended through a policy, procedure or a position description.

#### **Statutory Environment**

Section 9.49A of the Act – Execution of documents - sets out:

- (1) *A document is duly executed by a local government if –*
  - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
  - (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of –*
  - (a) *the mayor or president; and*
  - (b) *the CEO, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

The Council has separately delegated its powers to the CEO in relation to sub-clause (2).

**Relevant Plans and Policies**

There are no relevant plans or policies to consider in relation to this matter.

**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.

Officers have however reviewed the approaches of other local governments, with the majority having a similar policy in place. Officers believe a policy would serve the City best by providing an easier reference point for employees and agencies.

**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. Determine not to adopt the Policy; or
2. Make amendments to the Policy.

**CONCLUSION**

Adoption of the Policy will provide increased clarity as to the authority required to execute documents and provide further business efficacy.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The Policy will be effective immediately and placed on the City's website within a week of adoption.



## Council Policy

**Council Policy Name:** Execution of Documents  
**Responsible Directorate:** Finance and Corporate Services  
**Version:** DRAFT

**1. PURPOSE**

- 1.1. The purpose of this Policy is to provide guidance as to the execution of City documents in accordance with the provisions of the Act.

**2. SCOPE**

- 2.1. This Policy is applicable to the execution of documents on behalf of the City of Busselton.
- 2.2. The following take precedent over this Policy:
  - a. legislation;
  - b. the formal requirements of a Commonwealth or State department authority or agency (as described in a Policy or procedure); or
  - c. a Council decision that expressly specifies a particular way in which a document is to be executed.

**3. DEFINITIONS**

Term	Meaning
Act	Local Government Act 1995
Policy	this City of Busselton Council policy titled "Execution of Documents"

**4. STRATEGIC CONTEXT**

- 4.1. This Policy links to Key Theme 4 – Leadership of the City’s Strategic Community Plan 2021 and specifically the Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

**5. POLICY STATEMENT**

- 5.1. The Council is required to comply with the Act, which detail the requirements for documents to be executed by a local government.
- 5.2. A document is considered to be executed in one of the following ways:
  - a. by affixing the Common Seal of the City of Busselton, in the presence of the Mayor and Chief Executive Officer in accordance with s.9.49A(3); or
  - b. without affixing the Common Seal, signed by the Chief Executive Officer, another employee or agent of the City who has been authorised by resolution of Council (through this Policy) to sign documents on behalf of the City, in accordance with s.9.49A(4).
- 5.3. Three document categories have been established to assist in determining the appropriate authority for the execution of documents.

6.1 Attachment A Council Policy: Execution of Documents

5.4. An employee authorised through this Policy to execute documents is to ensure that they have a full understanding of the document.

**Category 1 Documents**

- 5.5. Category 1 documents require the affixing of the Common Seal and include :
- a. Local Laws – new or amendments;
  - b. Documents prepared for registration at Landgate that are mortgage documents and transfer of land forms where the value of the land exceeds the amount determined by the City of Busselton for the purpose of section 5.43 (d) of the Act
  - c. Local Planning Schemes – new or amendments;
  - d. Documents required by other party to be duly executed by Common Seal; and
  - e. Documents of a Ceremonial Nature (e.g. Sister City Agreements).
- 5.6. The decision to affix the Common Seal must be made by Council or by the CEO under delegation.

**Category 2 Documents**

- 5.7. In accordance with section 9.49A(4) of the Act, the Chief Executive Officer is authorised to sign documents that are necessary or appropriate to enable them to carry out their functions under any written law.
- 5.8. Further, the officers additionally listed in the table below are also authorised to sign relevant Category 2 documents on behalf of the City. Officers may only sign documents relevant to matters within the scope of their areas of responsibility and within their purchasing authority limits.

Description	Authority to Execute	Example of Documents
Offer and Acceptance forms and associated documents required to enact a decision of Council to purchase or sell land.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ Standard REIWA terms</li> <li>➤ Special conditions of offer;</li> <li>➤ Contracts of sale</li> </ul>
Documents required to enact a decision to award a tender	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ Contractual documents resulting from a tender process.</li> </ul>
General deeds, legal agreements (not otherwise listed)	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ Settlements and/or releases</li> <li>➤ Confidentiality and non-disclosure</li> </ul>
Memorandums of Understanding and other statements of intent and terms and conditions.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	
Grant Funding and Sponsorship Agreements.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> <li>• Responsible Manager</li> </ul>	

6.1 Attachment A Council Policy: Execution of Documents

Leases, licences and associated documents.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> <li>• Responsible Manager</li> </ul>	<ul style="list-style-type: none"> <li>➤ Agreements</li> <li>➤ Variations</li> </ul>
Documents required when the City owns land or manages land under a management order.	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ Subdivision applications</li> <li>➤ Development applications</li> <li>➤ Building applications</li> <li>➤ Agreement for access and indemnity</li> </ul>
Documents prepared for registration at Landgate (other than those specified paragraph 5.5(b) of this Policy)	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	<ul style="list-style-type: none"> <li>➤ Restrictive covenants</li> <li>➤ Caveats</li> <li>➤ Memorials</li> <li>➤ Covenants</li> <li>➤ Easements</li> <li>➤ Rights of carriageway</li> <li>➤ Notification on title as required by a condition of approval, etc</li> </ul>
Other documents required to enact a decision of Council	<ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Responsible Director</li> </ul>	

**Category 3 Documents**

5.9. Category 3 documents are documents that are created in the normal course of business to discharge the duties of an officer’s position in a manner consistent with City policies and procedures.

5.10. Category 3 documents are to be executed by the CEO, a Director or Manager, or a City officer where the authority and accountability has been extended through an authorisation, policy, procedure, or a position description.







**6. RELATED DOCUMENTATION / LEGISLATION**

- 6.1. *The Local Government Act 1995*
- 6.2. City of Busselton Delegation of Authority Register

**7. REVIEW DETAILS**

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	

6.2 COUNCIL POLICY REVIEW: EVENTS

<b>STRATEGIC THEME</b>	LEADERSHIP - A Council that connects with the community and is accountable in its decision making.
<b>STRATEGIC PRIORITY</b>	4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
<b>SUBJECT INDEX</b>	Council Policies
<b>BUSINESS UNIT</b>	Governance Services
<b>REPORTING OFFICER</b>	Governance Coordinator - Emma Heys Events Coordinator - Peta Pulford
<b>AUTHORISING OFFICER</b>	Director Community and Commercial Services - Naomi Searle
<b>NATURE OF DECISION</b>	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations
<b>VOTING REQUIREMENT</b>	Simple Majority
<b>ATTACHMENTS</b>	Attachment A Proposed Council Policy: Events   Attachment B Current Council Policy: Events   Attachment C Tracked Changes Proposed Council Policy: Events (for reference only)  

The officer recommendation was moved, there was opposition and debate ensued.

**SUBSTANTIVE MOTION**

Moved Councillor J Richards, seconded Councillor P Cronin

**That the Council adopts the amended Council policy: Events (the Policy) (Attachment A) to replace the current policy (Attachment B).**

Cr Ryan moved an amendment to the officer recommendation.

**AMENDMENT**

**PL2303/484** Moved Councillor A Ryan, seconded Councillor K Cox

**That the Committee endorse amendments to paragraph 5.8 (g) of Council policy: Events (the Policy) (Attachment A) to read as follows:**

**5.8 (g) For markets specifically, preference will be given to markets:**

- i. **Being run for a charitable or community purpose; and**
- ii. **In all cases, it will be a condition of approval that successful applicants should take all reasonable steps to ensure that a majority of stalls offer local produce and artisan goods, and that stalls do not offer for sale items the same or significantly similar to those offered for sale by surrounding businesses.**

**CARRIED 3/2**

**FOR: CR RYAN, CR COX, CR RICHARDS**

**AGAINST: CR PAINE, CR CRONIN**

The substantive motion as amended was put and carried.

### **COMMITTEE RECOMMENDATION**

**PL2303/485** Moved Councillor J Richards, seconded Councillor P Cronin

**That the Council adopts the amended Council policy: Events (the Policy) (Attachment A) to replace the current policy (Attachment B) inclusive of Committee amendments to paragraph 5.8 (g) to read as follows:**

**5.8 (g) For markets specifically, preference will be given to markets:**

- i. Being run for a charitable or community purpose; and**
- ii. In all cases, it will be a condition of approval that successful applicants should take all reasonable steps to ensure that a majority of stalls offer local produce and artisan goods, and that stalls do not offer for sale items the same or significantly similar to those offered for sale by surrounding businesses.**

**CARRIED 3/2**

**FOR: CR RYAN, CR COX, CR RICHARDS**

**AGAINST: CR PAINE, CR CRONIN**

Reasons: The Committee proposed amendments to the Policy to clarify requirements in relation to the approval of markets such that the impact on surrounding businesses is lessened.

### **OFFICER RECOMMENDATION**

**That the Council adopts the amended Council policy: Events (the Policy) (Attachment A) to replace the current policy (Attachment B).**

### **EXECUTIVE SUMMARY**

This report presents an amended Council policy: Events (the Policy) (Attachment A), with the Policy having been reviewed as part of the City's ongoing review of its Council policies. Officers are recommending the Policy replace the current Council policy contained in Attachment B.

### **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.

The original Events policy was adopted by Council on 12 April 2006 to improve management of the event application and approval process. The policy was part of an overall events application package developed to help inform applicants about the various approvals required and to assist the City to meet its legislative responsibilities.

The policy was further reviewed in September 2016 to include reference to the objectives and goals of the Events Strategy prepared in April 2012, and to document improvements in the event application process.

Most recently the Policy was reviewed in January 2020 and amended in response to amendments to the *Local Government Act 1995* (the Act) requiring all local governments to adopt a policy that deals with matters relating to the attendance of council members and the CEO at events.

## OFFICER COMMENT

The attraction, development and promotion of events is a key strategic objective for the City of Busselton, with events an important contributor to the achievement of a robust and prosperous economy, and the creation of vibrant places and an inclusive community.

In recognition of events as a strategic driver the City has adopted the brand 'Events Capital WA' and developed an Events Strategy. Events are considered to be either a Hallmark, Major, Regional or Community events dependant on their ability to achieve the City's objectives. The Policy outlines the criteria to be considered in relation to 5.90A of the Act and the approval of attendance of Councillors and the CEO at events.

Amendments to the Policy include an updated list of pre-authorised events, which align to the recommendations of the Business Development, Events and Marketing Program (previously MERG) and the Events Strategy. Additionally, amendments have been made to the provision for markets, with the maximum allowable markets to be held at Lions Park, Dunsborough reduced from one per Saturday to two per month; and with any additional markets in Dunsborough to be held at the Dunsborough Playing Fields or Dunsborough Foreshore.

### **Statutory Environment**

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

The Policy also deals with attendance at events by Councillors and the CEO. The relevant sections of the Act are detailed below:

#### *5.62 Closely associated persons*

(1) *For the purposes of this Subdivision a person is to be treated as being closely associated with a relevant person if —*

....

(eb) *the relevant person is a council member and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last elected; or*

(ec) *the relevant person is a CEO and the person has given a gift to which this paragraph applies to the relevant person since the relevant person was last employed (or appointed to act) in the position of CEO;*

(1A) *Subsection (1)(eb) and (ec) apply to a gift if —*

(a) *either —*

(i) *the amount of the gift exceeds the amount prescribed for the purposes of this subsection; or*

(ii) *the gift is 1 of 2 or more gifts made by 1 person to the relevant person at any time during a year and the sum of the amounts of those 2 or more gifts exceeds the amount prescribed for the purposes of this subsection; and*

(b) *the gift is not an excluded gift under subsection (1B).*



*(1B) A gift is an excluded gift —*

*(a) if —*

*(i) the gift is a ticket to, or otherwise relates to the relevant person's attendance at, an event as defined in section 5.90A(1); and*

*(ii) the local government approves, in accordance with the local government's policy under section 5.90A, the relevant person's attendance at the event;*

*5.90A. Policy for attendance at events*

*(1) In this section —*

*event includes the following —*

*(a) a concert;*

*(b) a conference;*

*(c) a function;*

*(d) a sporting event;*

*(e) an occasion of a kind prescribed for the purposes of this definition.*

*(2) A local government must prepare and adopt\* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*

*(a) the provision of tickets to events; and*

*(b) payments in respect of attendance; and*

*(c) approval of attendance by the local government and criteria for approval; and*

*(d) any prescribed matter.*

### **Relevant Plans and Policies**

The officer recommendation aligns to the City's Events Strategy.

### **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 choose to not adopt the proposed Policy or to include further amendments.

**CONCLUSION**

Council policy: Events, has been reviewed in accordance with the City's ongoing review of its Council policies and is recommended for adoption.

**TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION**

The Policy will be placed on the City's website within one week of adoption.



**Council Policy**

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services

Version: Draft

**1. PURPOSE**

- 1.1. The purpose of this Policy is to articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events.
- 1.2. This Policy also sets out the City’s position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

**2. SCOPE**

- 2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

**3. DEFINITIONS**

Term	Meaning
Act	<i>Local Government Act 1995</i>
District	City of Busselton local government area
Event	<p>an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:</p> <ul style="list-style-type: none"> <li>• Preparation or sale of food;</li> <li>• Sale or consumption of alcohol;</li> <li>• Erection of infrastructure and / or signage;</li> <li>• Generation of additional noise;</li> <li>• Use / installation of electrical equipment;</li> <li>• Changes / interruptions to traffic flow;</li> <li>• Additional parking requirements;</li> <li>• Crowd control measures</li> </ul> <p>includes:</p> <ul style="list-style-type: none"> <li>• Festivals (concert, music, food, cultural);</li> <li>• Sporting events;</li> <li>• Conferences;</li> <li>• Exhibitions, expos and fairs;</li> <li>• Functions (e.g. community or business events);</li> <li>• Markets; and</li> <li>• Any other activity in accordance with 5.90A(1)(e)</li> </ul>
Partner	spouse, de-facto or other partner as approved
Policy	this City of Busselton Council policy titled “Events”

#### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Key Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically Strategic Priority 3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.
- 4.2. 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 has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.
- 5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.
- 5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:
  - a. generation of direct and indirect economic benefits to the community;
  - b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
  - c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
  - d. positive promotion of the District and the South West region of WA.
- 5.4. The City's Event Strategy sets out the key strategies adopted by the City to achieve the objectives outlined in this Policy.
- 5.5. Events are categorised by the City for their strategic importance as follows:
  - a. Hallmark –an annually occurring Event which is internationally or nationally recognised, creates significant economic benefit, provides significant community interaction and media exposure, typically attracts 5,000 plus participants / visitors;
  - b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and high opportunities for community interaction and media exposure, typically has between 2,000 and 5,000 participants / visitors;
  - c. Developing – an Event that attracts visitors from within the region and State, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
  - d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.
- 5.6. While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph 5.7, be approved by the City prior to taking place.
- 5.7. An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.
- 5.8. Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):
  - a. the nature, size and suitability of the Event;
  - b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;

6.2 Attachment A Proposed Council Policy: Events

- c. the period of time the Event will operate;
- d. the amenity of the Event and the likely impacts on residents and businesses;
- e. any conflicts with other Events or community use at or around the location;
- f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
- g. for markets specifically, preference will be given to markets being run for a charitable or community purpose, with a majority of stalls offering local produce, artisan goods and items not in direct competition with surrounding business.

5.9 The following location criteria will also be applied to assist in protection of sensitive areas and to ensure the equitable use of the location by Event organisers and the general community:

- a. Meelup Regional Park:
  - i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
  - ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
  - iii. Maximum of one trail based and one site based Event per month.
- b. Yallingup and Smiths Beach:
  - i. Maximum of one international or national Event per year, of up to seven days each;
  - ii. Maximum of four other major Events per year, of up to four days each;
  - iii. Maximum of four minor Events per year, of up to two days each;
  - iv. Maximum of eight club Events (run by local board riding clubs) per year.
- c. Markets:
  - i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
  - ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
  - iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
  - iv. Maximum of two markets per month in Dunsborough, to be held at Lions Park;
  - v. Any additional markets in Dunsborough to be held at Dunsborough Playing Fields or Dunsborough Foreshore;
  - vi. Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval.
- d. Applications for other locations may be considered and approved by the CEO.

5.10 Fees are payable upon application as per the City of Busselton's Schedule of Fees and Charges.

#### Events Sponsorship

5.11 The City has an events sponsorship programme that is funded through funds derived from the industrial / commercial and holiday home differential rate. The Business Development, Events and Marketing Program (BDEMP) supports recommendations to Council with respect to the allocation of funds towards Events.

5.12 Event sponsorship can be provided as cash and / or in-kind contributions, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.

5.13 Event sponsorship requests will be assessed against the objectives outlined in paragraph 5.3.

5.14 Events sponsored by the City will be evaluated to determine future funding levels.

#### Event Attendance

5.15 Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance. Where attendance to Events by Councillors and the CEO is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.

6.2 Attachment A Proposed Council Policy: Events

- 5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the regulation 20A of the *Local Government (Administration) Regulations* will apply.
- 5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.18, as being in the City's interest.
- 5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:
  - a. who is providing the ticket to the Event;
  - b. the location of the Event;
  - c. whether the Event is sponsored by the City;
  - d. the relevance of the Event to the City's adopted policy objectives under paragraph 5.3;
  - e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
  - f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
  - g. the number of invitations / tickets received; and
  - h. the benefits or importance of Council and / or CEO representation at the event.
- 5.19 A list of established pre-authorized Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorized attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.
- 5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.
- 5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.
- 5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

**6 RELATED DOCUMENTATION / LEGISLATION**

- 6.1 *Local Government Act 1995*
- 6.2 City of Busselton Events Strategy

**7 REVIEW DETAILS**

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	12 August 2020	Resolution #	C2008/076

**Attachment A – Pre-authorized Events**

<b>Event</b>	<b>Event Organiser</b>	<b>Attendee</b>
Ironman WA	Ironman Oceania	Mayor CEO Deputy Mayor All Councillors
CinefestOZ	Geographe French Australian Festivals Inc.	Mayor CEO Deputy Mayor All Councillors
Busselton Festival of Triathlon	Triathlon Western Australia	Mayor CEO Deputy Mayor All Councillors
Busselton Jetty Swim	Busselton Allsports Inc.	Mayor CEO Deputy Mayor All Councillors
Cabin Fever	AHOY Management	Mayor CEO Deputy Mayor All Councillors
X-Adventure Dunsborough	Rapid Ascent Pty Ltd	Mayor CEO Deputy Mayor All Councillors
Fine Vines Festival	AHOY Management	Mayor CEO Deputy Mayor All Councillors
South West Craft Beer Festival	Buzz Marketing	Mayor CEO Deputy Mayor All Councillors
Busselton Fringe Festival	Acting Up	Mayor CEO Deputy Mayor All Councillors





**Council Policy**

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services

Version: Adopted

**1. PURPOSE**

1.1. The purpose of this Policy is to articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events. This Policy also sets out the City’s position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

**2. SCOPE**

2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

**3. DEFINITIONS**

Term	Meaning
Act	<i>Local Government Act 1995</i>
District	City of Busselton local government area
Event	<p>an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:</p> <ul style="list-style-type: none"> <li>• Preparation or sale of food;</li> <li>• Sale or consumption of alcohol;</li> <li>• Erection of infrastructure and / or signage;</li> <li>• Generation of additional noise;</li> <li>• Use / installation of electrical equipment;</li> <li>• Changes / interruptions to traffic flow;</li> <li>• Additional parking requirements;</li> <li>• Crowd control measures</li> </ul> <p>includes:</p> <ul style="list-style-type: none"> <li>• Concerts and music festivals;</li> <li>• Sporting events;</li> <li>• Conferences;</li> <li>• Exhibitions, expos and fairs;</li> <li>• Functions (e.g. community or business events);</li> <li>• Markets; and</li> <li>• Any other activity in accordance with 5.90A(1)(e)</li> </ul>
Partner	spouse, de-facto or other partner as approved
Policy	this City of Busselton Council policy titled “Events”



#### 4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:
  - a. 3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.
- 4.2. 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 has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.
- 5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.
- 5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:
  - a. generation of direct and indirect economic benefits to the community;
  - b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
  - c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
  - d. positive promotion of the District and the South West region of WA.
- 5.4. Events are categorised for their strategic importance as follows:
  - a. Hallmark – an international or nationally recognised Event that creates significant economic benefit and typically attracts 5,000 plus participants / visitors;
  - b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and typically has between 2,000 and 5,000 participants / visitors;
  - c. Regional – an Event that attracts visitors to the region from within the State and from within the region, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
  - d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.
- 5.5. While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph 5.6, be approved by the City prior to taking place. The event application process is outlined in the Events Application Operational Practice.
- 5.6. An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.

6.2 Attachment B Current Council Policy: Events

- 5.7 Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):
- a. the nature size and suitability of the Event;
  - b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;
  - c. the period of time the Event will operate;
  - d. the amenity of the Event and the likely impacts on residents;
  - e. any conflicts with other Events or community use at or around the location;
  - f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
  - g. for markets specifically, the organiser's ability to demonstrate that the market is being run for a charitable or community purpose, with a preference for local produce and artisan goods.
- 5.8 The following location criteria will also be applied assist in protection of sensitive areas, and to ensure the equitable use of the location by Event organisers and the general community:
- a. Meelup Regional Park:
    - i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
    - ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
    - iii. Maximum of one trail based and one site based Event per month.
  - b. Yallingup and Smith Beach:
    - i. Maximum of one international or national Event per year;
    - ii. Maximum of four other major Events per year, of up to four days each;
    - iii. Maximum of one minor Event per year, of up to four days;
    - iv. Maximum of eight club Events (run by local board riding clubs) per year.
  - c. Markets:
    - i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
    - ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
    - iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
    - iv. Maximum of one market each Saturday in Dunsborough, to be held at Lions Park or Dunsborough Playing Fields;
    - v. Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval;
    - vi. Applications for other locations may be considered and approved by the CEO.
- 5.9 Fees upon application are payable as per the City of Busselton's Schedule of Fees and Charges.

**Events Sponsorship**

- 5.10 The City has an events sponsorship programme that is funded through a combination of municipal funds and funds derived from the industrial / commercial differential rate. The Marketing and Events Reference Group (MERG) makes recommendations to Council with respect to the allocation of funds towards Events.
- 5.11 Event sponsorship can be provided as cash or in-kind contributions, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.
- 5.12 Event sponsorship requests will be assessed against the objectives outlined in paragraph 5.3.
- 5.13 Events sponsored by the City will be evaluated to determine future funding levels.

**Event Attendance**

- 5.14 Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance.

6.2 Attachment B Current Council Policy: Events

- 5.15 Invitations / tickets to Events may be provided to the City by Event organisers. Where attendance at these Events is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.
- 5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the *Local Government (Administration) Regulation 20A* will apply.
- 5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.18, as being in the City's interest.
- 5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:
- a. who is providing the ticket to the Event;
  - b. the location of the Event;
  - c. whether the Event is sponsored by the City;
  - d. the relevance of the Event to the City's adopted policy objectives under paragraph 5.3;
  - e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
  - f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
  - g. the number of invitations / tickets received; and
  - h. the benefits or importance of Council and / or CEO representation at the event.
- 5.19 A list of established pre-authorized Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorized attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.
- 5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.
- 5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.
- 5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

**6 RELATED DOCUMENTATION / LEGISLATION**

- 6.1 *Local Government Act 1995*
- 6.2 Events Strategy
- 6.3 Events Application Operational Practice

7 REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	12 August 2020	Resolution #	C2008/076
Previous Adoption	DATE	12 February 2020	Resolution #	C2002/034

**Attachment A – Pre-authorized Events**

<b>Event</b>	<b>Event Organiser OR DATE</b>	<b>Attendee</b>
<b>Hallmark Events</b>		
Ironman WA	Ironman Oceania	Mayor CEO Deputy Mayor All Councillors
Cinefest Oz	Geographe French Australian Festivals Inc.	Mayor CEO Deputy Mayor All Councillors
Busselton Festival of Triathlon (Ironman 70.3)	Triathlon Western Australia	Mayor CEO Deputy Mayor All Councillors
Gourmet Escape	IMG Culinary	Mayor CEO Deputy Mayor All Councillors
Busselton Jetty Swim	Busselton Allsports Inc.	Mayor CEO Deputy Mayor All Councillors
Jazz by the Bay	Jazz by the Bay Association	Mayor CEO Deputy Mayor All Councillors
Forest Rally	West Australian Car Club (Inc)	Mayor CEO Deputy Mayor All Councillors
<b>Major Events</b>		
Cabin Fever	Creative Corner	Mayor CEO Deputy Mayor All Councillors
X-Adventure Dunsborough	Rapid Ascent Pty Ltd	Mayor CEO Deputy Mayor All Councillors



**Council Policy**

Council Policy Name: Events

Responsible Directorate: Community and Commercial Services

Version: **Adopted**Draft

**1. PURPOSE**

1.1. The purpose of this Policy is to articulate the strategic importance of Events to the City of Busselton and to set out a framework for the attraction and promotion of Events. This Policy also sets out the City’s position with respect to the attendance of Councillors and the CEO at Events in accordance with Section 5.90A of the Act.

**2. SCOPE**

2.1. This Policy is applicable to Events within the City of Busselton District and more broadly to Events across the South West region of WA.

**3. DEFINITIONS**

Term	Meaning
Act	<i>Local Government Act 1995</i>
District	City of Busselton local government area
Event	<p>an organised occurrence hosted by a person or organisation on public or private land where people assemble at a given time for a given purpose and which generally involves one or more of the following:</p> <ul style="list-style-type: none"> <li>• Preparation or sale of food;</li> <li>• Sale or consumption of alcohol;</li> <li>• Erection of infrastructure and / or signage;</li> <li>• Generation of additional noise;</li> <li>• Use / installation of electrical equipment;</li> <li>• Changes / interruptions to traffic flow;</li> <li>• Additional parking requirements;</li> <li>• Crowd control measures</li> </ul> <p>includes:</p> <ul style="list-style-type: none"> <li>• <del>Concerts and music</del>festivals (concert, music, food, cultural);</li> <li>• Sporting events;</li> <li>• Conferences;</li> <li>• Exhibitions, expos and fairs;</li> <li>• Functions (e.g. community or business events);</li> <li>• Markets; and</li> <li>• Any other activity in accordance with 5.90A(1)(e)</li> </ul>
Partner	spouse, de-facto or other partner as approved
Policy	this City of Busselton Council policy titled “Events”



6.2 Attachment C Tracked Changes Proposed Council Policy: Events (for reference only)

#### 4. STRATEGIC CONTEXT

~~a.~~ This Policy links to Strategic-Key Theme 3. – OPPORTUNITY - A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan June 2021 and specifically ~~the following~~ Strategic Priority:

3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.

~~a.~~ 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 Priority:

4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

#### 5. POLICY STATEMENT

5.1. The City has adopted the brand 'Events Capital WA', with the attraction, development and promotion of Events recognised by Council as a key strategic and competitive advantage for the development of a robust and prosperous economy and tourism industry, and an important contributor to the creation of vibrant places and an inclusive community.

5.2. The City will actively engage with and assist Event organisers to support the development of a diverse year round calendar of Events, across the District.

5.3. The attraction, development, and approval of Events will be in accordance with the following objectives:

- a. generation of direct and indirect economic benefits to the community;
- b. generation of social benefit, vibrancy, and promotion of cultural diversity and inclusion;
- c. creation of a calendar of Events which brings visitors to the District year round and provides broad activation across the District; and
- d. positive promotion of the District and the South West region of WA.

5.4 The City's Event Strategy sets out the key strategies adopted by the City to achieve the objectives outlined in this Policy.

~~5.4.5~~ Events are categorised by the City for their strategic importance as follows:

- a. Hallmark – an annually occurring Event which is an internationally or nationally recognised, Event that creates significant economic benefit, provides significant community interaction and media exposure, and typically attracts 5,000 plus participants / visitors;
- b. Major – an Event which attracts visitors nationally and from outside of the region, showcases regional facilities and attractions, creates economic benefit and high opportunities for community interaction and media exposure, and typically has between 2,000 and 5,000 participants / visitors;
- c. Regional-Developing – an Event that attracts visitors to the region from within the region and State and from within the region, helps to build the City's Events Capital WA brand and has the potential to become a future Major or Hallmark Event;
- d. Community – an Event which celebrates aspects of community life, has strong social / community benefit; more limited economic benefit, and is generally run by the community.

5.6 While Events are considered a positive contributor, the potential for Events to impact adversely on community safety, amenity and the environment is recognised. In order to manage risk, environmental and amenity impacts, Events held within the District must, subject to paragraph ~~5.7~~6, be approved by the City prior to taking place. The event application process is outlined in the Events Application Operational Practice.

~~5.5.7~~ An Event approval is not required at venues which have an appropriate development approval under the City's town planning scheme and / or an approval in accordance with environmental health legislation.

6.2 Attachment C Tracked Changes Proposed Council Policy: Events (for reference only)

~~5-65.8~~ Event applications will be assessed against the objectives outlined in paragraph 5.3 and the following criteria (or criteria similar):

- a. the nature, size and suitability of the Event;
- b. the location of the Event, its suitability and whether it meets the City's objectives of broad activation;
- c. the period of time the Event will operate;
- d. the amenity of the Event and the likely impacts on residents and businesses;
- e. any conflicts with other Events or community use at or around the location;
- f. the relevant experience of the operator and their capacity to manage key risks such as fire safety; and
- g. for markets specifically, preference will be given to markets the organiser's ability to demonstrate that the market is being run for a charitable or community purpose, with a preference majority of stalls offering for local produce, and artisan goods and items not in direct competition with surrounding business.

~~5-75.9~~ The following location criteria will also be applied to assist in protection of sensitive areas, and to ensure the equitable use of the location by Event organisers and the general community:

- a. Meelup Regional Park:
  - i. Maximum of four trail based Events per calendar year, that is an Event that involves participants walking, running or cycling on trails or roads within the park; and
  - ii. Maximum of four site based Events per calendar year, that is an Event that involves use of a beach and / or adjacent picnic and car park area; and
  - iii. Maximum of one trail based and one site based Event per month.
- b. Yallingup and Smiths Beach:
  - i. Maximum of one international or national Event per year, of up to seven days each;
  - ii. Maximum of four other major Events per year, of up to four days each;
  - iii. Maximum of ~~one~~ four minor Events per year, of up to ~~four~~ two days each;
  - iv. Maximum of eight club Events (run by local board riding clubs) per year.
- c. Markets:
  - i. Maximum of one market each Sunday in Busselton, to be held at Signal Park;
  - ii. Maximum of one market each week, to be held at the Busselton Cultural Precinct;
  - iii. Maximum of one market each Saturday in Busselton, to be held at the Busselton Community Garden, with a maximum of 20 stalls;
  - ~~iv.~~ Maximum of one market each Saturday in two markets per month in Dunsborough, to be held at Lions Park or Dunsborough Playing Fields;
  - ~~v.~~ Any additional markets in Dunsborough to be held at Dunsborough Playing Fields or Dunsborough Foreshore;
  - ~~vi.~~ Maximum of one market each Saturday in Vasse, to be held at the Vasse Hall / Oval;
- d. Applications for other locations may be considered and approved by the CEO.

~~Applications for other events or locations may be considered and approved by the CEO.~~

~~5-85.10~~ Fees ~~upon application~~ are payable upon application as per the City of Busselton's Schedule of Fees and Charges.

#### Events Sponsorship

~~5-95.11~~ The City has an events sponsorship programme that is funded through ~~a combination of municipal funds and funds derived from the industrial / commercial and holiday home differential rate.~~ The Business Development, Events and Marketing Program (BDEMP) Marketing and Events Reference Group (MERG) ~~makes supports~~ recommendations to Council with respect to the allocation of funds towards Events.

~~5-105.12~~ Event sponsorship can be provided as cash and / or in-kind contributions ~~or a combination of both~~, with sponsorship agreements entered into with Event organisers on either a single or multi-year basis.



6.2 Attachment C Tracked Changes Proposed Council Policy: Events (for reference only)

~~5.115.13~~ Event sponsorship requests will be assessed against the objectives outlined in paragraph 5.3.

~~5.125.14~~ Events sponsored by the City will be evaluated to determine future funding levels.

**Event Attendance**

~~5.13~~ Councillor and CEO representation at Events is valued as a means of reinforcing the City's strategic positioning as the 'Events Capital WA', and to ensure Events are properly assessed for their benefit and ongoing relevance.

~~5.14~~

5.15 ~~Invitations / tickets to Events may be provided to the City by Event organisers.~~ Where attendance to Events by Councillors and the CEO at these Events is approved in accordance with this Policy, the requirement to disclose a financial interest under the Act will not apply.

5.16 An invitation provided or addressed personally to a Councillor or to the CEO (for instance via a personal email account) will not be captured by this Policy, and the requirement to disclose a financial interest where the amount exceeds the amount prescribed under the *Local Government (Administration) Regulation 20A* will apply.

5.17 In addition to invitations / tickets provided by Event organisers, the CEO, in consultation with the Mayor, may purchase tickets for the purposes of City representation at an Event. The City will generally only purchase tickets for Hallmark and Major Events where attendance is demonstrated, through reference to the criteria in paragraph 5.2148, as being in the City's interest.

5.18 In determining approval for attendance at Events under Section 5.90A(2)(c), Council (or the CEO under delegation) will consider criteria such as the following:

- a. who is providing the ticket to the Event;
- b. the location of the Event;
- c. whether the Event is sponsored by the City;
- d. the relevance of the Event to the City's adopted policy objectives under paragraph 5.3;
- e. the role of the Council member or CEO when attending the Event (participant, presenter, observer) and the value of their contribution;
- f. the cost to attend the Event and / or the public value of attendance if the ticket is being provided at no cost to the Local Government;
- g. the number of invitations / tickets received; and
- h. the benefits or importance of Council and / or CEO representation at the event.

5.19 A list of established pre-authorised Events and attendees is provided at Attachment A. The attendees are authorised in order of priority, subject to the number of available invitations / tickets. Where there are insufficient invitations / tickets available for all pre-authorised attendees to attend, the CEO (in liaison with the Mayor) will determine final attendance.

~~5.19~~ ~~Additionally, a Councillor's attendance is pre-approved at an they are a association organising the Event~~

5.20 It is considered appropriate for a Councillor or CEO's Partner to accompany them to an Event held outside of normal business hours. While the City will not generally pay for such attendance, invitations / tickets received by the City may be provided for this purpose where they are available.

5.21 The Mayor can delegate any approved attendance to an Event to the Deputy Mayor or another Council member.

5.22 This policy does not apply where a Councillor or the CEO attends an Event at their own cost and in a personal capacity.

**6 RELATED DOCUMENTATION / LEGISLATION**

6.1 *Local Government Act 1995*

6.2 Events Strategy

~~7~~ Events Application Operational Practice

**7** REVIEW DETAILS

<b>Review Frequency</b>		<b>3 yearly</b>		
<b>Council Adoption</b>	<b>DATE</b>		<b>Resolution #</b>	
<b>Previous Adoption</b>	<b>DATE</b>	<u>12 August 2020</u>	<b>Resolution #</b>	<u>C2008/076</u>

**7—REVIEW DETAILS**

Review Frequency		3-yearly		
Council Adoption	DATE	12 August 2020	Resolution #	C2008/076
Previous Adoption	DATE	12 February 2020	Resolution #	C2002/034

Attachment A – Pre-authorized Events

Event	Event Organiser OR DATE	Attendee
<b>Hallmark Events</b>		
Ironman WA	Ironman Oceania	Mayor CEO Deputy Mayor All Councillors
Cinefest-OzZ	Geographe French Australian Festivals Inc.	Mayor CEO Deputy Mayor All Councillors
Busselton Festival of Triathlon (Ironman 70.3)	Triathlon Western Australia	Mayor CEO Deputy Mayor All Councillors
Gourmet Escape	IMG Culinary	Mayor CEO Deputy Mayor All Councillors
Busselton Jetty Swim	Busselton Allsports Inc.	Mayor CEO Deputy Mayor All Councillors
Jazz by the Bay	Jazz by the Bay Association	Mayor CEO Deputy Mayor All Councillors
Forest Rally	West Australian Car Club (Inc)	Mayor CEO Deputy Mayor All Councillors
<b>Major Events</b>		
Cabin Fever	Creative Corner AHOY Management	Mayor CEO Deputy Mayor All Councillors
X-Adventure Dunsborough	Rapid Ascent Pty Ltd	Mayor CEO Deputy Mayor All Councillors
Fine Vines Festival	AHOY Management	Mayor CEO Deputy Mayor All Councillors
South West Craft Beer Festival	Buzz Marketing	Mayor CEO Deputy Mayor All Councillors
Busselton Fringe Festival	Acting Up	Mayor CEO Deputy Mayor All Councillors

7. **NEXT MEETING DATE**

Wednesday, 10 May 2023

8. **CLOSURE**

The meeting closed at 10:54am.

THESE MINUTES CONSISTING OF PAGES 1 TO 33 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON WEDNESDAY, 10 MAY 2023.

DATE: 10.5.2023 PRESIDING MEMBER: Paine