

# **Council Agenda**

14 June 2017

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

city@busselton.wa.gov.au

# **CITY OF BUSSELTON**

# MEETING NOTICE AND AGENDA – 14 JUNE 2017

# TO: THE MAYOR AND COUNCILLORS

**NOTICE** is given that a meeting of the Council will be held in the Meeting Room One, Community Resource Centre, 21 Cammilleri Street, Busselton on Wednesday, 14 June 2017, commencing at 5.30pm.

Your attendance is respectfully requested.

MIKE ARCHER

**CHIEF EXECUTIVE OFFICER** 

30 May 2017

# **CITY OF BUSSELTON**

# AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 14 JUNE 2017

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# 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

# 2. ATTENDANCE

**Apologies** 

**Approved Leave of Absence** 

Nil

# 3. PRAYER

The Prayer will be delivered by Pastor Clark Riggins of Busselton Seventh Day Adventist.

# 4. **PUBLIC QUESTION TIME**

**Response to Previous Questions Taken on Notice** 

Nil

**Public Question Time** 

# 5. ANNOUNCEMENTS WITHOUT DISCUSSION

**Announcements by the Presiding Member** 

Announcements by other Members at the invitation of the Presiding Member

- 6. APPLICATION FOR LEAVE OF ABSENCE
- 7. <u>PETITIONS AND PRESENTATIONS</u>
- 8. <u>DISCLOSURE OF INTERESTS</u>
- 9. CONFIRMATION AND RECEIPT OF MINUTES

**Previous Council Meetings** 

9.1 Minutes of the Council Meeting held 24 May 2017

# **RECOMMENDATION**

That the Minutes of the Council Meeting held 24 May 2017 be confirmed as a true and correct record.

# **Committee Meetings**

9.2 Minutes of the Policy and Legislation Committee Meeting held on 18 May 2017

# **RECOMMENDATION**

That the minutes of the Policy and Legislation Committee Meeting held 18 May 2017 be received.

### 10. REPORTS OF COMMITTEE

10.1 Policy and Legislation Committee - 18/05/2017 - REVIEW OF POLICY 237 NAMING OF PARKS, GARDENS, RESERVES, MEMORIALS, SPORTS GROUNDS AND BUILDINGS

**SUBJECT INDEX:** Community Services

**STRATEGIC OBJECTIVE:** Attractive parks and open spaces that create opportunities for people

to come together, socialise and enjoy a range of activities.

**BUSINESS UNIT:** Community Developement

**ACTIVITY UNIT:** Community Services

**REPORTING OFFICER:** Club Development Officer - Pam Glossop

Manager, Community Services - Maxine Palmer

**AUTHORISING OFFICER:** Director, Community and Commercial Services - Naomi Searle

**VOTING REQUIREMENT:** Simple Majority

**ATTACHMENTS:** Attachment A Revised Policy 237 - Naming of Parks, Gardens,

Reserves, Memorials, Sports Grounds and Buildings &

Attachment B Revised Policy 237 - Naming of Parks, Gardens,

Reserves, Memorials, Sports Grounds and Buildings -

Tracked Changes <a>J</a>

This item was considered by the Policy and Legislation Committee at its meeting on 18 May 2017, the recommendations from which have been included in this report.

# **PRÉCIS**

The Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy is presented for review and updating as part of the ongoing policy review process. The policy has been reviewed by the responsible officer and assessed as requiring only minor changes as outlined in this report. While no substantial changes are recommended, the operation of the policy has been examined in detail to ensure no other changes are required.

# **BACKGROUND**

In 2007, a report was presented to Council to adopt a policy that established clearly defined guidelines and selection criteria for the naming of City owned and managed facilities. The Council resolved (C0702/038) that Policy 237 "Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings" be adopted.

The adopted policy specifically dealt with any proposal for a facility or part thereof to be named after a person. On the 25 July 2012 a recommendation was made to Council to review the policy to include reference to the consideration of geographical and purpose driven names. The Council resolved (C1207/197) to adopt the updated policy.

# 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 that Act.

### **RELEVANT PLANS AND POLICIES**

This report proposes the minor update of the Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy of the Council.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from the review of this policy.

# **Long-term Financial Plan Implications**

Not applicable.

### STRATEGIC COMMUNITY OBJECTIVES

Consideration of this matter is consistent with Key Goal 2 – Place and Spaces Vibrant, attractive, affordable Community Objective 2.2 – Attractive parks and open spaces that create opportunity for people to come together, socialise and enjoy a range of activities – of the City of Busselton Strategic Community Plan 2017.

### **RISK ASSESSMENT**

An assessment of the potential implications has been undertaken using the City's risk assessment framework. Whilst the removal of the advertising period from the Policy poses a possible reputational risk it is considered low and is mitigated by the selection criteria detailed in the Policy.

### **CONSULTATION**

Not required.

### **OFFICER COMMENT**

This report presents the Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy. The policy has provided consistent guidance to the City in naming of city reserves and community assets.

The Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy has been reviewed by the responsible officer and assessed as requiring only a minor change. The main alteration is deleting advertising for public comment for a 30 day period following the receipt of a proposal. These changes are shown as track changes on Attachment A.

# **CONCLUSION**

While no substantial changes are recommended, the operation of the policy has been examined in detail to ensure no other changes are required. It is the considered the view of the relevant officer that the policy included in this report has been operating efficiently and effectively since it was adopted by the Policy and Legislation Committee and the Council.

# TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Subject to Council's decision this Policy will be adopted with immediate effect.

# **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council adopts the updated Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy as shown in Attachment A.

### 14 June 2017

# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings

Last updated 25 July 2012

237	Naming of Parks, Gardens, Reserves,	V2 Current
	Memorials, Sports Grounds and Buildings	

### **PURPOSE**

With the development of community assets such as parks, gardens, reserves, memorials, sports grounds and buildings or other significant infrastructure assets also comes the important consideration of naming both the entire facility and certain aspects of it, such as a specific room or court. In considering naming these facilities it is often the desire of Council or sectors of the community to recognise the achievements and/or past community efforts of certain community pioneers, long term residents or significant other events of historical, environmental or cultural significance or a collective community action. This policy and associated procedure will assist Council to appropriately deal with and assess any future proposal to name a City Asset.

### **SCOPE**

### **Definition**

This policy applies in respect of any proposal to name a park, garden, reserve, memorial, sports ground and building or other significant infrastructure asset owned by or under the care, control or management of the City of Busselton (hereinafter referred to as a "City Asset").

### **Examples**

To be used when a significant new community building such as a Performing Arts Centre or Community Centre; or a new park or sports ground is established and ready for use.

# POLICY CONTENT

# Naming Considerations

When developing and naming a community facility, it is usual for a name that demonstrates both the geographical location and the purpose of the facility to be considered.

In addition, and where appropriate, the Council of the City may consider naming a City asset in honour of persons considered to be pioneers, persons who have made an outstanding humanitarian contribution or who, in the opinion of the Council, are worthy of such an honour. This may also be in acknowledgement of events of historical, environmental or cultural significance or a collective community action.

To facilitate ease of geographic identification and identification of the facility's purpose, where possible a locality name and purpose should be considered to be associated with the naming of a City asset, even when it is determined that an honorary name will be applied.

# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings

Last updated 25 July 2012

### Specific Inclusions

- This policy will also apply to proposals for the naming of defined portions of reserves specifically developed for particular sports.
- Where applicable naming guidelines set down by the State's Geographic Names Committee will be adhered to.
- Where a facility is substantially changed in nature, as a consequence of demolition, re-subdivision or significant enhancement or the like, renaming may be considered.

### **PROCEDURE**

A proposal to name a City Asset can be put forward for Council consideration by a councillor by a notice of motion, an employee via a report to Council, a member of the public or users of a facility without requiring formal public consultation

Any proposal to name a City Asset will include:

- Details of the proposed park, garden, reserve, memorial, sports ground, building or other infrastructure asset;
- \* Proposed new name:
- \* Justification for the proposal.

Through its' consideration Council may endorse the name or determine that the matter requires further consultation.

## CRITERIA FOR ASSESSMENT FOR PERSONAL RECOGNITION

A request to name a City asset after a person shall be assessed against the following criteria:

- Whether the person being honoured has been instrumental in the development of the City asset or activities to be undertaken or contributed in a significant way to the City asset.
- The views of the community with respect to honouring the person or event after which the City asset is proposed to be named.
- The length of the residency of the person proposed. For the purposes of guidance, residency of ten (10) years or more in a relevant location is likely to qualify a person for further consideration.
- 4. The contribution made by the person to the local community through education, representation on Council, the State Government, voluntary input, association with a local sporting or service club or through business development or the like. A significant contribution could include:
  - (i) Two or more terms of office on the local government council; or
  - (ii) Twenty (20) or more years association with a local community or sporting group; or

# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings

Last updated 25 July 2012

- (iii) Actions by an individual to protect, restore, enhance, or maintain an area that produces substantial long-term improvements for the community or area; or
- (iv) Evidence of works undertaken being of a pioneering nature for the benefit of the community.

All requests to name a City asset in acknowledgement of events of historical, environmental or cultural significance or a collective community action shall be assessed against the following criteria:

- 1. Date and details of the event or activities of environmental significance.
- 2. Historical and/or media records of the event.
- Evidence of community involvement and/or community significance and spirit, if relevant.

### **Policy Background**

Policy Reference No. - 237 Owner Unit – Community Development Originator – Manager, Community Development Policy approved by – Council Date Approved – 28 February 2007 Review Frequency – As required

### **History**

Council Resolution	Date	Information
C1207/197	25 July, 2012	Incorporation of consideration of
		geographical and purpose names
		for facilities
		Version 2
C0702/038	28 February, 2007	Date of implementation
	-	Version 1

# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings - Tracked Changes

Last undated 25 July 2012

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### **PURPOSE**

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### SCOPE

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To facilitate ease of geographic identification and identification of the facility's purpose, where possible a locality name and purpose should be considered to be associated with the naming of a City asset, even when it is determined that an honorary name will be applied.

# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings - Tracked Changes

Last undated 25 July 2013

### Specific Inclusions

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A proposal to name a City Asset <u>sould-can</u> be put forward <u>for Council consideration</u> by a councillor by a notice of motion, an employee via a report to Council ef. a member of the public <u>or users of a facility without requiring formal public consultation</u>.

Any proposal to name a City Asset will include:

- Details of the proposed park, garden, reserve, memorial, sports ground, building or other infrastructure asset;
- Proposed new name;
- Justification for the proposal.

Through its' consideration Council may endorse the name or determine that the matter requires further consultation.

Following initial assessment, the proposal is to be advertised for public comment through the "Council for the Community" page with a submission period of not less than 30 days. The results of the advertising are to be summarised and form part of the report to Council when seeking final approval of the proposal.

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# Revised Policy 237 - Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings - Tracked Changes

ast undated 25 July 2012

- (i) Two or more terms of office on the local government council; or
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- 2. Historical and/or media records of the event.
- Evidence of community involvement and/or community significance and spirit, if relevant.

## Policy Background

Policy Reference No. - 237 Owner Unit – Community Development Originator – Manager, Community Development Policy approved by – Council Date Approved – 28 February 2007 Review Frequency – As required

## **History**

Council Resolution	Date	Information
C1207/197	25 July, 2012	Incorporation of consideration of geographical and purpose names for facilities  Version 2
C0702/038	28 February, 2007	Date of implementation Version 1

# 10.2 <u>Policy and Legislation Committee - 18/05/2017 - REVIEW OF BUSSELTON JETTY POLICIES</u> (PLACEMENT OF MEMORIAL PLAQUES AND MOBILE VENDORS)

**SUBJECT INDEX:** Busselton Jetty

STRATEGIC OBJECTIVE: Events and unique tourism experiences that attract visitors and

investment.

**BUSINESS UNIT:** Commercial Services

**ACTIVITY UNIT:** Economic and Business Development

**REPORTING OFFICER:** Economic and Business Development Coordinator - Jon Berry **AUTHORISING OFFICER:** Director, Community and Commercial Services - Naomi Searle

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Revised Policy 006 - Mobile Vendors on Busselton

Jettv.

Attachment B Revised Policy 006 - Mobile Vendors on Busselton

Jetty - Tracked Changes <a>J</a>

This item was considered by the Policy and Legislation Committee at its meeting on 18 May 2017, the recommendations from which have been included in this report.

PRÉCIS

At item 6.2 of the Policy and Legislation agenda the Committee resolved as follows:

### **Committee Recommendation and Amended Officer Recommendation**

PL1705/123 Moved Councillor R Paine, seconded Councillor R Reekie

That Policy 004 - Placement of Memorial Plaques on the Busselton Jetty be deferred for one month.

# CARRIED 5/0

### **Committee Recommendation and Amended Officer Recommendation**

PL1705/124 Moved Councillor R Bennett, seconded Councillor G Henley

That the Council adopts the amended Policy 006 - Mobile Vendors on the Busselton Jetty as shown in Attachment C.

# **CARRIED 5/0**

Reconsideration of Policy 004 – Placement of Memorial Plaques on the Busselton Jetty will be presented to the next Policy and Legislation meeting to be held on 15 June 2017.

This report therefore only deals with Policy 006 – Mobile Vendors on the Busselton Jetty.

### **BACKGROUND**

Council has previously adopted a policy relating to the Busselton Jetty being:

Mobile Vendors on the Busselton Jetty (C1111/361) on 23 November 2011. This policy sets
out the process for recruitment and selection of suitable mobile vendors on the Busselton
Jetty.

The policy has been reviewed by City Officers and a draft amended policy was reviewed by the Busselton Jetty Reference group (BJRG) on 28 April 2017.

### STATUTORY ENVIRONMENT

The following statutory requirements are relevant in considering this report.

### City of Busselton Jetties Local Law 2014

Written consent is required under s2.19 (Miscellaneous Provisions) of the Busselton Jetties Local Law (2014) for the activities addressed in this policy:

• S2.19 1(c) offer for sale or sell goods or services on the Land or from a vessel on the Land, irrespective whether the vessel is moored to or berthed at the jetties;

### **Land Administration Act 1997**

The Jetty is located on Crown land (Reserve 46715), which is vested with the City of Busselton for the purposes of 'Tourism, Recreation and Heritage', with the power to lease for any term not exceeding 49 years, subject to the consent of the Minister for Lands. The Department of Lands has advised permits for non-exclusive use of the Jetty by mobile vendors does not require their written consent.

### **RELEVANT PLANS AND POLICIES**

Council adopted a new policy titled 'Non-exclusive Commercial Use of City Land' (Policy 249) on 9 November 2016. The policy provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive use of City-owned and managed land across the District. This policy is relevant in dealing with mobile traders across the district who operate from particular locations for certain periods of time. The revised policy for Mobile Vendors on Busselton Jetty (006) presented in this report is consistent with Policy 249.

### FINANCIAL IMPLICATIONS

There are no financial implications arising from the Officer Recommendation. Council sets Fees and Charges for Mobile Traders within the Annual Budget development process. The Busselton Jetty is considered a Zone 1 site and would attract an annual fee of \$3,000 per annum in accordance with the 2017/18 Fees and Charges Schedule.

# **Long-term Financial Plan Implications**

There are no impacts on the Long Term Financial Plan resulting from the Officer Recommendation.

### STRATEGIC COMMUNITY OBJECTIVES

Key Goal Area 4 of the 2017 Community Strategic Community Plan identifies a community desire to foster an innovative and diversified economy that provides a variety of business and employment opportunities as well as consumer choice. Specifically, events and tourism experiences that attract visitors and investment is supported. The Busselton jetty is the City's most visited built attraction and requires careful management to keep it as a contemporary visitor experience.

### **RISK ASSESSMENT**

There are no residual risks identified as being high or medium as a result of the Officer Recommendation.

### **CONSULTATION**

As part of the policy review process, the City has consulted with the Busselton Jetty Reference Group and sought feedback which has been included in the draft policy attached.

### **OFFICER COMMENT**

The policy reviewed in this report is over five years old and in summary has been amended as follows:

Mobile Vendors on the Busselton Jetty

The amended policy identifies the Busselton Jetty as a potential location for mobile vendors to trade on heritage node 4 and section 7 for food and beverages that do not compete directly with Busselton Jetty Inc. Permits may be issued for up to two years and operators will be recruited by expression of interest guidelines commensurate with recruitment of land-based mobile traders across the district. Any permit revenue will also be reinvested into the Busselton Jetty Maintenance Reserve. The proposed new policy (with proposed amendments visible) is in Attachment A.

# **CONCLUSION**

This report seeks Council to adopt one amended policy relating to the Busselton Jetty, which is over five years old.

The existing policy, Mobile Vendors on Busselton Jetty (2011) will be superseded by amended to recognise the City of Busselton (rather than the former Shire). It has also been amended to be consistent with recently adopted policies relating to non-exclusive trading in public places.

### **OPTIONS**

Council may elect to make an alternative amendment to the policy not recommended by Officers or the Policy and Legislation Committee.

### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Should Council adopt the amended recommendation, the policy will become effective immediately. Recruitment of a mobile vendor service is likely to be advertised as an expression of interest in the second quarter 2017 for operations in peak visitor periods.

# **COMMITTEE RECOMMENDATION AND AMENDED OFFICER RECOMMENDATION**

That the Council adopts the amended Policy 006 - Mobile Vendors on the Busselton Jetty as shown in Attachment A.

### Revised Policy 006 - Mobile Vendors on Busselton Jetty

For review by Policy and Legislation Committee (18 May 2017)

006 Mobile Vendors on the Busselton Jetty V2 DRAFT

### 1. PURPOSE

Mobile Vendors in recreational areas and tourist attractions add further dimensions of character and vibrancy to a location. Furthermore, the prosperity achieved by the operators contributes to the overall economic success of the Region and provides a potential source of income for the City of Busselton to re-invest into publicly owned or controlled facilities, including the Busselton Jetty.

### 2. DEFINITIONS

For the purposes of this policy, the following definitions apply;

'CEO' means the Chief Executive Officer or delegated Officer of the City of Busselton;

'Jetty' means the Busselton Jetty

'Commercial Site' means a pre-determined portion of Sections 4 and 7 on the Busselton Jetty from which a Mobile Vendor is permitted to operate.

'Mobile Food Premises' means a business operated from a vehicle, van, stand, cart or similar device that complies with ANZFA Food Safety Standards;

'Mobile Vendors' means a business operator operating from a 'Commercial Site' and may mean a 'Mobile Food Premises';

'Permit' means a permit issued under the Busselton Jetties Local Law 2014;

'City' means the City of Busselton.

### 3. SCOPE

The policy covers the;

- recruitment and selection of suitable Mobile Vendors to operate from the Busselton Jetty; and
- criteria by which City officers will assess applications for the commercial hiring of sites.

### 4. POLICY CONTENT

The City of Busselton recognises the social, cultural and economic value of Mobile Vendors and has established Policy 249 (Non-exclusive Commercial use of City land) which provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive commercial use of City-owned and managed land across the District.

### Revised Policy 006 - Mobile Vendors on Busselton Jetty

For review by Policy and Legislation Committee (18 May 2017)

### 4.1 Promotion of Jetty Vendor Opportunities

The City may publicly advertise the availability of commercial sites on the Busselton Jetty as part of an expression of interest (EoI) process. If an EoI is called for commercial sites on the Jetty, selection criteria will be set prior to advertising and included in EoI guidelines.

### 4.2 Selection / Approval of Jetty Vendor Sites

The City can approve an application for a permit in accordance with the City of Busselton Jetties Local Law 2014.

### 4.2.1 Location

Commercial sites on the Jetty will be pre-approved by the City giving due consideration to their practical location and with regard to other activities that take place on the Jetty and in consultation with the Busselton Jetty Reference Group (BJRG).

When assessing suitability of a trading location, consideration will be given to;

- a) the type and regularity of business that could operate from that location;
- b) the impact the business will have on the surrounding amenity, and
- c) the strategic implications and impact the location may have on the local economy.

Consideration will also be given to the nature of fixed businesses, specifically; preference will be given to businesses that are not of an identical nature to a nearby fixed business.

### 4.2.2 Term

A permit for trading on the Busselton Jetty may be granted by the City for a term of up to two (2) years. Prior to expiry of an existing permit, the site will be readvertised seeking expressions of interest.

# 4.2.3 Assessment of applications

Applications for a permit may be approved by the CEO or an authorised person and will be considered, in part, according to the appropriateness of the proposed activity in relation to the location and the social, cultural and economic benefits the business may bring to the City, residents and visitors. The proposed activity should not impede Busselton Jetty Inc business operations.

As a minimum, applications for sites on the Jetty will be considered according to;

- the product being offered, bearing in mind that the sale or provision of alcohol will not be approved;
- the cart, stand or similar device used as the premises being an acceptable standard to the City of Busselton, including the dimensions and maximum weight being suitable for positioning on the Jetty;
- the incorporation of biodegradable / eco products where applicable;
- the proposed operating hours or days, and;
- the nature of adjoining commercial activities on the Jetty, specifically, preference will be given to businesses that are not of an identical nature to an existing operator.

For review by Policy and Legislation Committee (18 May 2017)

Applications for licences to sell food and / or beverages must also comply with conditions imposed either regulatory or discretionary, by the City's Environmental Health section.

Additionally, the following decision making criteria will apply;

- the applicant/operator must be of good character, demonstrated by:
  - i. two character references
  - ii. a National Police Clearance Certificate;
- b) the business operation will not impede public use of the Jetty;
- the business operation will not have a detrimental effect on the Jetty or c) surrounding area; and,
- d) relevant sections of the Busselton Jetties Local Law (2014) or other Local, State and Federal laws.

The City may refuse an application on any one or more of the following grounds;

- i. the applicant is an undischarged bankrupt or is in liquidation;
- ii. the applicant has entered into any composition or arrangement with creditors;
- iii. a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or

or such other grounds the City may consider to be relevant in the circumstances of the case.

Detailed guidelines will be issued in publicly advertised expression of interest documentation for food and non-food commercial operators and will be available on the City's website.

### Consultation

Prior to final approval of a permit, the City will consult with Busselton Jetty Inc.

#### 4.3 **Establishment of Fees**

Permit fees are set out in the City of Busselton's Annual Fees and Charges Schedule available on the City's website.

# **Policy Background**

Policy Reference No. - 006

Owner Unit - Commercial Services

Originator - Economic and Business Development Co-ordinator

Policy approved by - Council

Date Approved - TBC

Review Frequency – As required

Related Documents – Jetties Local Law 2014; Property Local Law 2010, Activities in Thoroughfares and Public Places and Trading Local Law 2015; Policy # 249 (Non-exclusive Commercial Use of City Land 2016)

### **History**

<b>Council Resolution</b>	Date	Information		
TBC	TBC	Establishment of a policy to provide for a		
		limited number of small, mobile vendor		
		businesses which would enhance the		
		Busselton Jetty experience of visitors and		
		locals		
		Version 2		

# Revised Policy 006 - Mobile Vendors on Busselton Jetty - Tracked Changes

Last updated 23/11/2011 (implementation) For review by Policy and Legislation Committee (18 May 2017)

Mobile Vendors in recreational areas and tourist attractions add further dimensions of character and vibrancy to a location. Furthermore, the prosperity achieved by the operators contributes to the overall economic success of the FRegion and provides a potential source of income for the Shire City of Busselton to re-invest into publicly owned or controlled facilities, including the Busselton Jetty.

This policy is to facilitate the promotion, approval and striking of fees for Mobile Vendors on the Busselton Jetty. Its aim is to encourage and facilitate commercial operators to establish non-permanent businesses that enhance the recreational use of the Jetty and in doing so provide the Shire with a financial return.

### 2. DEFINITIONS

For the purposes of this policy, the following definitions apply;

'CEO' means the Chief Executive Officer or delegated Officer of the Shire-City of Busselton;

'Competition Principles Agreement' means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 11 April 1995:

'Jetty' means the Busselton Jetty

'Commercial Site' means a pre-determined portion of Sections 4 and 7 on the Busselton Jetty from which a Mobile Vendor is permitted to operate.

'Mobile Food Premises' means a business operated from a vehicle, van, stand, cart or similar device that complies with ANZFA Food Safety Standards;

'Mobile Vendors' means a business operator operating from a 'Commercial Site' and may mean a 'Mobile Food Premises';

'Permit' means a permit issued under the Property Local Law-Busselton Jetties Local Law-2014;

'Tender' means an informal tender process including advertising, selection and

'Shire' City' means the Shire City of Busselton.

### 3. SCOPE

recommendations

The policy covers the;

 a) promotion recruitment and selection of suitable Mobile Vendors to operate from the Busselton Jetty; and Formatted: Font: Calibri
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# Revised Policy 006 - Mobile Vendors on Busselton Jetty - Tracked Changes

Last-updated 23/11/2011 (implementation) For review by Policy and Legislation Committee (18 May 2017)

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criteria by which <u>Shire City</u> officers will assess applications for the ——commercial hiring of the <u>Jetty</u> sites; and

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methods by which the Shire will establish an appropriate fee for the opportunity.

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### 4. POLICY CONTENT

The <u>Shire-City</u> of Busselton recognises the social, cultural and economic value of Mobile Vendors and has established Policy 249 (Non-exclusive Commercial use of City land) which provides a consistent framework and methodology to facilitate, control and regulate the non-exclusive commercial use of City-owned and managed land across the District.

The Shire-City may publicly advertise the availability of a Mobile Vendor commercial sites on the Busselton Jetty as part of an expression of interest (EoI) process. If an tender-EoI is called for the letting of commercial sites on the Jetty, selection criteria will be set prior to advertising and included in EoI guidelines.

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### 4.2 Selection / Approval of Jetty Vendor Sites

The Shire of Busselton City can approve an application for a permit in accordance with the Shire City of Busselton Property Local Jetties Local Law 20104.

#### 4.2.1 Location

Commercial sites on the Jetty will be pre-approved by the <u>Shire-City</u> giving due consideration to their practical location and with regard to other activities that take place on the Jetty <u>and in consultation with the Busselton Jetty Reference Group (BJRG)</u>.

When assessing suitability of a trading location-for a hire site, consideration will be given to;

- a) the type and regularity of business that could operate from that location;
- b) the impact the business will have on the surrounding amenity, and
- c) the strategic implications and impact the location may have on the local economy.

Consideration will also be given to the nature of <u>adjoining Commercial Site fixed</u> businesses, specifically; preference will be given to businesses that are not of an identical nature to a <u>nadjoining nearby operator fixed business</u>.

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### 4.2.2 Term

A Mobile Vendor-permit for trading on the Busselton Jetty may be granted by the Shire-City for a term of up to 3two (2) years. Prior to expiry of an existing Commercial Site-permit, the site will be readvertised for tenderseeking expressions of interest.

### 4.1 4.2.3 Assessment and Approval of Commercial Site applications

Applications for Commercial Site a permits may be approved by the CEO or an authorised person and will be considered, in part, according to the appropriateness of the proposed activity in relation to the location and the social, cultural and economic benefits the business may bring to the ShireCity, residents and visitors. The proposed activity should not impede Busselton Jetty Inc business operations.

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As a minimum, applications for  $\frac{\text{Commercial Ss}}{\text{Ss}}$  ites on the Jetty will be considered according to;

# Revised Policy 006 - Mobile Vendors on Busselton Jetty - Tracked Changes

Last updated 23/11/2011 (implementation) For review by Policy and Legislation Committee (18 May 2017) Formatted: Left the product being offered, bearing in mind that the sale or provision of alcohol-Formatted: Space After: 6 pt, Bulleted + Level: 1 + Aligned at: 0.63 cm + Tab after: 1.9 cm + Indent at: 1.9 cm will not be approved: the cart, stand or similar device used as the premises being an acceptable standard to the Shire-City of Busselton, including the dimensions and maximum weight being suitable for positioning on the Jetty; the incorporation of biodegradable / eco products where applicable; Formatted: Font: Calibri \_the proposed operating hours or days, and; \_the nature of adjoining Commercial Sites\_activities\_on the Jetty, specifically, preference will be given to businesses that are not of an identical nature to an adjoining existing operator. Applications for licences to sell food and / or beverages must also comply with conditions imposed either regulatory or discretionary, by the Shire's City's Environmental Health Additionally, the following decision making criteria will apply; the applicant-/-operator must be of good character, demonstrated by: Formatted: Space After: 6 pt i. two character references ii. a National Police Clearance Certificate; the business operation will not impede public use of the Jetty; b) the business operation will not have a detrimental effect on the Jetty or surrounding area;; that approval of the business operation complies with the principles set out in the Competition Principles Agreement; and, Formatted: Font: Calibri \_relevant sections of the Busselton Jetties Local Law (2014)Property Local Law e)d) 2010 (as amended) or other Local, State and Federal laws. The Shire-City may refuse an application on any one or more of the following grounds; the applicant is an undischarged bankrupt or is in liquidation; Formatted: Space After: 6 pt ii. the applicant has entered into any composition or arrangement with creditors; a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property: such other grounds the Shire may consider to be relevant in the circumstances of the case. or such other grounds the Shire-City may consider to be relevant in the circumstances of the

10.2 Attachment B

# Revised Policy 006 - Mobile Vendors on Busselton Jetty - Tracked Changes

Last updated-23/11/2011 (implementation) For review by Policy and Legislation Committee (18 May 2017)

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<u>Detailed guidelines will be issued in publicly advertised expression of interest documentation for food and non-food commercial operators and will be available on the City's website.</u>

#### Consultation

Prior to final approval of a permit, the Shire-City will consult with Busselton Jetty IncECA.

### 4.3 Establishment of Fees

Permit fees are set out in the City of Busselton's Annual Fees and Charges Schedule available on the City's website. Fees payable for individual hire sites should reflect the market demand, and the Shire should remain flexible in this regard. The minimum fee, however, will be \$500 per annum, or part thereof, plus GST, or an amount equal to that paid by adjoining or neighbouring hire sites which ever is the greater. The actual fee payable will be the result of a tender process and / or negotiation.

Permit holders will be responsible for their own entrance fee to the Jetty.

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### **Policy Background**

Policy Reference No. - 006

Owner Unit - Commercial Services

Originator - Project Officer Economic and Business Development Co-ordinator

Policy approved by - Council

Date Approved - 23 November, 2011 TBC

Review Frequency – As required

Related Documents – <u>Jetties Local Law 2014</u>; <u>Property Local Law 2010</u>, <del>Local Law relating to Trading in Public Places; Mobile Food Vendors Policy, Use of a Public Jetty Local Law, Busselton Jetty Licence, <u>Activities in Thoroughfares and Public Places and Trading Local Law 2015</u>; <u>Policy # 249 (Non-exclusive Commercial Use of City Land 2016)</u></del>

### **History**

<b>Council Resolution</b>	Date	Information
C1111/361TBC	TBC23 November, 2011	Establishment of a policy to provide for a
		limited number of small, mobile vendor businesses which would enhance the Busselton Jetty experience of visitors and locals Version 42

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10.3 <u>Policy and Legislation Committee - 18/05/2017 - REVIEW OF POLICY 192 VANDALISM - REWARD FOR CONVICTION AND ASSOCIATED INSTRUMENT OF DELEGATION GV1 - GRAFFITI VANDALISM ACT 2016</u>

**SUBJECT INDEX:** Policies, Plans and Procedures

**STRATEGIC OBJECTIVE:** Attractive parks and open spaces that create opportunities for people

to come together, socialise and enjoy a range of activities.

**BUSINESS UNIT:** Finance and Corporate Services

**ACTIVITY UNIT:** Governance Services

**REPORTING OFFICER:** Executive Assistant - Christine Garratt

**AUTHORISING OFFICER:** Director, Finance and Corporate Services - Cliff Frewing

**VOTING REQUIREMENT:** Absolute Majority

ATTACHMENTS: Attachment A Revised Policy 192 Vandalism - Reward for

Conviction !

Attachment B Revised Policy 192 Vandalism - Reward for Conviction

showing proposed tracking changes.

Attachment C Proposed New Delegation GV1 - Graffiti Vandalism

Act 2016<sup>↓</sup>

This item was considered by the Policy and Legislation Committee at its meeting on 18 May 2017, the recommendations from which have been included in this report.

## **PRÉCIS**

As part of Council's ongoing policy review process, the Vandalism – Reward for Conviction Policy 192 is presented for review and updating.

In addition this report recommends to Council to delegate to the Chief Executive Officer (CEO) the authority to exercise any of the local government's powers or the discharge of any of its duties under part 3 of the *Graffiti Vandalism Act 2016*. A proposed new delegation is attached (*Refer Attachment C*).

### **BACKGROUND**

The Policy and Legislation Committee has endorsed an ongoing review process, whereby all policies of the Council will be reviewed, with the aim of determining the ongoing applicability of the policies, along with standardisation and reduction.

The Council's Vandalism – Reward for Conviction Policy 192 was last before the Council in November 2012. At that time a proposal from officers was presented to the Policy and Legislation Committee for revocation of this policy on the basis that a reward could be arranged in the absence of a policy should the need arise. However, the Committee felt that a statement of commitment from the Council regarding its response to acts of vandalism was desired and that the amount should be proportionate to the damage and at the discretion of the CEO. The policy was rewritten to reflect the Committee's views and the amended policy was subsequently adopted by the Council (C1211/324).

Since adoption of this Policy the WA State Parliament has introduced specific legislation that deals with Graffiti. The Graffiti Vandalism Act was passed in 2016 and provides for:

- Graffiti Offenses;
- Local Government Powers; and
- Notices, Objections and Powers of Entry.

Section 16 of the Act provides that a local government may delegate to the CEO the exercise of its powers and duties.

It is proposed that Council delegate to the CEO those powers and duties contained in the Act.

Pursuant to Section 5.46(2) of the *Local Government Act 1995* (the Act), delegations are to be reviewed on an annual basis.

The opportunity has also been taken to further review Policy 192 Vandalism – Reward for Conviction.

### 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.

In accordance with Section 5.42(1)(a) of the Act Council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act, other than those referred to in section 5.43. The Act prescribes that any such delegation requires an Absolute Majority vote of Council.

In accordance with Section 16(1) of the *Graffiti Vandalism Act 2016* Council may exercise its power of delegation to the CEO to exercise any of the local government's powers or the discharge of any of its duties provided for in Part 3 of the Graffiti Vandalism Act 2016.

### **RELEVANT PLANS AND POLICIES**

This report proposes adoption of revised Council Policy 192 Vandalism – Reward for Conviction with minor amendments and adoption of Proposed New Delegation GV1 – Graffiti Vandalism Act 2016.

# **FINANCIAL IMPLICATIONS**

Any reward offered could ultimately be accommodated utilising existing budget provisions that have been established for the care, control and maintenance of Council property. In the event the damage to Council property is to such an extent that a larger amount to be offered was warranted, Council could consider a specific allocation of funds at that time under the recommendation of Council officers.

### **Long-term Financial Plan Implications**

There are no long-term financial plan implications associated with either of these matters.

### STRATEGIC COMMUNITY OBJECTIVES

This policy aligns with and supports the Council's Key Goal Area 2 – 'Places and Spaces' and more specifically Community Objective 2.2 – 'Attractive parks and open spaces that create opportunities for people to come together, socialise and enjoy a range of activities'.

### **RISK ASSESSMENT**

The revised policy and proposed new delegation will allow for implementation of a relatively straight forward administrative process and is therefore considered "low risk" with no risks identified as "medium" or "greater".

### **CONSULTATION**

As both these matters are of internal focus, it is considered that no public consultation is required.

### **OFFICER COMMENT**

As a result of this review it is recommended that minor amendments be made within the content area of the policy to better reflect the desired outcome of minimising and reducing future occurrences of vandalism against City property.

A revised Policy is attached showing proposed changes (Attachment B).

The *Graffiti Vandalism Act 2016* (which came into effect on 7 October 2016), provides that local government's powers in relation to the treatment of Graffiti may be delegated to the CEO.

The main purpose of the proposed delegation is to assist with improving efficiency, to optimise use of the City's resources and seeks to avoid the requirement for officers to refer a relatively straightforward administrative function to Council.

A proposed new delegation is attached (Attachment C).

### **CONCLUSION**

As part of the regular practice of reviewing Council policies, a review was carried out on Policy 192 Vandalism – Reward for Conviction. As a result of this review officers are recommending that minor amendments are made to the policy.

Officers are also recommending Council delegate to the Chief Executive Officer (CEO) the authority to exercise any of the local government's powers or the discharge of any of its duties under part 3 of the *Graffiti Vandalism Act 2016*.

### **OPTIONS**

The Council may not agree to endorsement of the revised Policy and may seek to retain the existing policy in its current format.

In addition the Council may not agree to endorsement of the proposed new Council Delegation to the CEO.

# TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The revised policy and new delegation would become effective immediately upon adoption of Council.

# COMMITTEE RECCOMMENDATION AND OFFICER RECOMMENDATION

# **ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED**

That the Council:

- (1) Adopts the revised Policy 192 Vandalism Reward for information relating to the damage of Council Property as shown in Attachment A;
- (2) Adopts the proposed New Delegation GV1 Graffiti Vandalism Act 2016 as shown in Attachment C.

Last updated 9 March 2017

		V2 Current
	Council Property	

#### 1. **PURPOSE**

Any person providing information as to the identity of an offender who has vandalised City property can be offered a reward upon successful conviction of the offender or the City obtains a successful outcome on the matter.

#### **SCOPE** 2.

The policy may be utilised to offer a potential reward for damage that has occurred where the identity of the offender is not known, or to provide a reward to a person who voluntarily provides information on the identity of an offender. A reward will be paid upon successful conviction of the offender.

#### **POLICY CONTENT** 3.

The City of Busselton actively seeks to reduce and prevent vandalism in its community. The control of vandalism can minimise the cost of repairs and can contribute to minimising insurance premiums.

One such way to minimise vandalism is to identify and prosecute offenders to reduce the likelihood of future occurrence. One way of achieving this is for the City to offer a reward to anyone who provides information leading to the conviction of a person for an act of vandalism against City property.

When an act of vandalism against City property has occurred, the Chief Executive Officer is authorised to set an appropriate reward 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. The amount of the reward is to take into consideration the level of damage that has been caused to City property.

Rewards will not be paid to City employees or members of the WA Police Service.

### **Policy Background**

Policy Reference No. - 192 Owner Unit - Governance Services Policy approved by Council - 28 November 2012 Review frequency - As required

### **Related Documents**

- Local Government Act, Section 2.7 and 5.42
- Graffiti Vandalism Act 2016

# <u>History</u>

Council Resolution	Date	Information
		General Update
		Version 3
C1211/324	28/11/2012	Version 2

# Revised Policy 192 Vandalism - Reward for Conviction showing proposed tracking changes

Last updated 28 November 2012Last updated 9 March 2017

192	Vandalism – Reward for <u>Information relating to the damage of Council</u>	V2 Current	• peransi	Formatted Table	
	Property			\$	354

#### 1. **PURPOSE**

Any person providing information as to the identity of an offender who has vandalised City property can be offered a reward upon successful conviction of the offender or the City obtains a successful outcome on the matter.

#### 2. SCOPE

The policy may be utilised to offer a potential reward for damage that has occurred where the identity of the offender is not known, or to provide a reward to a person who voluntarily provides information on the identity of an offender. A reward will be paid upon successful conviction of the offender.

#### POLICY CONTENT

The City of Busselton actively seeks to reduce and prevent vandalism in its community. The control of vandalism can minimise the cost of repairs and can contribute to minimising insurance premiums.

One such way to minimise vandalism is to identify and prosecute offenders to prevent reduce the likelihood of future occurrence. One way of achieving this is for the City to offer A-a reward may be offered-to anyone who provides information leading to the conviction of a person for an act of vandalism against City property.

When an act of vandalism against City property has occurred, the Chief Executive Officer is authorised to set an appropriate reward 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. The amount of the reward is to take into consideration the level of damage that has been caused to City property.

Rewards will not be paid to City employees or members of the WA Police Service.

### **Policy Background**

Policy Reference No. - 192 Owner Unit – Governance <u>Services</u> Originator - Manager, Governance Services Policy approved by —Council — 28 November 2012 Date Approved - 28/11/2012 Review frequency – As required **Related Documents** Local Government Act, Section 2.7 and 5.42

### Graffiti Vandalism Act 2016

### History

Council Resolution	Date	Information	
		General Update	
		Version 3	
C1211/324	28/11/2012	Version 2	



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### **Instrument of Delegation**

Reference Number	Act Reference	Delegate	Delegation Subject
GV1	Section 16(1) of the Graffiti Vandalism Act 2016	Chief Executive Officer	Exercise any of the local government's powers or the discharge of any of its duties under Part 3 of the <i>Graffiti Vandalism Act 2016</i>

# Delegator

Council.

### Power/Duty

To exercise any of the powers and discharge any of the duties of the local government under Part 3 of the *Graffiti Vandalism Act 2016*.

# Conditions

This delegation is subject to the conditions and limitations contained in the Graffiti Vandalism Act 2016.

# **Statutory Framework**

Council is exercising its power of delegation under Section 16(1) of the *Graffiti Vandalism Act 2016* to delegate to the CEO to exercise its powers and discharge of any of its duties provided for in Part 3 of the *Graffiti Vandalism Act 2016*.

# 16. Delegation by local government

(1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.

# Proposed New Delegation GV1 - Graffiti Vandalism Act 2016

14 June 2017

#### 17. Delegation by CEO of local government

A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Part other than this power of delegation.

#### 18. Notice requiring removal of graffiti

- (1)This section applies to graffiti that is -
  - (a) applied to property with the consent of the owner or occupier and;
  - (b) visible from a public place; and
  - (c) considered by the local government to be unsightly or offensive.
- A local government may give a notice in writing to a person who is the owner of property or the occupier of a place on which graffiti described in subsection (1) is applied, requiring the person to ensure that the graffiti is obliterated in a manner acceptable to the local government within a time set out in the notice.

#### 25. Local government graffiti powers on land not local government property

A local government may obliterate graffiti that is visible from a public place and that has (1) been applied without the consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent to do it.

### Verification

**Council Resolution** C..../

### **Review Requirements**

In accordance with the requirements of Section 5.46(2) of the Local Government Act 1995 (the Act), at least once every financial year.

### **Related Documents**

Graffiti Vandalism Act 2016

Department of Local Government and Communities Circular No. 18-2016 'Graffiti Vandalism Act 2016'

# 10.4 Policy and Legislation Committee - 18/05/2017 - REVIEW OF POLICY 038 PROMOTING A DIVERSE COUNCIL AND PARTICIPATION

**SUBJECT INDEX:** Plans, Policies and Procedures

**STRATEGIC OBJECTIVE:** Governance systems, process and practices are responsible, ethical

and transparent.

**BUSINESS UNIT:** Finance and Corporate Services

**ACTIVITY UNIT:** Governance Services

**REPORTING OFFICER:** Executive Assistant - Christine Garratt

**AUTHORISING OFFICER:** Director, Finance and Corporate Services - Cliff Frewing

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Existing Policy 038 Promoting a Diverse Council and

Participation !!

This item was considered by the Policy and Legislation Committee at its meeting on 18 May 2017, the recommendations from which have been included in this report.

### **PRÉCIS**

As part of Council's ongoing policy review, a review of Policy 038 Promoting a Diverse Council and Participation has been carried out. As a result of this review it is recommended that the policy be revoked as it is no longer relevant.

### **BACKGROUND**

This policy was last before the Council in March 2011 at which time officers recommended that existing Policy 038 Elections – Promotions be replaced with amended Policy 038 Promoting a Diverse Council and Participation which proposed policy changes to provide justification for the additional promotion of election processes and to identify the aim of broad representation and participation. The amended policy was endorsed by Council at that time (C1103/071).

The Policy and Legislation Committee has endorsed an ongoing policy review process, whereby individual policies are reviewed with a view to determining their ongoing applicability along with standardisation and reduction. This report presents the review of Policy 038 Promoting a Diverse Council and Participation.

### 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's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of that Act.

# **RELEVANT PLANS AND POLICIES**

Local Government Act 1995 (Part 4 Elections and Other Polls)

Local Government (Elections) Regulations 1997

Department of Local Government and Communities Operational Guidelines 'Conduct of Local Government Elections'

### **FINANCIAL IMPLICATIONS**

The Council's adopted Budget includes provision for costs associated with local government ordinary elections with all decisions made having due regard to budget availability.

### **Long-term Financial Plan Implications**

The Council's Long Term Financial Plan includes budgetary provision for local government ordinary elections and associated electoral campaigning.

### STRATEGIC COMMUNITY OBJECTIVES

This policy aligns with and supports the **Council's Key Goal Area 6** – 'Leadership' and more specifically **Community Objective 6.2** – 'Governance systems, process and practices are responsible, ethical and transparent'.

### **RISK ASSESSMENT**

Not required for review of this policy.

### **CONSULTATION**

This policy review is not considered to require any public consultation.

### **OFFICER COMMENT**

As a result of review of Policy 038 Promoting a Diverse Council and Participation, officers are recommending the policy be revoked.

It is the considered view of officers that this policy is obsolete and therefore no longer relevant as all the actions contained within the policy are now part of normal business processes to promote elections and is consistent with Department of Local Government and Communities Operational Guidelines.

### **CONCLUSION**

As part of the regular practice of reviewing Council policies, a review was carried out on Policy 038 Promoting a Diverse Council and Participation. Following this review officers are recommending that this policy be revoked.

### **OPTIONS**

The Council may choose not to revoke this Policy, may seek to make changes to the Policy or may seek to retain the existing policy in its current format.

# TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The revised policy would become effective immediately upon adoption of Council.

# **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

That the Council revoke Policy 038 Promoting a Diverse Council and Participation.

10.4 Attachment A Existing Policy 038 Promoting a Diverse Council and Participation

038	Promoting a Diverse Council and Participation	V1 Current

# 1. PURPOSE

Diversity and broad community representation are desirable in a representative elected body and the Council seeks to encourage the ability for people of various ages, social, economic, cultural and physical backgrounds to be elected to the Council of the Shire of Busselton. It also seeks to encourage all people who are eligible to do so to participate in elections for Councillors of the Shire of Busselton.

# 2. SCOPE

This policy applies to any election conducted, either ordinary or extraordinary, for the purposes of electing Councillors to the Council of the Shire of Busselton.

### 3. POLICY CONTENT

The Shire of Busselton will seek to participate in electoral promotional advertising campaigns, including those organised by the Western Australian Local Government Association or the Department of Local Government.

Targeted advertising may also be undertaken in local newspapers to raise the profile of the position of the Councillor and the opportunity to participate as an elector in any Local Government election.

Promotion of elections shall be undertaken in conjunction with statutory advertising requirements and may include information to assist with attracting candidates for any election and for electors to participate in the election.

The promotion should include information on the various forms of assistance available to all Councillors under the *Local Government Act 1995* and the Council's Fees, Allowances and Expenses policies, including travel, childcare and communications allowances.

This information shall also be made available to all prospective candidates by the conduct of an in-person information session prior to the close of nominations for any election, along with the roles and responsibilities of a Councillor, the legal requirements and the process for nomination for election.

The Council seeks to encourage participation by people of all ages and backgrounds as both candidates and electors to contribute to ensuring all sections of the community are adequately represented in Council decision-making processes.

## 4. APPLICATION OF THE POLICY

The policy will be taken into consideration when budgeting for any ordinary or extraordinary election. Elections should be well publicised by various means to ensure opportunities are available to all.

# **Policy Background**

Policy Reference No. - 038 Owner Unit – Governance Originator – Governance Manager 10.4 Attachment A

Existing Policy 038 Promoting a Diverse Council and Participation

Policy approved by – Council Date Approved – 9 March 2011 Review Frequency – As required Related Documents –

Local Government Act 1995

Local Government (Elections) Regulations 1997

Background/History - Initiated February 2011 to replace former policy:

038/1 – Elections - Promotion.

<b>Council Resolution</b>	Date	Information
C1103/071	9 March 2011	Policy extended to refer to diversity and focuses on the key concepts in the Council's Access and Inclusion Plan. Essentially, it extends the previous policy, which was aimed at encouraging participation in elections by candidates, to further encourage participation by electors and to promote the importance of broad community representation.

# 10.5 Policy and Legislation Committee - 18/05/2017 - REVIEW OF CODE OF CONDUCT

**SUBJECT INDEX:** Financial Operations

**STRATEGIC OBJECTIVE:** Governance systems, process and practices are responsible, ethical

and transparent.

**BUSINESS UNIT:** Finance and Corporate Services

**ACTIVITY UNIT:** Governance Services

**REPORTING OFFICER:** Director, Finance and Corporate Services - Cliff Frewing Director, Finance and Corporate Services - Cliff Frewing

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Existing Policy 037 Code of Conduct

Attachment B Consolidated Code of Conduct Attachment C Council Members Code of Conduct Attachment D Committee Members Code of Conduct Attachment D

Attachment E Employees Code of Conduct. Attachment F Contractors Code of Conduct.

This item was considered by the Policy and Legislation Committee at its meeting on 18 May 2017, the recommendations from which have been included in this report.

### **PRÉCIS**

As part of Council's ongoing policy review, a review of Policy 037 Code of Conduct has been carried out. As a result of this review it is recommended that the policy be cancelled and that the Code be regarded as part of the City's suite of significant Corporate documents.

# **BACKGROUND**

The Council's Code of Conduct Policy 037 was last before the Council in April 2015. The Policy has been in existence in one form or another since the late 1990's.

The existing Policy relates to all Council Members, Committee Members and employees (and contractors) and as a consequence, the contents are not particularly relevant to members of all the classes of persons to whom the policy applies.

### 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. It is also common for a Council to adopt significant Corporate documents and make these documents available to those persons to whom the document applies as well as to make them available to members of the public on the website.

In addition, in accordance with Section 5.103(1) of the Local Government Act 1995, a Local Government is required to prepare and adopt a Code of Conduct to be observed by Council members, Committee members and employees (and Contractors). The Code of Conduct is to contain matters as prescribed by Regulations.

### **RELEVANT PLANS AND POLICIES**

This report proposes to cancel the existing Council Policy 037 - Code of Conduct in its current format. In lieu of the existing policy it is proposed to create five new Codes as follows:

- Consolidated Code of Conduct;
- Council Members Code of Conduct;

- Committee Members Code of Conduct;
- Employees Code of Conduct; and
- Contractors Code of Conduct.

The four individual Codes referred to above are all based on the contents of the existing Policy as is the proposed Consolidated Code of Conduct.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with this report.

# **Long-term Financial Plan Implications**

Nil.

### STRATEGIC COMMUNITY OBJECTIVES

This policy aligns with and supports the **Council's Key Goal Area 6** – 'Leadership' and more specifically **Community Objective 6.1** – 'Governance systems, process and practices are responsible, ethical and transparent'.

### **RISK ASSESSMENT**

The Council is required to consider and adopt a Code of Conduct in accordance with the provisions of the Local Government Act. The Code is not required to be a Policy.

The contents of the existing and proposed Code reflect general standards of behaviour expected of all those persons appointed by the City (whether elected members, employees or Professional contractors).

In acting in the capacity of a Council member, Committee member, employee or contractor of the City of Busselton, all persons shall espouse the principles outlined in regulation 3 of the *Local Government* (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- Act with reasonable care and diligence;
- Act with honesty and integrity;
- · Act lawfully;
- · Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- Treat others with respect and fairness;
- Not be impaired by mind affecting substances.

### **CONSULTATION**

As a policy with a largely internal focus, this policy is not considered to require any public consultation.

#### **OFFICER COMMENT**

This report presents the review of the Council's Policy 037 – Code of Conduct. As a result of this review it was established that the contents of this policy would be more appropriately contained as a suite of separately published Corporate documents – a consolidated version and its four main component parts to create a Code more relevant to the group of persons to whom the Code relates.

During the ordinary course of reviewing the policy, the contents have been modified by making minor changes (mainly updates) to create a new "Consolidated" Code of Conduct. This Code has then been separated into four distinct documents:

- Council Members Code of Conduct;
- Committee Members Code of Conduct;
- Employees Code of Conduct; and
- Contractors Code of Conduct.

Each of these individual Codes will be made available to the particular class of person to whom the Code relates.

#### **CONCLUSION**

As part of the regular practice of reviewing Council policies, a review was carried out on Policy 037 Code of Conduct. Following this review officers are recommending that the policy be cancelled and that a stand-alone suite of Codes be adopted by Council.

#### **OPTIONS**

The Council may not agree to re-endorsement of the existing policy and may seek to make alterations to the policy.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The existing policy would be cancelled effective immediately upon adoption of Council and the new Codes would become effective.

#### **COMMITTEE RECOMMENDATION AND OFFICER RECOMMENDATION**

#### That the Council:

- 1. Cancel Policy 037 Code of Conduct
- 2. Adopt the suite of documents that form a new Code of Conduct that incorporates the following:
- Consolidated Code of Conduct (Attachment B);
- Council Members Code of Conduct (Attachment C);
- Committee Members Code of Conduct (Attachment D);
- Employees Code of Conduct (Attachment E); and
- Contractors Code of Conduct (Attachment F).

Note: The Committee commented that the pictures be changed to differentiate throughout the Codes of Conduct and the shading and colour should be consistent.

## Attachment A

## Existing Policy 037 Code of Conduct

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Last updated 08/04/2015

037 Code of Conduct V8 Current

#### PURPOSE

A local government, in accordance with Section 5.103(1) of the *Local Government Act 1995*, is required to prepare or adopt a Code of Conduct to be observed by Council members, Committee members and employees. The Code of Conduct is to contain matters as prescribed by Regulations and can also make further provision for expectations of Council members, Committee members and employees.

The Code of Conduct is a statement of guidance for Council members that is supplementary to the enforceable rules in the *Local Government (Rules of Conduct) Regulations 2007.* It is also a statement of guidance and specific requirements to be observed by Committee members and employees of the City of Busselton.

#### 2. SCOPE

#### 2.1 DEFINITIONS

"Committee member" - Any member appointed to a Committee constituted by Council in accordance with Section 5.8 of the *Local Government Act 1995* by virtue of Section 5.10 of that Act, whether a Council member or not

"Council member" - Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor.

**"Employee"** - Any person who is employed by the City of Busselton. For the purposes of the sections of the Code of Conduct in relation to employees' disclosure of interests, this shall include a person who under a contract for services with the local government will provide advice or a report on a matter.

The Code of Conduct is to apply, insofar as it is applicable to each type of person, to every Council member, Committee member and employee of the City of Busselton. Any provision in this Code of Conduct is of effect only to the extent that it is not inconsistent with the Act and Regulations <Ref: Local Government Act 1995 Section 5.103(3)>, and any other statutory power.

This Code of Conduct does not seek to replicate the role of or requirements for Council members, Committee members or employees contained in other legislation, including but not limited to the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*. The Guiding Statements of Responsibility section of this code requires individuals to be aware of their role and responsibilities.

#### 2.2 OBLIGATION TO OBSERVE

#### 2.2.1 Council members

The obligation to observe a Code of Conduct for Council members arises from Section 5.103 of the *Local Government Act 1995* and a declaration that they have made to observe that code or the Rules of Conduct Regulations, upon election to the Council at a swearing in ceremony before a Justice of the Peace or a person authorised by the *Oaths, Affidavits and Statutory Declarations Act 2005* to take statutory declarations.

Further to that, aspects of the Code of Conduct are also linked to the *Local Government Act 1995* and associated Rules of Conduct Regulations which are enforceable in their own right.

Last updated 08/04/2015

#### 2.2.2 Committee members

The obligation for Committee members (that are not also Council members) to observe a Code of Conduct arises from the requirement in Section 5.103 of the *Local Government Act 1995*. Committee members are appointed to their positions by the Council in accordance with Section 5.10 of that Act and can also be removed from the office by the local government in accordance with Section 5.11(2)b of the Act.

#### 2.2.3 Employees

The obligation for employees to observe a Code of Conduct arises from Section 5.103 of the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* <Ref: Administration Regulations 34B and 34C> and the terms and conditions of their employment with the City of Busselton. The observance of Council policies is a key responsibility of any employee and any breach of those responsibilities could incur disciplinary action, including termination, via the management framework established in accordance with the CEO's responsibilities under Section 5.41(g) of the *Local Government Act 1995*.

#### 2.3 BREACH OF CERTAIN PROVISIONS

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by another statutory body, including but not limited to the Department of Local Government and Regional Development and the Corruption and Crime Commission.

#### 3. POLICY CONTENT

#### 3.1 GUIDING STATEMENTS OF RESPONSIBILITY

#### 3.1.1 Principles

- (a) In acting in the capacity of a Council member, Committee member or employee of the City of Busselton, all persons shall espouse the principles outlined in regulation 3 of the *Local Government* (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:
  - · Act with reasonable care and diligence;
  - Act with honesty and integrity;
  - Act lawfully;
  - Avoid damage to the reputation of the local government;
  - Be open and accountable;
  - Base decisions on relevant and factually correct information;
  - Treat others with respect and fairness;
  - Not be impaired by mind affecting substances.
- (b) Additionally, all Council members, Committee members and employees shall:
  - Provide relevant and factually correct information to decision-makers;
  - Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
  - Act in accordance with their obligation of fidelity to the local government;
  - Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
  - Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time <Ref: City of Busselton Strategic Community Plan, Annual Budget et al>;
  - Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters <Ref: Local Government Act 1995 Sections 2.7, 2.8, 2.9, 2.10, 5.41, part 5</li>

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division 9 and generally; Local Government (Rules of Conduct) Regulations 2007; Local Government (Administration) Regulations 1996 regulations 34B and 34C; Committee Terms of Reference; Employee Position Descriptions; Delegations Register et al>.

- Refrain from making allegations which are improper or derogatory, unless true, in the public interest and in an appropriate forum;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.

#### 3.1.2 Achievement of priorities

The local government framework of: the Council, the staff body and any Committees that the Council resolves to constitute; is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.

#### MATTERS OF CONDUCT 3.2

#### **General** - Applicable to Council members, Committee members and employees

### 3.2.1.1 Lawful actions

It is the responsibility of all Council members, Committee members and employees to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position.

Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.

#### 3.2.1.2 Compliance with orders and policies

Council members, Committee members and employees will comply with any lawful and reasonable order given by any person having authority to make or give such an order.

Any doubts as to the propriety of any such order shall be taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.

Council members, Committee members and employees will give effect to the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decisionmaking, whether or not they agree with or approve of them.

#### 3.2.1.3 Conflicts of interest

An important consideration for any Council member, Committee member or employee is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties.

Any Council member, Committee member or employee intending to undertake a dealing in land within the local government area that involves an application for planning consent or subdivision approval, or which may otherwise be in conflict with the City's functions, shall provide written notice of this intention to the Chief Executive Officer. The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then within 7 days of the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

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Last updated 08/04/2015

(b) Where a relative (refer definition in section 3.2.4.2 of this code) of a Council member, Committee member or employee with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for planning consent or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.2.1.3 (a).

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- (c) Where it is the Chief Executive Officer or a relative of the Chief Executive Officer intending to undertake a dealing in land in accordance with this section, the written notification required is to be provided to the Mayor.
- (d) When an application is made by a Council member, Committee member, employee or a relative of any of those persons, the Council member, Committee member or employee has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Council members, Committee members and employees shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.
- (e) In receiving a written notice on a matter where a local government decision is required, the Chief Executive Officer or the Mayor as the case may be, shall consult with the most senior officer within the directorate responsible for planning who is not otherwise the employee dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision.

Nothing in section 3.2.1.3 negates or replaces the disclosure requirements of any person in accordance with Division 6 of the *Local Government Act 1995* <Disclosure of Financial Interests>; Regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* <Disclosure of Interest> or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a Council member, Committee member or an employee.

The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

#### 3.2.2 Council members

Specific rules for Council members are defined in part 2 of the *Local Government (Rules of Conduct)* Regulations 2007.

- (a) Further to that, Council members are to recognise their role as distinguished from that served by employees of the City of Busselton, and the Council (ie in its convened state).
- (b) Council members when interacting with employees of the City of Busselton in their capacity as a Council member shall observe the protocol of making requests for information and discussing the business of the Council with the relevant Director and/or the identified responding officer during any organised briefing session for a matter before the Council for consideration. The liaison between individual Council member and individual employee on matters of local government business shall be conducted in a respectful, courteous and honest manner.

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#### 3.2.3 Committee members

#### 3.2.3.1 Disclosure of interest

(a) The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a Committee member carrying out their role shall be made, insofar as the provisions can relate to Committee members, in accordance with the requirements for employees in 3.2.4.1 (a) of this Code of Conduct.

#### 3.2.3.2 Gifts

(a) If a Committee member is offered a gift of any description in connection with the performance of their role as a Committee member, the member shall seek advice in relation to that offer from the CEO of the City of Busselton, or his nominated representative, before accepting any gift.

The advice provided shall be in accordance with the requirements for Council members and employees.

#### 3.2.3.3 Confidential information

(a) A Committee member must not disclose confidential information obtained in the performance of their duties to any other person outside of the Committee or relevant Local Government employees.

For the purposes of section 3.2.3.3 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the *Local Government Act 1995*, or that is in a document of the local government that is marked confidential.

#### 3.2.3.4 Use of local government resources

(a) A Committee member shall make proper use of the local government's resources as allocated to the Committee, including but not limited to assistance from employees, stationary, access to the office and meeting rooms of the local government, and only for the purposes of advancing the work and requirements of the Committee in accordance with its Terms of Reference.

#### 3.2.3.5 Relationships with the local government

- (a) Committee members shall not direct or attempt to direct any local government employee to do or not to do anything.
- (b) Employees of the local government will be allocated where and as necessary to assist a Committee with its required tasks. It is expected that Committee members and employees with any responsibility in relation to that Committee will work together with a spirit of cooperation and understanding.
- (c) A Committee or Committee member shall not undertake tasks that contribute to the administration of the local government, except those tasks that are the direct responsibility of the Committee in accordance with its Terms of Reference and Council policies relating to Committees. It is noted that Council considers members of its Management and Advisory Committees as working members and thus they are to contribute to the body of work required to be done by the Committee.

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#### 3.2.4 Employees

#### 3.2.4.1 Disclosure of interest

#### Definitions for the purposes of section 3.2.4.1

"Interest" - Any interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:
  - (i) in a written notice to the CEO before the meeting; and/or
  - (ii) at the meeting immediately before the matter is discussed.
- (b) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:
  - (i) in a written notice given to the CEO before the meeting; and/or
  - (ii) at the time the advice is given.
- (c) If in order to comply with the requirements of 3.2.4.1 (a) or (b) an employee makes a disclosure in a written notice given to the CEO before a meeting, then:
  - before that meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting;
  - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present.
- (d) If in order to comply with the requirements of section 3.2.4.1:
  - (i) the nature of an employee's interest in a matter is disclosed at a meeting; or
  - a disclosure is made at a meeting if it is realised that an employee has an interest in a matter that they had not previously realised was for discussion at that meeting; or
  - (iii) the presiding member brings to the attention of those present at the meeting a written disclosure:

then the nature of the interest is to be recorded in the minutes of the meeting.

Section 3.2.4.1 does not apply to interests referred to in Section 5.60 of the *Local Government Act 1995* (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

An employee is excused from a requirement under 3.2.4.1 (a) or (b) to disclose the nature of an interest if:

- the employee's failure to disclose occurs because they did not know that he or she had an interest in the matter; or
- (ii) the employee's failure to disclose occurs because the employee did not know the matter in which he or she had an interest would be discussed at the meeting and the employee discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

Any interest that arises for an employee on a matter before the Council or a Committee for determination is required to be disclosed in the manner specified in 3.2.4.1 (a) or (b). However, in recognition of the requirements discharged by employees during the course of their employment, including but not limited to the exercise of delegated authority, purchasing and tender evaluation, recruitment and selection, inspection and regulation, interests shall also be disclosed in other circumstances. Disclosures are required to be made to the CEO of the City of Busselton in these circumstances.

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- (e) If during the course of discharging the requirements of their employment, an employee becomes aware of an interest or a potential interest, that interest or potential interest is to be disclosed in a prompt and full manner to the CEO and direction sought on the ability to continue to discharge the requirements of their employment in this case.
- (f) If an employee is intending to engage in private work outside of their employment with the City of Busselton, either with a person or body with an interest in a proposed or current contract with the local government, or if the arrangement could, or could reasonably be perceived to, either immediately or in the future, result in an interest for the employee arising in their employment with the City of Busselton, the intention to engage in this work shall be disclosed in a prompt and full manner to the CEO and direction sought on the appropriateness of the arrangement.

#### 3.2.4.2 Gifts

#### Definitions for the purposes of section 3.2.4.2 (and 3.2.1.3 relative)

"Activity involving a local government discretion" - Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

**Gift"** - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the *Local Government Act 1995*). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth \$300 or more.

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

- (a) Employees are required to refrain from accepting a prohibited gift from a person who:
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- (b) An employee who accepts a notifiable gift from a person who:
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion:

is required to notify the CEO of the acceptance within 10 days of accepting the gift.

## Attachment A Existing Policy 037 Code of Conduct

Last updated 08/04/2015

10.5

- (c) The notification of the acceptance of a notifiable gift is required to be in writing and include details of:
  - (i) The name of the person who gave the gift;
  - (ii) The date on which the gift was accepted;
  - (iii) A description and the estimated value of the gift;
  - (iv) The nature of the relationship between the employee and the person who gave the gift.
- (d) If the gift is notifiable as it is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
  - (i) A description;
  - (ii) The estimated value;
  - (iii) The date of acceptance.
- (e) The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given to comply with a requirement under section 3.2.4.2.

#### 3.2.4.3 Confidential information

(a) Confidential information must only be disclosed by an employee to another person to the extent that is necessary for the employee to do so in the performance of his or her duties.

For the purposes of section 3.2.4.3 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the *Local Government Act 1995*, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

Nothing in this section enables the disclosure of any confidential or sensitive information to any Council member or Committee member if the information does not directly relate to a confidential matter that is on the agenda for a meeting of the Council or the Committee, nor to any employee who is not empowered or required by virtue of their position in the organisation to have that information.

The handling of confidential or sensitive information is a significant responsibility for employees with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of the employee's responsibilities.

#### 3.2.4.4 Use of local government resources

(a) An employee shall make proper use of the local government's resources and shall not use them for personal or private purposes, unless the use is otherwise provided for in a contract of employment, or authorised by the CEO by some other means.

It is acknowledged that minor incidental (not primary and not majority) use of certain resources will be provided for in operational requirements. (An example of this would be to conduct an internet search or check a personal email account on a Shire computer during a designated break. This type of minor incidental use is provided for in the City's email and internet practice, whereby it is stated these facilities are for almost exclusive business use).

14 June 2017

Last updated 08/04/2015

#### 3.2.4.5 Relationships with Council members and Committee members

Employees are employed by and responsible to the CEO of the City of Busselton. While their direction, supervision and management is the sole responsibility of the CEO in accordance with Section 5.41(g) of the Local Government Act 1995, it is also recognised that the Chief Executive Officer has a responsibility to the Council of the City of Busselton to ensure employees provide it with relevant and quality advice.

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Employees shall therefore be aware of their duty to, via the Chief Executive Officer, provide relevant and quality advice to the Council and Committees. They shall also act courteously and with due respect during their dealings with the Council, any Committee, any Council member or Committee member. It is expected that employees will deal with each other, Council members and Committee members in an honest and respectful manner.

#### 3.2.4.6 Administrative practices

As an overarching principle of employment, employees, in attending to their duties for the City of Busselton in their required and normal hours of employment including approved overtime, shall give their full attention to their duties and requirements throughout that time to ensure that their work is carried out efficiently and effectively. Employees shall comply with any lawful and reasonable order given by any person having the authority to make or give such an order, (noting the restrictions on Councillors or Committee members in relation to directing local government employees). They will also give effect to the lawful decisions of the Council in a prompt and effective manner.

#### **Policy Background**

Policy Reference No. - O37 Owner Unit - Governance

Originator - Manager, Governance Services

Policy approved by - Council Date Approved - 25 June 2011

Review Frequency – As required, no statutory timeframe

Related Documents -

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

Local Government (Administration) Regulations 1996

Shire of Busselton Standing Orders Local Law

Background - Initiated October 2007 to replace former policy 037 (Code of Conduct) and former policy 238 (Planning Applications Lodged With the Shire by Elected Members, Employees and Closely Associated Persons).

## **History**

<b>Council Resolution</b>	Date	Information
C1504/081	8 April, 2015	Version 8
C1107/230	27 July, 2011	Addition of the words "purchasing and tender evaluation" to the Employee Disclosure of Interests section and deletion of Strategic Plan dates to simply refer to the Strategic Plan Version 7
C0806/193	26 June, 2008	New code of conduct adopted by Council as a result of requirements of new legislation.  Version 6

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Last updated 08/04/2015

C0412/435	8 December, 2004	Re-resolved as a continuing policy of the
		Council - no change.
		Version 5
C0404/136	28 April, 2004	Reaffirmed by Council decision - no
		change.
		Version 5
C015/268	7 May, 2001	Revised Code of Conduct adopted.
		Version 5
C006/0367	28 June, 2000	Inclusion of additional impartiality
		interest disclosure clauses.
		Version 4
C1099/0490	27 October, 1999	Revised Code of Conduct adopted.
		Version 3
C998/0343	11 August, 1999	Inclusion of clauses requiring a register of
		token gifts to be kept and requirements
		for the acceptance of gifts
		Inclusion of clauses requiring impartiality
C998/0347		interests to be disclosed
		Version 2
		Version 1

# City of Busselton Code of Conduct Consolidated Code



Where environment, lifestyle and opportunity meet



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# Message from the Chief Executive Officer

The Code of Conduct outlines the standards of behaviour Council members, Committee members, employees and City of Busselton contractors are required to follow in relation to their conduct as representatives of this local government organisation.

The City of Busselton is one of the fastest growing local government areas in the State of Western Australia. The City has seen significant change and growth over the past 10 years and we expect this to continue in the future. This rapid growth and changing demographic demands a 'go-ahead' approach and the City prides itself on being able to respond and adapt to the needs of its community quickly and professionally.



In this dynamic work environment, the City of Busselton Code of Conduct is a mainstay for personal interaction and good governance. It underpins our corporate values. It guides our behaviour and conduct as we work with the community to realise our shared vision for a vibrant and cohesive City. There are four separate additional components of the Code, for which individual documents exist:

- A Consolidated Code (this document)
- · A Code for Council Members
- · A Code for Committee Members
- · A Code for Employees; and
- A Code for Contractors

It is important that each class of person to whom the Code applies is familiar with the Code and the responsibilities outlined within it. The Code of Conduct has application across all facets of City of Busselton business and is relevant to all City representatives. The principles outlined in the Code of conduct underpin how we, in our capacity as public service providers, will interact with one another as well as with external stakeholders.

Regards

Mike Archer

CEO City of Busselton.

# Our Values

As representatives of the City, these core values will underpin what we do and how we do it:

# Pride in Performance

- Strive for Excellence to deliver good quality work
- 'Can Do' Attitude
- Meeting deadlines
- · Recommending and actioning change

# **Empowerment**

- Develops People providing opportunities to be accountable
- · Being willing to take action and learn from mistakes
- Leads by being a positive role model and focuses on achieving good outcomes for the City

# **Mutual Respect**

- · Treats others with respect
- Embraces diversity, tolerance and difference
- Shows good customer service to internal customers

# Strength as a team

- Shows strong support for others to achieve organisational goals
- Actively works to foster a sense of team
- · Takes a whole of organisation approach

# Community focus

- Professional approach in all that we do
- Engages with the community to achieve outcomes
- Responsive and high quality customer service



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# City of Busselton Code of Conduct

#### 1. INTRODUCTION

The City of Busselton, in accordance with Section 5.103(1) of the Local Government Act 1995, is required to prepare, adopt and adhere to a Code of Conduct.

Adoption of the code demonstrates:

- a commitment to observe ethical and professional standards in the performance of duties and functions;
- instills respect between council members, employees and members of the public;
- strengthens community confidence in the integrity of their Local Government organisation.

#### 2. SCOPE

There are five components of the Code of Conduct:

- A Consolidated Code:
- A Code for Council Members;
- A Code for Committee Members;
- A Code for Employees; and
- A Code for Contractors

This Code is an over-arching document and individual Codes apply to each of the groups identified above.

The Code of Conduct contains matters as prescribed by the Local Government Act and Regulations made under the Act and makes further provision for expectations of council members and employees.

It is a statement of guidance for council members supplementary to the enforceable rules in the Local Government (Rules of Conduct) Regulations 2007. The Code of Conduct is also a statement of guidance and specific requirements to be observed by individuals appointed to a Council committee and employees of the City of Busselton including contractors.

Any provision in this Code of Conduct is of effect to the extent that it is not inconsistent with the Act and Regulations (Ref: Local Government Act 1995 Section 5.103(3)), and any other statutory power.

#### 2.1 Definitions

**Council member** - Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor.

Committee member - Any member appointed to a Committee constituted by Council in accordance with Section 5.8 of the Local Government Act 1995 by virtue of Section 5.10 of that Act, whether a Council member or not.

**Employee** - Any person who is employed by the City of Busselton.

Contractor - Includes a person who under a contract for services with the local government will provide advice or a report on a matter. This generally relates to professional persons such as Town Planners, Urban Designers and Economic Advisors who provide advice to Officers and Council in relation to growth, town planning and development options, but is not limited to these professions.

#### 2.2 Obligation to Observe

#### 2.2.1 Council members

The obligation to observe a Code of Conduct for Council members arises from Section 5.103 of the Local Government Act 1995 and a declaration that they have made to observe the Rules of Conduct Regulations, upon election to the Council at a swearing in ceremony before a Justice of the Peace or a person authorised by the Oaths, Affidavits and Statutory Declarations Act 2005 to take statutory declarations.

Further to that, aspects of the Code of Conduct are also linked to the Local Government Act 1995 and associated Rules of Conduct Regulations which are enforceable in their own right.

#### 2.2.2 Committee members

The obligation for Committee members (that are not also Council members) to observe a Code of Conduct arises from the requirement in Section 5.103 of the Local Government Act 1995. Committee members are appointed to their positions by the Council in accordance with Section 5.10 of that Act and can also be removed from the office by the local government in accordance with Section 5.11(2)c of the Act.

#### 2.2.3 Employees

The obligation for employees to observe a Code of Conduct arises from Section 5.103 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996 (Ref: Administration Regulations 34B and 34C) and the terms and conditions of their employment with the City of Busselton.

The observance of Council policies and operational practices and procedures is a key responsibility of any contractor and any breach of those responsibilities could incur disciplinary action, including termination of employment.

#### 2.2.4 Contractors

The obligation to certain contractors to observe the Code of Conduct arises from the need to adopt a 'best practice' approach to decision making and increase transparency.

Professional contractors should immediately disclose any conflict of interest or perceived conflict of interest they have when offered an assignment to conduct work on behalf of the City and should make full disclosure in any written material presented to the City.

#### 2.3 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by the City, or by another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



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#### CONTENT

#### 3. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

#### 3.1 Principles

(a) In acting in the capacity of a Council member, Committee member, employee or contractor of the City of Busselton, all persons shall espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- · Act with reasonable care and diligence;
- · Act with honesty and integrity;
- · Act lawfully;
- Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- · Treat others with respect and fairness;
- Not be impaired by mind affecting substances.

(b) Additionally, all Council members, Committee members, employees and contractors shall:

- Provide relevant and factually correct information to decision-makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with their obligation of fidelity to the local government;

- Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time (ie, City of Busselton Strategic Community Plan, Corporate Business Plan and Annual Budget);
- Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters (Ref: Local Government Act 1995 Sections 2.7, 2.8, 2.9, 2.10, 5.41, Part 5 division 9 and generally; Local Government (Rules of Conduct) Regulations 2007; Local Government (Administration) Regulations 1996 regulations 34B and 34C; Committee Terms of Reference; Employee Position Descriptions and Delegations Register).
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.

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#### 3.2 Achievement of Priorities

Attachment B

The local government framework of the Council, any Committees that the Council has resolved to constitute and the employee organisational structure is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.



#### 3.3 General

- (a) It is the responsibility of all Council members, Committee members, employees and contractors to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.
- (b) Council members, Committee members, employees and contractors will comply with any lawful and reasonable instruction given by any person having authority to make or give such an instruction.

Any doubts as to the propriety of any such instruction shall be taken up with the superior of the person who gave the instruction and, if resolution cannot be achieved, with the Chief Executive Officer.

(c) Council members (noting that the CEO has the statutory authority to implement Council decisions), Committee members, employees and contractors will recognise the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision- making, whether or not they agree with or approve of them.

#### 3.4 Conflicts of interest

An important consideration for any Council Member, Committee Member, employee or contractor is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties. This is a very detailed area and the relevant legislation should be read and understood by all persons to whom this Code relates to.

In addition to the statutory requirements referred to above, for the purpose of this Code, the City requires the following relating to Applications for Development approval to be observed.

(a) Any Council member, Committee member, employee or contractor intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, an application for approval of a structure plan, local development or activity centre plan, or a proposal to rezone or otherwise amend the town planning scheme, or which may otherwise be in conflict with the City's functions, shall provide written notice of this intention to the Chief Executive Officer.

The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then no less than 7 days before the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

- (b) Where a relative (refer to section 3.9 of this code) of a Council member, Committee member, employee or contractor with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.4 (a).
- (c) Where it is the Chief Executive Officer or a relative of the Chief Executive Officer intending to undertake a dealing in land in accordance with this section, the written notification required is to be provided to the Mayor.
- (d) When an application is made by a Council member, Committee member, employee, contractor, or a relative of any of those persons, the person has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Council members, Committee members, employees or contractors shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.

(e) In receiving a written notice on a matter referred to in (a) or (b) above, the Chief Executive Officer or the Mayor as the case may be, shall consult with the most senior officer within the directorate responsible for planning who is not otherwise the employee dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision. The costs of referring applications to an independent person will be borne by the City.

The Chief Executive Officer (or Mayor if the matter involves the CEO) may in some circumstances, determine that it would be appropriate to defer the decision until such time as the application has been assessed internally and/or, where necessary, until consultation has been completed. The purpose of deferring the decision in such circumstances would be to identify properly the extent and nature of discretion involved, and/or the level of community interest in the matter.

Nothing in section 3.4 of the Code negates or replaces the disclosure requirements of any person in accordance with Division 6 of the Local Government Act 1995 (Disclosure of Financial Interests); Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 (Disclosure of Interest) or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a Council member, Committee member, employee or contractor.



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#### 3.5 Council Members

Specific rules for Council members are contained in Part 2 of the Local Government (Rules of Conduct) Regulations 2007.

- (a) Council members are to recognise their role as distinguished from that served by employees of the City of Busselton, and the Council (ie in its convened state).
- (b) Council members when interacting with employees of the City of Busselton in their capacity as a Council member shall observe the protocol of making requests for information and discussing the business of the Council with the relevant Director and/or the identified responding officer during any organised briefing session for a matter before the Council for consideration. The liaison between individual Council member and individual employee on matters of local government business shall be conducted in a respectful, courteous and honest manner.
- c) A Council member must not disclose confidential information obtained in the performance of their duties to any other person outside of the Council or relevant Local Government employees.

For the purposes of section 3.5 (c) of the Code confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential.

#### 3.6 Committee Members

#### a) Disclosure of interest

The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a Committee member carrying out their role shall be made, insofar as the provisions can relate to Committee members, in accordance with the requirements for employees in 3.7 of this Code of Conduct.

#### b) Gifts

If a Committee member is offered a gift of any description in connection with the performance of their role as a Committee member, the member shall seek advice in relation to that offer from the CEO of the City of Busselton, or his nominated representative, before accepting any gift.

The advice provided shall be in accordance with the requirements for Council members and employees.

#### c) Confidential information

A Committee member must not disclose confidential information obtained in the performance of their duties to any other person outside of the Committee or relevant Local Government employees.

For the purposes of section 3.6 (c) of the Code confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential.

#### d) Use of local government resources

A Committee member shall make proper use of the local government's resources as allocated to the Committee, including but not limited to assistance from employees, stationary, access to the office and meeting rooms of the local government, and only for the purposes of advancing the work and requirements of the Committee in accordance with its Terms of Reference.



The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

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Consolidated Code of Conduct

#### e) Relationships with the local government

- Committee members shall not direct or attempt to direct any local government employee to do or not to do anything.
- Employees of the local government will be allocated where and as necessary to assist a Committee with its required tasks. It is expected that Committee members and employees with any responsibility in relation to that Committee will work together with a spirit of cooperation and understanding.
- A Committee or Committee member shall not undertake tasks that contribute to the administration of the local government, except those tasks that are the direct responsibility of the Committee in accordance with its Terms of Reference and Council policies relating to Committees. It is noted that Council considers members of its Management and Advisory Committees as working members and thus they are to contribute to the body of work required to be done by the Committee.

#### 3.7 Employees

#### a) Disclosure of interest

"Interest" - Any interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:

   (i) in a written notice to the CEO before the meeting; and/or
  - (ii) at the meeting immediately before the matter is discussed.

- An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:

   (i) in a written notice given to the CEO before the meeting; and/or
   (ii) at the time the advice is given.
- If in order to comply with the requirements of this clause an employee makes a disclosure in a written notice given to the CEO before a meeting, then:

   (i) before that meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting;
   (ii) immediately before a matter to which the disclosure relates is discussed at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present.
- If in order to comply with the requirements
  of this clause an employee declares an
  interest in a matter at a meeting; or
  (i) a disclosure is made at a meeting if it is
  realised that an employee has an interest
  in a matter that they had not previously
  realised was for discussion at that meeting;
  or
  - (ii) the presiding member brings to the attention of those present at the meeting a written disclosure; then the nature of the interest is to be recorded in the minutes of the meeting.



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It is important to note that Section 3.7 of the Code in addition to requirements relating to interests referred to in the Local Government Act 1995 (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

An employee is excused from a requirement under 3.7 (a) to disclose the nature of an interest if:

- (i) the employee's failure to disclose occurs because they did not know that he or she had an interest in the matter; or
- (ii) the employee's failure to disclose occurs because the employee did not know the matter in which he or she had an interest would be discussed at the meeting and the employee discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

Any interest that arises for an employee on a matter before the Council or a Committee for determination is required to be disclosed in the manner specified in 3.7 (a). However, in recognition of the requirements discharged by employees during the course of their employment, including but not limited to the exercise of delegated authority, purchasing and tender evaluation, recruitment and selection, inspection and regulation, interests shall also be disclosed in other circumstances. Disclosures are required to be made to the CEO of the City of Busselton in these circumstances.

If during the course of discharging the requirements of their employment, an employee becomes aware of an interest or a potential interest, that interest or potential interest is to be disclosed in a prompt and full manner to the CEO and direction sought on the ability to continue to discharge the requirements of their employment in this case.

If an employee is intending to engage in private
work outside of their employment with the City
of Busselton, either with a person or body with
an interest in a proposed or current contract
with the local government, or if the arrangement
could, or could reasonably be perceived to, either
immediately or in the future, result in an interest
for the employee arising in their employment
with the City of Busselton, the intention to
engage in this work shall be disclosed in a prompt
and full manner to the CEO and direction sought
on the appropriateness of the arrangement.

#### 3.8 Contractors

#### a) Disclosure of interest

The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a contractor carrying out their role shall be made, insofar as the provisions can relate to contractors.

#### b) Gifts

If a contractor is offered a gift of any description in connection with the performance of their role as a contractor, the member shall seek advice in relation to that offer from the CEO of the City of Busselton, or his nominated representative, before accepting any gift.

#### c) Confidential information

A contractor must not disclose confidential information obtained in the performance of their duties to any other person outside of the contract or relevant Local Government employees.



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## Definitions

3.9 Gifts

## "Activity involving a local government discretion"

 Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

"Gift" - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth \$300 or more.

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

- Employees are required to refrain from accepting a prohibited gift from a person
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- An employee who accepts a notifiable gift from a person who:
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion;
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion;
  - is required to notify the CEO of the acceptance within 10 days of accepting the gift.
- The notification of the acceptance of a notifiable gift is required to be in writing and include details of:
  - (i) The name of the person who gave the gift;
  - (ii) The date on which the gift was accepted; (iii) A description and the estimated value of
  - (iv) The nature of the relationship between the employee and the person who gave the gift
- If the gift is notifiable as it is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
  - (i) A description;
  - (ii) The estimated value;
  - (iii) The date of acceptance.
- The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given under this section.

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#### 3.10 Confidential information

Attachment B

Confidential information must only be disclosed by an employee to another person to the extent that is necessary for the employee to do so in the performance of his or her duties.

For the purposes of section 3.10 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

Nothing in this section enables the disclosure of any confidential or sensitive information to any Council member or Committee member if the information does not directly relate to a confidential matter that is on the agenda for a meeting of the Council or the Committee, nor to any employee who is not empowered or required by virtue of their position in the organisation to have that information.

The handling of confidential or sensitive information is a significant responsibility for employees with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of the employee's responsibilities.

#### 3.11 Use of local government resources

An employee shall make proper use of the local government's resources and shall not use them for personal or private purposes, unless the use is otherwise provided for in a contract of employment, or authorised by the CEO by some other means.

It is acknowledged that minor incidental (not primary and not majority) use of certain resources will be provided for in operational requirements.

(An example of this would be to conduct an internet search or check a personal email account on a City computer during a designated break. This type of minor incidental use is provided for in the City's email and internet practice, whereby it is stated these facilities are for almost exclusive business use).

# 3.12 Relationships with Council members and Committee members

Employees are employed by and responsible to the CEO of the City of Busselton. While their direction, supervision and management is the sole responsibility of the CEO in accordance with Section 5.41(g) of the Local Government Act 1995, it is also recognised that the Chief Executive Officer has a responsibility to the Council of the City of Busselton to ensure employees provide it with relevant and quality advice.

Employees shall therefore be aware of their duty to, via the Chief Executive Officer, provide relevant and quality advice to the Council and Committees. They shall also act courteously and with due respect during their dealings with the Council, any Committee, any Council member or Committee member. It is expected that employees will deal with each other, Council members and Committee members in an honest and respectful manner.

#### 3.13 Administrative practices

As an overarching principle of employment, employees, in attending to their duties for the City of Busselton in their required and normal hours of employment including approved overtime, shall give their full attention to their duties and requirements throughout that time to ensure that their work is carried out efficiently and effectively. Employees shall comply with any lawful and reasonable order given by any person having the authority to make or give such an order, (noting the restrictions on Councillors or Committee members in relation to directing local government employees). They will also give effect to the lawful decisions of the Council in a prompt and effective manner.

# **Background**

Code of Conduct approved by: Council in May 2017 Review Frequency: As required, no statutory timeframe

Related Documents: Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Local Government (Administration) Regulations 1996

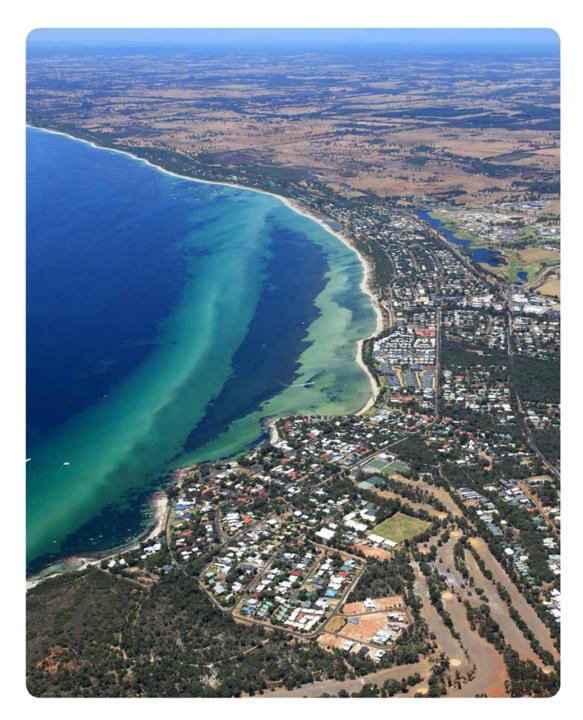
## **HISTORY**

Council Resolution	Date	Information
	May, 2017	Policy cancelled; Codes adopted as suite of corporate documents.



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14 June 2017



## **City of Busselton**

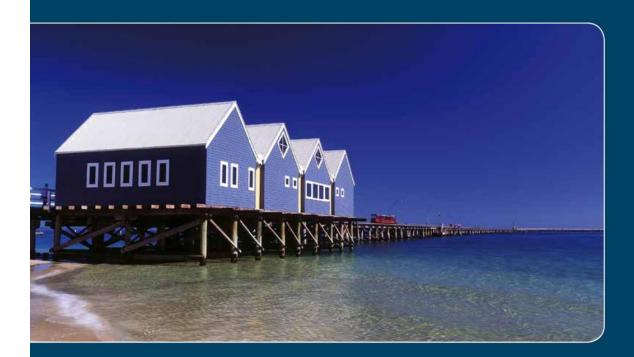
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# City of Busselton Code of Conduct Council Members



Where environment, lifestyle and opportunity meet



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# Message from the Chief Executive Officer

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The City of Busselton is one of the fastest growing local government areas in the State of Western Australia. The City has seen significant change and growth over the past 10 years and we expect this to continue in the future. This rapid growth and changing demographic demands a 'go-ahead' approach and the City prides itself on being able to respond and adapt to the needs of its community quickly and professionally.



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A Code for Contractors

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Regards

Mike Archer

CEO City of Busselton.

# Our Values

As representatives of the City, these core values will underpin what we do and how we do it:

# Pride in Performance

- Strive for Excellence to deliver good quality work
- 'Can Do' Attitude
- Meeting deadlines
- · Recommending and actioning change

# **Empowerment**

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- Leads by being a positive role model and focuses on achieving good outcomes for the City

# **Mutual Respect**

- Treats others with respect
- Embraces diversity, tolerance and difference
- Shows good customer service to internal customers

# Strength as a team

- Shows strong support for others to achieve organisational goals
- Actively works to foster a sense of team
- Takes a whole of organisation approach

# Community focus

- Professional approach in all that we do
- Engages with the community to achieve outcomes
- Responsive and high quality customer service



City of Busselton | Code of Conduct 03

# City of Busselton Code of Conduct

## 1. INTRODUCTION

The City of Busselton, in accordance with Section 5.103(1) of the Local Government Act 1995, is required to prepare, adopt and adhere to a Code of Conduct.

Adoption of the code demonstrates:

- a commitment to observe ethical and professional standards in the performance of duties and functions;
- instills respect between council members, employees and members of the public;
- strengthens community confidence in the integrity of their Local Government organisation.

#### 2. SCOPE

There are five components of the Code of Conduct:

- A Consolidated Code:
- A Code for Council Members;
- A Code for Committee Members;
- A Code for Employees; and
- A Code for Contractors

This Code applies to all Council members of the City of Busselton.

The Code of Conduct contains matters as prescribed by the Local Government Act and Regulations made under the Act and makes further provision for expectations of council members. It is a statement of guidance for council members supplementary to the enforceable rules in the Local Government (Rules of Conduct) Regulations 2007.

Any provision in this Code of Conduct is of effect to the extent that it is not inconsistent with the Act and Regulations (Ref: Local Government Act 1995 Section 5.103(3)), and any other statutory power.

#### 2.1 Definitions

**Council member** - Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor.

A Council member may also be a Committee member.

### 2.2 Obligation to Observe

#### **Council members**

The obligation to observe a Code of Conduct for Council members arises from Section 5.103 of the Local Government Act 1995 and a declaration that they have made to observe the Rules of Conduct Regulations, upon election to the Council at a swearing in ceremony before a Justice of the Peace or a person authorised by the Oaths, Affidavits and Statutory Declarations Act 2005 to take statutory declarations.

Further to that, aspects of the Code of Conduct are also linked to the Local Government Act 1995 and associated Rules of Conduct Regulations which are enforceable in their own right.

#### 2.3 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



#### CONTENT

#### 3. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

## 3.1 Principles

(a) In acting in the capacity of a Council member (or when acting as a Committee member) of the City of Busselton, all persons shall espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- Act with reasonable care and diligence;
- Act with honesty and integrity;
- Act lawfully;
- Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- Treat others with respect and fairness;
- Not be impaired by mind affecting substances.

(b) Additionally, all Council members shall:

- Provide relevant and factually correct information to decision-makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with their obligation of fidelity to the local government;

- Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time (ie, City of Busselton Strategic Community Plan, Corporate Business Plan and Annual Budget);
- Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters (Ref: Local Government Act 1995 Sections 2.7, 2.8, 2.9, 2.10, 5.41, Part 5 division 9 and generally; Local Government (Rules of Conduct) Regulations 2007 and Local Government (Administration) Regulations 1996 regulations 34B and 34C.
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.

#### 3.2 Achievement of Priorities

Attachment C

The local government framework of the Council, any Committees that the Council has resolved to constitute and the employee organisational structure is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.



- (a) It is the responsibility of all Council members to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.
- (b) Council members will comply with any lawful and reasonable instructions given by any person having authority to make or give such an instruction.

Any doubts as to the propriety of any such instruction shall be taken up with the superior of the person who gave the instruction and, if resolution cannot be achieved, with the Chief Executive Officer.

(c) Council members, noting that the CEO has the statutory authority to implement Council decisions, will recognise the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision- making, whether or not they agree with or approve of them.

#### 3.4 Conflicts of interest

An important consideration for any Council Member is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties. This is a very detailed area and the relevant legislation should be read and understood by all persons to whom this Code relates to.

In addition to the statutory requirements referred to above, for the purpose of this Code, the City requires the following relating to Applications for Development approval to be observed.

(a) Any Council member intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, an application for approval of a structure plan, local development or activity centre plan, or a proposal to rezone or otherwise amend the town planning scheme, or which may otherwise be in conflict with the City's functions, shall provide written notice of this intention to the Chief Executive Officer.

5 Attachment C

The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then no less than 7 days before the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

- (b) Where a relative (refer to section 3.7 of this code) of a Council member with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.4 (a).
- (c) When an application is made by a Council member or a relative of that person, the Council member has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Council members shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.
- (d) In receiving a written notice on a matter referred to in (a) or (b) above, the Chief Executive Officer or the Mayor as the case may be, shall consult with the most senior officer within the directorate responsible for planning who is not otherwise the employee dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision. The costs of referring applications to an independent person will be borne by the City.

The Chief Executive Officer or Mayor may, in some circumstances, determine that it would be appropriate to defer the decision until such time as the application has been assessed internally and/or, where necessary, until consultation has been completed. The purpose of deferring the decision in such circumstances would be to identify properly the extent and nature of discretion involved, and/or the level of community interest in the matter.

Nothing in section 3.4 of the Code negates or replaces the disclosure requirements of any person in accordance with Division 6 of the Local Government Act 1995 (Disclosure of Financial Interests); Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 (Disclosure of Interest) or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a Council member.



The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

#### 3.5 Council Members

Specific rules for Council members are contained in Part 2 of the Local Government (Rules of Conduct) Regulations 2007.

- (a) Further to that, Council members are to recognise their role as distinguished from that served by employees of the City of Busselton, and the Council (ie in its convened state).
- (b) Council members when interacting with employees of the City of Busselton in their capacity as a Council member shall observe the protocol of making requests for information and discussing the business of the Council with the relevant Director and/or the identified responding officer during any organised briefing session for a matter before the Council for consideration. The liaison between individual Council member and individual employee on matters of local government business shall be conducted in a respectful, courteous and honest manner.

It is important to note that Section 3.5 of the Code is in addition to requirements relating to interests referred to in the Local Government Act 1995 (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).



#### 3.6 Gifts

#### **Definitions**

#### "Activity involving a local government discretion"

- Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

"Gift" - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth \$300 or more.

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

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The notification of the acceptance of a notifiable gift is required to be in writing and include details of:

 (i) The name of the person who gave the gift;
 (ii) The date on which the gift was accepted;
 (iii) A description and the estimated value of the gift;
 (iv) The nature of the relationship between the

employee and the person who gave the gift.

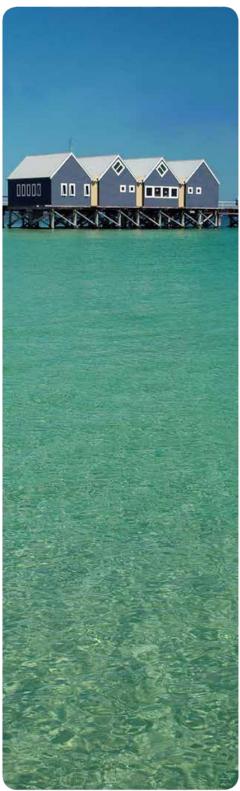
- If the gift is notifiable as it is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
  - (i) A description;
  - (ii) The estimated value;
  - (iii) The date of acceptance.
- The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given under this section.

#### 3.7 Confidential information

Confidential information must only be disclosed to another person to the extent that is necessary to do so in the performance of duties.

For the purposes of section 3.7 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

The handling of confidential or sensitive information is a significant responsibility for Council Members with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of responsibilities.



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# **Background**

Code of Conduct approved by: Council in May 2017 Review Frequency: As required, no statutory timeframe

Related Documents: Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Local Government (Administration) Regulations 1996

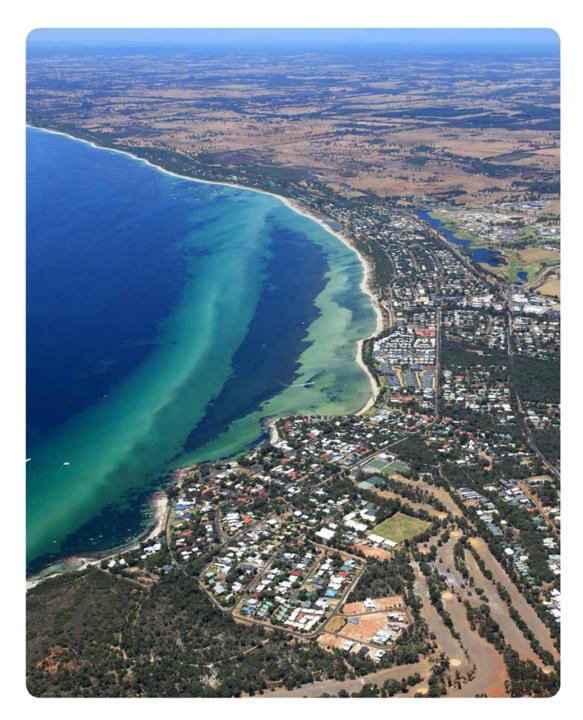
## **HISTORY**

Council Resolution	Date	Information
	May, 2017	Policy cancelled; Codes adopted as suite of corporate
		documents.



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### **City of Busselton**

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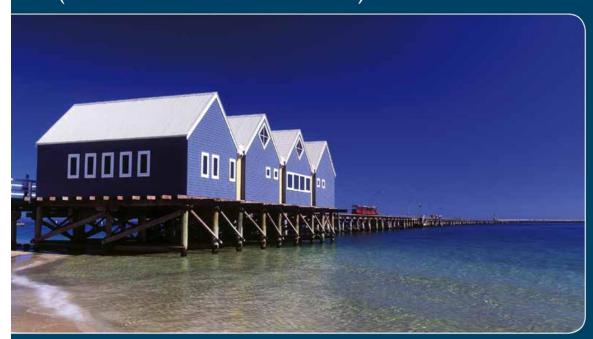


# City of Busselton

# Code of Conduct

# Committee Members

(who are not Council Members)



Where environment, lifestyle and opportunity meet



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# Message from the Chief Executive Officer

The Code of Conduct outlines the standards of behaviour Committee members are required to follow in relation to their conduct as representatives of this local government organisation.

The City of Busselton is one of the fastest growing local government areas in the State of Western Australia. The City has seen significant change and growth over the past 10 years and we expect this to continue in the future. This rapid growth and changing demographic demands a 'go-ahead' approach and the City prides itself on being able to respond and adapt to the needs of its community quickly and professionally.



In this dynamic work environment, the City of Busselton Code of Conduct is a mainstay for personal interaction and good governance. It underpins our corporate values. It guides our behaviour and conduct as we work with the community to realise our shared vision for a vibrant and cohesive City.

There are five separate components of the Code, for which individual documents exist:

- A Consolidated Code
- A Code for Council Members
- A Code for Committee Members (this document)
- A Code for Employees; and
- · A Code for Contractors

It is important that each class of person to whom the Code applies is familiar with the Code and the responsibilities outlined within it. The Code of Conduct has application across all facets of City of Busselton business and is relevant to all City representatives. The principles outlined in the Code of conduct underpin how we, in our capacity as public service providers, will interact with one another as well as with external stakeholders.



Regards Mike Archer CEO City of Busselton.

# **Our Values**

As representatives of the City, these core values will underpin what we do and how we do it:

### Pride in Performance

- Strive for Excellence to deliver good quality work
- 'Can Do' Attitude
- Meeting deadlines
- · Recommending and actioning change

### **Empowerment**

- Develops People providing opportunities to be accountable
- Being willing to take action and learn from mistakes
- Leads by being a positive role model and focuses on achieving good outcomes for the City

### **Mutual Respect**

- · Treats others with respect
- Embraces diversity, tolerance and difference
- Shows good customer service to internal customers

# Strength as a team

- Shows strong support for others to achieve organisational goals
- Actively works to foster a sense of team
- · Takes a whole of organisation approach

# Community focus

- Professional approach in all that we do
- Engages with the community to achieve outcomes
- Responsive and high quality customer service



City of Busselton | Code of Conduct 03

# City of Busselton Code of Conduct

### 1. INTRODUCTION

The City of Busselton, in accordance with Section 5.103(1) of the Local Government Act 1995, is required to prepare, adopt and adhere to a Code of Conduct.

Adoption of the code demonstrates:

- a commitment to observe ethical and professional standards in the performance of duties and functions;
- instills respect between council members, employees and members of the public;
- strengthens community confidence in the integrity of their Local Government organisation.

### 2. SCOPE

There are five components of the Code of Conduct:

- A Consolidated Code;
- A Code for Council Members;
- A Code for Committee Members;
- A Code for Employees; and
- A Code for Contractors

This Code applies to all members of the community appointed to Council Committees of the City of Busselton.

The Code of Conduct contains matters as prescribed by the Local Government Act and Regulations made under the Act and makes further provision for expectations of Committee members. It is a statement of guidance for Committee members supplementary to the enforceable rules in the Local Government (Rules of Conduct) Regulations 2007.

The Code of Conduct is also a statement of guidance and specific requirements to be observed by individuals appointed to a Council committee of the City of Busselton.

Any provision in this Code of Conduct is of effect to the extent that it is not inconsistent with the Act and Regulations (Ref: Local Government Act 1995 Section 5.103(3)), and any other statutory power.

### 2.1 Definitions

Committee member - Any member appointed to a Committee constituted by Council in accordance with Section 5.8 of the Local Government Act 1995 by virtue of Section 5.10 of that Act, whether a Council member or not.

### 2.2 Obligation to Observe

The obligation for Committee members (that may also be Council members) to observe a Code of Conduct arises from the requirement in Section 5.103 of the Local Government Act 1995. Committee members are appointed to their positions by the Council in accordance with Section 5.10 of that Act and can also be removed from the office by the local government in accordance with Section 5.11(2)c of the Act.

### 2.3 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



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### CONTENT

### 3. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

### 3.1 Principles

(a) In acting in the capacity of a Committee member appointed to a committee created by the City of Busselton, all persons shall espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- · Act with reasonable care and diligence;
- · Act with honesty and integrity;
- · Act lawfully;
- Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- · Treat others with respect and fairness;
- Not be impaired by mind affecting substances.

(b) Additionally, all Committee members shall:

- Provide relevant and factually correct information to decision-makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with their obligation of fidelity to the local government;
- Not use or attempt to use their positions for personal benefit or the personal benefit

- of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time (ie, City of Busselton Strategic Community Plan, Corporate Business Plan, Annual Budget);
- Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters (Ref: Local Government Act 1995 Sections 2.7.
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.



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### 3.2 Achievement of Priorities

The local government framework of the Council, any Committees that the Council has resolved to constitute and the employee organisational structure is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.



### 3.3 General

- (a) It is the responsibility of all Committee members to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.
- (b) Committee members will comply with any lawful and reasonable instruction given by any person having authority to make or give such an instruction.

Any doubts as to the propriety of any such instruction shall be taken up with the superior of the person who gave the instruction and, if resolution cannot be achieved, with the Chief Executive Officer.

(c) Committee members (noting the CEO has the statutory authority to implement Council decisions) will recognise the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision- making, whether or not they agree with or approve of them.

### 3.4 Conflicts of interest

An important consideration for any Committee member is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties. This is a very detailed area and the relevant legislation should be read and understood by all persons to whom this Code relates to.

In addition to the statutory requirements referred to above, for the purpose of this Code, the City requires the following relating to Applications for Development approval to be observed.

(a) Any Committee member intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, an application for approval of a structure plan, local development or activity centre plan, or a proposal to rezone or otherwise amend the town planning scheme, or which may otherwise be in conflict with the City's functions, shall provide written notice of this intention to the Chief Executive Officer. The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then no less than 7 days before the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

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(b) Where a relative (refer to section 3.7 of this code) of a Committee member with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.4 (a).

(d) When an application is made by a Committee member or a relative of that member, the Committee member has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Committee members shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.

(e) In receiving a written notice on a matter referred to in (a) or (b) above, the Chief Executive Officer or the Mayor as the case may be, shall consult with the most senior officer within the directorate responsible for planning who is not otherwise the employee dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision. The costs of referring applications to an independent person will be borne by the City.



The Chief Executive Officer or Mayor may, in some circumstances, determine that it would be appropriate to defer the decision until such time as the application has been assessed internally and/or, where necessary, until consultation has been completed. The purpose of deferring the decision in such circumstances would be to identify properly the extent and nature of discretion involved, and/or the level of community interest in the matter.

Nothing in section 3.4 of the Code negates or replaces the disclosure requirements of any person in accordance with Division 6 of the Local Government Act 1995 (Disclosure of Financial Interests); Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 (Disclosure of Interest) or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a Committee member.



The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

### 3.5 Committee Members

### a) Disclosure of interest

The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a Committee member carrying out their role shall be made, insofar as the provisions can relate to Committee members.

It is important to note that Section 3.7 of the Code in addition to requirements relating to interests referred to in the Local Government Act 1995 (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

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### Committee Members Code of Conduct

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### b) Gifts

If a Committee member is offered a gift of any description in connection with the performance of their role as a Committee member, the member shall seek advice in relation to that offer from the CEO of the City of Busselton, or his nominated representative, before accepting any gift.

The advice provided shall be in accordance with the requirements for Council members and employees.

### c) Confidential information

A Committee member must not disclose confidential information obtained in the performance of their duties to any other person outside of the Committee or relevant Local Government employees.

For the purposes of section 3.5 (c) of the Code, confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential.

### d) Use of local government resources

A Committee member shall make proper use of the local government's resources as allocated to the Committee, including but not limited to assistance from employees, stationary, access to the office and meeting rooms of the local government, and only for the purposes of advancing the work and requirements of the Committee in accordance with its Terms of Reference.

### e) Relationships with the local government

- Committee members shall not direct or attempt to direct any local government employee to do or not to do anything.
- Employees of the local government will be allocated where and as necessary to assist a Committee with its required tasks. It is expected that Committee members and employees with any responsibility in relation to that Committee will work together with a spirit of cooperation and understanding.

• A Committee or Committee member shall not undertake tasks that contribute to the administration of the local government, except those tasks that are the direct responsibility of the Committee in accordance with its Terms of Reference and Council policies relating to Committees. It is noted that Council considers members of its Management and Advisory Committees as working members and thus they are to contribute to the body of work required to be done by the Committee.

### 3.6 Gifts

### **Definitions**

"Activity involving a local government discretion" - Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

"Gift" - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

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"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth \$300 or more.

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

- The notification of the acceptance of a notifiable gift is required to be in writing and include details of:
  - (i) The name of the person who gave the gift;
  - (ii) The date on which the gift was accepted;
  - (iii) A description and the estimated value of
  - (iv) The nature of the relationship between the employee and the person who gave the gift.
- If the gift is notifiable as it is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
  - (i) A description;
  - (ii) The estimated value;
  - (iii) The date of acceptance.

The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given to comply with a requirement under Section 3.6.



### 3.7 Confidential information

Confidential information must only be disclosed to another person to the extent that is necessary to do so in the performance of duties.

For the purposes of section 3.7 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

The handling of confidential or sensitive information is a significant responsibility for Committee members with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of responsibilities.

City of Busselton | Code of Conduct 09

# **Background**

Code of Conduct approved by: Council in May 2017 Review Frequency: As required, no statutory timeframe

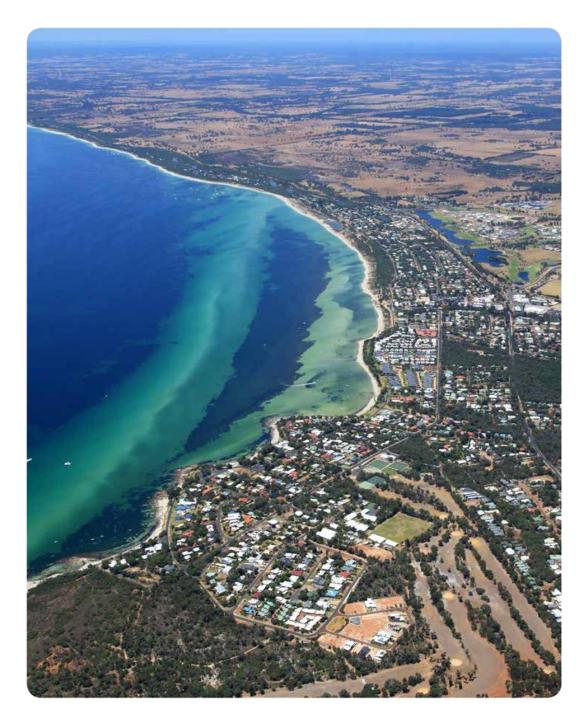
Related Documents: Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Local Government (Administration) Regulations 1996

### **HISTORY**

Council Resolution	Date	Information
	May, 2017	Policy cancelled; Codes adopted as suite of corporate
		documents.



City of Busselton | Code of Conduct 10



### **City of Busselton**

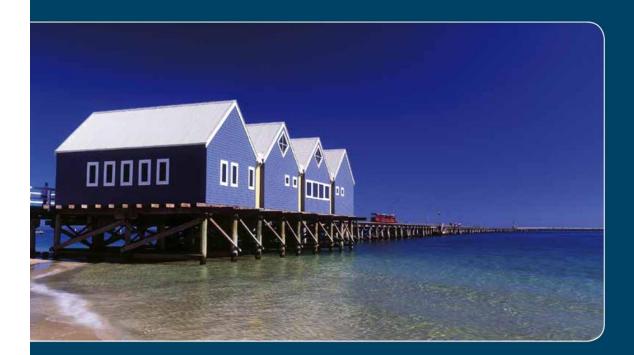
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# City of Busselton Code of Conduct Employees



Where environment, lifestyle and opportunity meet



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**02** Message from the CEO

**Our Values** 

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# Message from the Chief Executive Officer

The Code of Conduct outlines the standards of behaviour employees and City of Busselton contractors are required to follow in relation to their conduct as representatives of this local government organisation.

The City of Busselton is one of the fastest growing local government areas in the State of Western Australia. The City has seen significant change and growth over the past 10 years and we expect this to continue in the future. This rapid growth and changing demographic demands a 'go-ahead' approach and the City prides itself on being able to respond and adapt to the needs of its community quickly and professionally.

In this dynamic work environment, the City of Busselton Code of Conduct is a mainstay for personal interaction and good

governance. It underpins our corporate values. It guides our behaviour and conduct as we work with the community to realise our shared vision for a vibrant and cohesive City. There are five separate components of the Code, for which individual documents exist:

- A Consolidated Code
- A Code for Council Members
- A Code for Committee Members
- A Code for Employees; and (this document)
- A Code for Contractors

It is important that each class of person to whom the Code applies is familiar with the Code and the responsibilities outlined within it. The Code of Conduct has application across all facets of City of Busselton business and is relevant to all City representatives. The principles outlined in the Code of conduct underpin how we, in our capacity as public service providers, will interact with one another as well as with external stakeholders.



Regards Mike Archer CEO City of Busselton.

# Our Values

As representatives of the City, these core values will underpin what we do and how we do it:

### Pride in Performance

- Strive for Excellence to deliver good quality work
- 'Can Do' Attitude
- Meeting deadlines
- · Recommending and actioning change

### **Empowerment**

- Develops People providing opportunities to be accountable
- Being willing to take action and learn from mistakes
- Leads by being a positive role model and focuses on achieving good outcomes for the City

### **Mutual Respect**

- · Treats others with respect
- Embraces diversity, tolerance and difference
- Shows good customer service to internal customers

# Strength as a team

- Shows strong support for others to achieve organisational goals
- Actively works to foster a sense of team
- Takes a whole of organisation approach

# Community focus

- Professional approach in all that we do
- Engages with the community to achieve outcomes
- Responsive and high quality customer service



City of Busselton | Code of Conduct 03

# City of Busselton Code of Conduct

### 1. INTRODUCTION

The City of Busselton, in accordance with Section 5.103(1) of the Local Government Act 1995, is required to prepare, adopt and adhere to a Code of Conduct.

Adoption of the code demonstrates:

- a commitment to observe ethical and professional standards in the performance of duties and functions;
- instills respect between council members, employees and members of the public;
- strengthens community confidence in the integrity of their Local Government organisation.

### 2. SCOPE

There are five components of the Code of Conduct:

- A Consolidated Code;
- A Code for Council Members;
- A Code for Committee Members;
- A Code for Employees; and
- A Code for Contractors

This Code applies to all employees of the City of Busselton.

The Code of Conduct contains matters as prescribed by the Local Government Act and Regulations made under the Act and makes further provision for expectations of employees. The Code of Conduct is a statement of guidance and specific requirements to be observed by employees of the City of Busselton including contractors.

Any provision in this Code of Conduct is of effect only to the extent that it is not inconsistent with the Act and Regulations (Ref: Local Government Act 1995 Section 5.103(3)), and any other statutory power.

### 2.1 Definitions

**Employee** - Any person who is employed by the City of Busselton. For the purposes of the sections of the Code of Conduct in relation to employees' disclosure of interests, this shall include a person who under a contract for services with the local government will provide advice or a report on a matter.

### 2.2 Obligation to Observe

The obligation for employees to observe a Code of Conduct arises from Section 5.103 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996 Clauses 34B and 34C and the terms and conditions of their employment with the City of Busselton.

The observance of Council policies and operational practices and procedures is a key responsibility of any contractor and any breach of those responsibilities could incur disciplinary action, including termination of employment.

### 2.3 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by the City, or another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



### CONTENT

### 3. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

### 3.1 Principles

(a) All employees of the City of Busselton shall espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- · Act with reasonable care and diligence;
- · Act with honesty and integrity;
- · Act lawfully;
- Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- Treat others with respect and fairness;
- Not be impaired by mind affecting substances.
- (b) Additionally, all employees shall:
- Provide relevant and factually correct information to decision-makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with their obligation of fidelity to the local government;
- Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the improper use of information gained in the

- performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time (ie, City of Busselton Strategic Community Plan, Corporate Business Plan and Annual Budget);
- Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters; relevant legislative provisions; operational practices and procedures; and contractual documentation.
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.

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### 3.2 Achievement of Priorities

The local government framework of the Council, any Committees that the Council has resolved to constitute and the employee organisational structure is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.



### 3.3 General

- (a) It is the responsibility of all employees to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.
- (b) Employees will comply with any lawful and reasonable instruction given by any person having authority to make or give such an instruction.

Any doubts as to the propriety of any such instruction shall be taken up with the superior of the person who gave the instruction and, if resolution cannot be achieved, with the Chief Executive Officer.

(c) Employees will give effect to the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision- making, whether or not they agree with or approve of them.

### 3.4 Conflicts of interest

An important consideration for any employee is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties. This is a very detailed area and the relevant legislation should be read and understood by all persons to whom this Code relates to.

In addition to the statutory requirements referred to above, for the purpose of this Code, the City requires the following relating to Applications for Development approval to be observed.

(a) Any employee intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, an application for approval of a structure plan, local development or activity centre plan, or a proposal to rezone or otherwise amend the town planning scheme, or which may otherwise be in conflict with the City's functions, shall provide written notice of this intention to the Chief Executive Officer.

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The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then no less than 7 days before the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

- (b) Where a relative (refer to section 3.7 of this code) of an employee with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.4 (a).
- (c) Where it is the Chief Executive Officer or a relative of the Chief Executive Officer intending to undertake a dealing in land in accordance with this section, the written notification required is to be provided to the Mayor.
- (d) When an application is made by an employee or a relative of the person, the employee has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Council members, Committee members and employees shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.

(e) In receiving a written notice on a matter referred to in (a) or (b) above, the Chief Executive Officer or the Mayor as the case may be, shall consult with the most senior officer within the directorate responsible for planning who is not otherwise the employee dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision. The costs of referring applications to an independent person will be borne by the City.

The Chief Executive Officer or Mayor may, in some circumstances, determine that it would be appropriate to defer the decision until such time as the application has been assessed internally and/or, where necessary, until consultation has been completed. The purpose of deferring the decision in such circumstances would be to identify properly the extent and nature of discretion involved, and/or the level of community interest in the matter.

Nothing in section 3.4 of the Code negates or replaces the disclosure requirements of any person in accordance with Division 6 of the Local Government Act 1995 (Disclosure of Financial Interests); Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 (Disclosure of Interest) or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for an employee.



The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

# 3.5 Relationships with the local government

Employees of the local government will be allocated where and as necessary to assist a Committee with its required tasks. It is expected that employees and Committee members with any responsibility in relation to that Committee will work together with a spirit of cooperation and understanding.

Employees are employed by and responsible to the CEO of the City of Busselton. While their direction, supervision and management is the sole responsibility of the CEO in accordance with Section 5.41(g) of the Local Government Act 1995, it is also recognised that the Chief Executive Officer has a responsibility to the Council of the City of Busselton to ensure employees provide it with relevant and quality advice.

Employees shall therefore be aware of their duty to, via the Chief Executive Officer, provide relevant and quality advice to the Council and Committees. They shall also act courteously and with due respect during their dealings with the Council, any Committee, any Council member or Committee member. It is expected that employees will deal with each other, Council members and Committee members in an honest and respectful manner.

### 3.6 Employees

### a) Disclosure of interest

"Interest" - Any interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:
  - (i) in a written notice to the CEO before the meeting; and/or
  - (ii) at the meeting immediately before the matter is discussed.

- An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:

   in a written notice given to the CEO before the meeting; and/or
   at the time the advice is given.
- If in order to comply with the requirements of this clause an employee makes a disclosure in a written notice given to the CEO before a meeting, then:
  - (i) before that meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting;
  - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present.
- If in order to comply with the requirements
  of this clause an employee declares an
  interest in a matter at a meeting; or
  (i) a disclosure is made at a meeting if it is
  realised that an employee has an interest
  in a matter that they had not previously
  realised was for discussion at that
  meeting; or
  - (ii) the presiding member brings to the attention of those present at the meeting a written disclosure;
  - then the nature of the interest is to be recorded in the minutes of the meeting.



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It is important to note that Section 3.6 is in addition to requirements relating to interests referred to in Section 5.60 of the Local Government Act 1995 (in that a direct or indirect financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

An employee is excused from a requirement under 3.6 (a) to disclose the nature of an interest if:

- the employee's failure to disclose occurs because they did not know that he or she had an interest in the matter; or
- the employee's failure to disclose occurs because the employee did not know the matter in which he or she had an interest would be discussed at the meeting and the employee discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

Any interest that arises for an employee on a matter before the Council or a Committee for determination is required to be disclosed in the manner specified in 3.6 (a). However, in recognition of the requirements discharged by employees during the course of their employment, including but not limited to the exercise of delegated authority, purchasing and tender evaluation, recruitment and selection, inspection and regulation, interests shall also be disclosed in other circumstances. Disclosures are required to be made to the CEO of the City of Busselton in these circumstances.

If during the course of discharging the requirements of their employment, an employee becomes aware of an interest or a potential interest, that interest or potential interest is to be disclosed in a prompt and full manner to the CEO and direction sought on the ability to continue to discharge the requirements of their employment in this case.

If an employee is intending to engage in private work outside of their employment with the City of Busselton, either with a person or body with an interest in a proposed or current contract with the local government, or if the arrangement could, or could reasonably be perceived to, either immediately or in the future, result in an interest for the employee arising in their employment with the City of Busselton, the intention to engage in this work shall be disclosed in a prompt and full manner to the CEO and direction sought on the appropriateness of the arrangement.

### 3.7 Gifts

### **Definitions**

### "Activity involving a local government discretion"

- Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

"Gift" - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- · A gift from a relative;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth \$300 or more.

City of Busselton | Code of Conduct 09

**Employees Code of Conduct** 

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

- Employees are required to refrain from accepting a prohibited gift from a person
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- An employee who accepts a notifiable gift from a person who:
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion;
  - is required to notify the CEO of the acceptance within 10 days of accepting the gift.
- The notification of the acceptance of a notifiable gift is required to be in writing and include details of:
  - (i) The name of the person who gave the gift;
  - (ii) The date on which the gift was accepted;
  - (iii) A description and the estimated value of the gift;
  - (iv) The nature of the relationship between the employee and the person who gave the gift.

- If the gift is notifiable as it is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
  - (i) A description;
  - (ii) The estimated value;
  - (iii) The date of acceptance.
- The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given under this section.



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### 3.8 Confidential information

Confidential information must only be disclosed by an employee to another person to the extent that is necessary for the employee to do so in the performance of his or her duties.

For the purposes of section 3.8 confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the Local Government Act 1995, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

Nothing in this section enables the disclosure of any confidential or sensitive information to any Council member or Committee member if the information does not directly relate to a confidential matter that is on the agenda for a meeting of the Council or the Committee, nor to any employee who is not empowered or required by virtue of their position in the organisation to have that information.

The handling of confidential or sensitive information is a significant responsibility for employees with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of the employee's responsibilities.

### 3.9 Use of local government resources

An employee shall make proper use of the local government's resources and shall not use them for personal or private purposes, unless the use is otherwise provided for in a contract of employment, or authorised by the CEO by some other means.

It is acknowledged that minor incidental (not primary and not majority) use of certain resources will be provided for in operational requirements. (An example of this would be to conduct an internet search or check a personal email account on a City computer during a designated break. This type of minor incidental use is provided for in the City's email and internet practice, whereby it is stated these facilities are for almost exclusive business use).

### 3.10 Administrative practices

As an overarching principle of employment, employees, in attending to their duties for the City of Busselton in their required and normal hours of employment including approved overtime, shall give their full attention to their duties and requirements throughout that time to ensure that their work is carried out efficiently and effectively. Employees shall comply with any lawful and reasonable order given by any person having the authority to make or give such an order, (noting the restrictions on Councillors or Committee members in relation to directing local government employees). They will also give effect to the lawful decisions of the Council in a prompt and effective manner.



City of Busselton | Code of Conduct 11

# **Background**

Code of Conduct approved by: Council in May 2017 Review Frequency: As required, no statutory timeframe

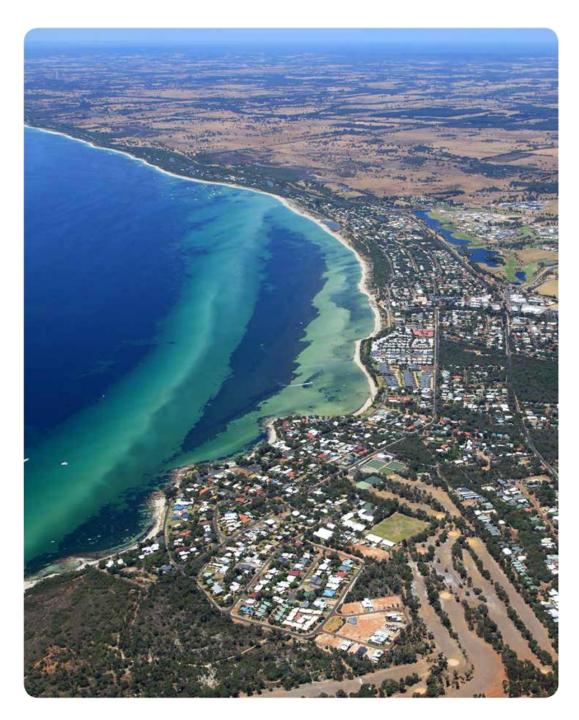
Related Documents: Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Local Government (Administration) Regulations 1996

### **HISTORY**

Council Resolution	Date	Information
	May, 2017	Policy cancelled; Codes adopted as suite of corporate
		documents.



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### **City of Busselton**

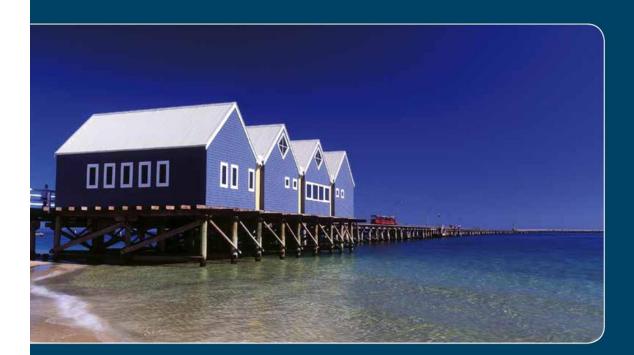
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# City of Busselton Code of Conduct Contractors



Where environment, lifestyle and opportunity meet



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# Message from the Chief Executive Officer

The Code of Conduct outlines the standards of behaviour City of Busselton contractors are required to follow in relation to their conduct as representatives of this local government organisation.

The City of Busselton is one of the fastest growing local government areas in the State of Western Australia. The City has seen significant change and growth over the past 10 years and we expect this to continue in the future. This rapid growth and changing demographic demands a 'goahead' approach and the City prides itself on being able to respond and adapt to the needs of its community quickly and professionally.

In this dynamic work environment, the City of Busselton Code of Conduct is a mainstay for personal interaction and good governance. It underpins our corporate values. It guides our behaviour and



conduct as we work with the community to realise our shared vision for a vibrant and cohesive City.

There are four separate additional components of the Code, for which individual documents exist:

- · A Consolidated Code
- A Code for Council Members
- A Code for Committee Members
- A Code for Employees; and
- A Code for Contractors (this document)

It is important that each class of person to whom the Code applies is familiar with the Code and the responsibilities outlined within it. The Code of Conduct has application across all facets of City of Busselton business and is relevant to all City representatives. The principles outlined in the Code of conduct underpin how we, in our capacity as public service providers, will interact with one another as well as with external stakeholders.

Regards

Mike Archer

CEO City of Busselton.

# Our Values

As representatives of the City, these core values will underpin what we do and how we do it:

### Pride in Performance

- Strive for Excellence to deliver good quality work
- 'Can Do' Attitude
- Meeting deadlines
- · Recommending and actioning change

### **Empowerment**

- Develops People providing opportunities to be accountable
- Being willing to take action and learn from mistakes
- Leads by being a positive role model and focuses on achieving good outcomes for the City

### **Mutual Respect**

- Treats others with respect
- Embraces diversity, tolerance and difference
- Shows good customer service to internal customers

# Strength as a team

- Shows strong support for others to achieve organisational goals
- Actively works to foster a sense of team
- Takes a whole of organisation approach

# Community focus

- Professional approach in all that we do
- Engages with the community to achieve outcomes
- Responsive and high quality customer service



City of Busselton | Code of Conduct 03

# City of Busselton Code of Conduct

### 1. INTRODUCTION

The City of Busselton, in accordance with Section 5.103(1) of the Local Government Act 1995, is required to prepare, adopt and adhere to a Code of Conduct.

Adoption of the code demonstrates:

- a commitment to observe ethical and professional standards in the performance of duties and functions;
- instills respect between council members, employees and members of the public;
- strengthens community confidence in the integrity of their Local Government organisation.

### 2. SCOPE

There are five components of the Code of Conduct:

- A Consolidated Code;
- A Code for Council Members;
- A Code for Committee Members;
- A Code for Employees; and
- A Code for Contractors

This Code applies to all contractors of the City of Busselton.

The Code of Conduct for contractors is based on matters prescribed by the Local Government Act and Regulations for expectations of council members and employees.

Any provision in this Code of Conduct is to the extent that it is not inconsistent with the Act and Regulations.

### 2.1 Definition of Contractor

Contractor - Includes a person who under a contract for services with the local government will provide advice or a report on a matter. This generally relates to professional persons such as Town Planners, Urban Designers and Economic Advisors who provide advice to Officers and Council in relation to growth, town planning and development options, but is not limited to these professions.

### 2.2 Obligation to Observe

### **Contractors**

The obligation to certain contractors to observe the Code of Conduct arises from the need to adopt a 'best practice' approach to decision making and increase transparency.

Professional contractors should immediately disclose any conflict of interest or perceived conflict of interest they have when offered an assignment to conduct work on behalf of the City and should make full disclosure in any written material presented to the City.

### 2.3 Breach of Certain Provisions

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by the City or another statutory body, including but not limited to the Department of Local Government and Communities and the Corruption and Crime Commission.



### CONTENT

### 3. GUIDING STATEMENTS OF RESPONSIBILITY AND CONDUCT

### 3.1 Principles

(a) In acting in the capacity of a City contractor of the City of Busselton, all persons shall espouse the principles outlined in Regulation 3 of the Local Government (Rules of Conduct) Regulations 2007. Specifically, any person acting in that capacity shall:

- · Act with reasonable care and diligence;
- · Act with honesty and integrity;
- · Act lawfully;
- Avoid damage to the reputation of the local government;
- Be open and accountable;
- Base decisions on relevant and factually correct information;
- · Treat others with respect and fairness;
- Not be impaired by mind affecting substances.

(b) Additionally, all City contractors shall:

- Provide relevant and factually correct information to decision-makers;
- Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
- Act in accordance with their obligation of fidelity to the local government;
- Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the

- improper use of information gained in the performance of their duties, or otherwise;
- Contribute to the good governance and strategic priorities of the City of Busselton in accordance with the adopted vision, values, plans and budget as amended by Council from time to time (Ref: City of Busselton Strategic Community Plan, Corporate Business Plan and Annual Budget et al);
- Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters; relevant legislative provisions; operational practices and procedures; and contractual documentation.
- Refrain from making allegations which are improper or derogatory;
- Refrain from any form of conduct in the performance of their official or professional duties which may cause any reasonable person unwarranted offence or embarrassment.

### 3.2 Achievement of Priorities

The local government framework of the Council, any Committees that the Council has resolved to constitute and the employee organisational structure is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.



### 3.3 General

- (a) It is the responsibility of all City contractors to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position. Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.
- (b) City contractors will comply with any lawful and reasonable instruction given by any person having authority to make or give such an instruction.

Any doubts as to the propriety of any such instruction shall be taken up with the superior of the person who gave the instruction and, if resolution cannot be achieved, with the Chief Executive Officer.



### 3.4 Conflicts of interest

An important consideration for any City contractor is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties. This is a very detailed area and the relevant legislation should be read and understood by all persons to whom this Code relates to.

In addition to the statutory requirements referred to above, for the purpose of this Code, the City requires the following relating to Applications for Development approval to be observed.

(a) Any City contractor at the time of performing work for the City intending to:

Undertake a dealing in land within the local government area that involves an application for development or subdivision approval;

An application for approval of a structure plan, local development or activity centre plan;

A proposal to rezone or otherwise amend the town planning scheme, or which may otherwise be in conflict with the City's functions;

Shall provide written notice of this intention to the Chief Executive Officer.

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The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then no less than 7 days before the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.

- (b) Where a relative (refer to section 3.7 of this code) of a City contractor with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for development or subdivision approval, or which may otherwise be in conflict with the City's functions, written notice shall also be provided in accordance with section 3.4 (a).
- (d) When an application is made by a Contractor, or a relative, the Contractor has no greater or lesser rights than those of any other member of the public in relation to access to information and access to City officers. Council contractors shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the City.
- (e) In receiving a written notice on a matter referred to in (a) or (b) above, the Chief Executive Officer shall consult with the most senior officer within the directorate responsible for the engagement of the contractor, regarding the need and/or otherwise to assess the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision. The costs of referring applications to an independent person will be borne by the City.

The Chief Executive Officer may in some circumstances, determine that it would be appropriate to defer the decision until such time as the application has been assessed internally and/or, where necessary, until consultation has been completed. The purpose of deferring the decision in such circumstances would be to identify properly the extent and nature of discretion involved, and/or the level of community interest in the matter.

Nothing in section 3.4 of the Code negates or replaces the disclosure requirements of any person in accordance with Division 6 of the Local Government Act 1995 (Disclosure of Financial Interests); Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 (Disclosure of Interest) or any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their position or status. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a City Contractor.



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The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.

### 3.5 Contractors

### a) Disclosure of interest

The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a contractor carrying out their role shall be made, insofar as the provisions can relate to contractors.

- A Contractor who has an interest in any matter to be discussed at a Council or Committee meeting is required to disclose the nature of the interest:

   (i) in a written notice to the CEO before the meeting; and/or
   (ii) at the meeting immediately before the matter is discussed.
- If in order to comply with the requirements of this clause a contractor makes a disclosure in a written notice given to the CEO before a meeting, then:

   (i) before that meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting;
   (ii) immediately before a matter to which the disclosure relates is discussed at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present.

- If in order to comply with the requirements of this clause a contractor declares an interest in a matter at a meeting; or
  - (i) a disclosure is made at a meeting if it is realised that an contractor has an interest in a matter that they had not previously realised was for discussion at that meeting; or
  - (ii) the presiding member brings to the attention of those present at the meeting a written disclosure; then the nature of the interest is to be
  - recorded in the minutes of the meeting.

### b) Gifts

If a contractor is offered a gift of any description in connection with the performance of their role as a contractor, the member shall seek advice in relation to that offer from the CEO of the City of Busselton, or his nominated representative, before accepting any gift.

### c) Confidential information

A contractor must not disclose confidential information obtained in the performance of their duties to any other person outside of the contract or relevant Local Government employees.

Attachment F

### **Definitions**

"Activity involving a local government discretion" - Any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the local government.

"Gift" - Any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the Local Government Act 1995). This definition excludes:

- A gift from a relative;
- A gift that must be disclosed in accordance with regulation 30B of the Local Government (Elections) Regulations 1997;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training.

"Notifiable gift" - A gift worth between \$50 and \$300 or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth between \$50 and \$300.

"Prohibited gift" - A gift worth \$300 or more or a gift that is one of two or more gifts given by the same person within a period of six months that are in total worth \$300 or more.

"Relative" - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

- Employees are required to refrain from accepting a prohibited gift from a person who: (i) is undertaking or seeking to
  - undertake an activity involving a local government discretion; or (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- An employee who accepts a notifiable gift from a person who:
  - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
  - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion;
  - is required to notify the CEO of the acceptance within 10 days of accepting the gift.



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- 10.5
  - The notification of the acceptance of a notifiable gift is required to be in writing and include details of: (i) The name of the person who gave the gift;
    - (ii) The date on which the gift was accepted;
    - (iii) A description and the estimated value of the gift;
    - (iv) The nature of the relationship between the employee and the person who gave the gift.
  - If the gift is notifiable as it is one of two or more gifts given to the employee by the same person within a period of six months that are in total worth between \$50 and \$300, whether or not it is also notifiable as it is worth between \$50 and \$300 itself, the notification is required to include, in relation to each other gift accepted within the six month period from that person:
    - (i) A description;
    - (ii) The estimated value;
    - (iii) The date of acceptance.
  - The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given under this section.

### 3.7 Relationships with Council members and Employees

Contractors are employed by and responsible to the CEO of the City of Busselton. While their direction, supervision and management the sole responsibility of the CEO.

The Chief Executive Officer has a responsibility to the Council of the City of Busselton to ensure contractors provide it with relevant and quality advice.

Contractors once appointed to their requirement, shall therefore be aware to, via the Chief Executive Officer, provide relevant and quality advice to the City, Council and Committees. They shall also act courteously and with due respect during their dealings with City Officers, the Council, any Committee, any Council member or Committee member. It is expected that contractors will deal with each other, City staff, Council members and Committee members in an honest and respectful manner.



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# **Background**

Code of Conduct approved by: Council in May 2017 Review Frequency: As required, no statutory timeframe

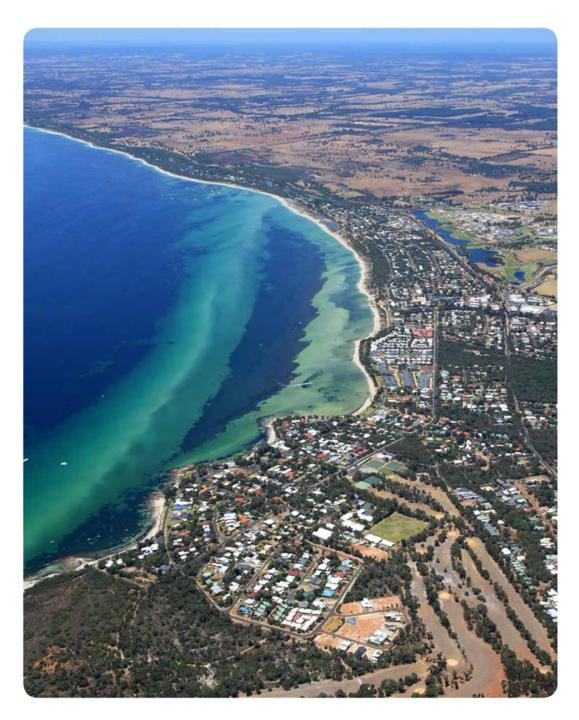
Related Documents: Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Local Government (Administration) Regulations 1996

### **HISTORY**

Council Resolution	Date	Information
	May, 2017	Policy cancelled; Codes adopted as suite of corporate
		documents.



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### **City of Busselton**

T: 08 9781 0446 or 08 9781 0360

F: 08) 9752 4958

E: city@busselton.wa.gov.au W: www.busselton.wa.gov.au



### 11. PLANNING AND DEVELOPMENT SERVICES REPORT

Nil

### 12. ENGINEERING AND WORKS SERVICES REPORT

Nil

#### 13. COMMUNITY AND COMMERCIAL SERVICES REPORT

#### 13.1 MARKETING AND EVENTS REFERENCE GROUP OUTCOMES

SUBJECT INDEX: Events

Regional Economic Development

Tourism Development

Sponsorship & Grant Applications

**STRATEGIC OBJECTIVE:** Attractive parks and open spaces that create opportunities for people

to come together, socialise and enjoy a range of activities.

BUSINESS UNIT: Commercial Services
ACTIVITY UNIT: Commercial Services

**REPORTING OFFICER:** Events Coordinator - Peta Tuck

**AUTHORISING OFFICER:** Director, Community and Commercial Services - Naomi Searle

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Nil

#### **PRÉCIS**

A meeting of the Marketing and Events Reference Group (MERG) was held on Tuesday 2 May 2017. This report presents the recommendations from this meeting.

#### **BACKGROUND**

The Council, at its meeting of 13 April 2011 (C1104/114), resolved to endorse the implementation of a differential rating system whereby properties rated within the Industrial and Commercial zones across the City would directly contribute toward the City's continued support of tourism, marketing and event activities. This resolution also endorsed the establishment of a 'Key Stakeholders Reference Group' (now known as the 'Marketing and Events Reference Group') to make recommendations to Council with respect to the marketing and events budget allocations.

Further to this, at its meeting of 22 June 2011 (C1106/201) Council resolved to introduce a 3% Differential Rate on the abovementioned properties and as a result, \$180k was included in the 2011/2012 budget towards events and marketing. Following this, Council progressively increased the Differential Rate, capping the Rate at 10% in 2016/17.

In the 2017/18 draft budget, \$647,400 has been allocated to the Differential Rates budget, with a proposed split of \$347,400 for events and \$300k for marketing.

A meeting of the Marketing and Events Reference Group (MERG) was held on Tuesday 2 May 2017, to discuss the 2017/18 Round 1 Event Sponsorship Programme. This report provides recommendations on the proposed funding allocations to these events.

#### STATUTORY ENVIRONMENT

Nil

#### **RELEVANT PLANS AND POLICIES**

The recommendations are in line with Council policies.

#### FINANCIAL IMPLICATIONS

At the 21 July 2016 Council meeting, Council resolved to include a 1% increase in the Industrial and Commercial Differential Rate from 9% to 10% in the 2016/17 budget (C1607/157), resulting in an allocation of \$624k for events and marketing, with a split of 75/25 (\$468k/\$156k) respectively. At the end of the 2015/16 financial year an allocation of \$8,488 was unspent and at the Special Council Meeting on 21 July 2016, Council resolved to carryover the unspent allocation in the 2016/17 Differential Rate events budget, bringing the total to \$476,488.

Further to this, \$268k was allocated towards events from the 2016/17 municipal budget. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

On 30 March 2017 the Events Coordinator that the Busselton Festival of Paddle event would not be taking place in April 2017, and therefore would not require the \$5k funding allocated to the event in the 2016/17 Events Sponsorship Programme (Round 1).

With this event cancellation, a total of \$9,063 remains in the 2016/17 Differential Rate events budget and Officers recommend that this amount is carried over into the 2017/18 Differential Rate events budget. Further it is recommended that the \$156k marketing budget be transferred to the Airport Marketing Reserve as part of the City's required contribution towards an airline incentive package for the Busselton-Margaret River Airport (BMRA) Development Project.

The 2017/18 draft budget includes an allocation of \$647,400 in the Differential Rates budget, with a proposed split of \$347,400 for events and \$300k for marketing.

Funds already committed to Multi Year Agreements through the 2017/18 Differential Rates Events Budget totals \$160,800, leaving a total of \$186,600 to be allocated to Rounds 1 and 2 of the 2017/18 Events Sponsorship Programme.

Additionally, \$232,400 has been committed to Multi Year Agreements through the 2017/18 Municipal Budget, leaving a total of \$35,600 for events.

Based on the City's commitment towards the BMRA Development Project airline incentive package, and through the draft 2017/18 budget process, \$300k has been allocated to be transferred from the Differential Rates Marketing Budget to the Airport Marketing Reserve.

#### **Long-term Financial Plan Implications**

The marketing and events budget, including both the municipal contribution and funds generated through the Differential Rate, are in line with the City's Long Term Financial Plan.

#### STRATEGIC COMMUNITY OBJECTIVES

This policy aligns with and supports the **Council's Key Goal Area 2** – 'Place and Spaces Vibrant, attractive affordable' and more specifically **Community Objective 2.2** – 'Attractive parks and open spaces that create opportunities for people to come together, socialise and enjoy a range of activities.

#### **RISK ASSESSMENT**

The recommendations contained within this report are considered low risk and as such a formal risk assessment is not provided.

#### CONSULTATION

Consultation has been undertaken with members of the Marketing and Events Reference Group, consisting of representatives from the Busselton Chamber of Commerce and Industry, Dunsborough Yallingup Chamber of Commerce and Industry, Geographe Bay Tourism Association and Conservation Association, Busselton Jetty Environment and Conservation Association and the City of Busselton.

#### **OFFICER COMMENT**

The Marketing and Events Reference Group has been established with representatives from the City of Busselton, local Chambers of Commerce, the Margaret River Busselton Tourism Association, and the Busselton Jetty Environment and Conservation Association. A Terms of Reference guides the operations of the Group and an Events Sponsorship Programme has been developed.

Supporting the development and attraction of new events throughout the year, the Events Sponsorship Programme promotes the City of Busselton as an attractive host and event tourism destination for a range of events. The City, through the programme has attracted exciting new events to boost the local economy through event tourism.

#### Round 1 Event Sponsorship Programme 2017/18

Advertising for Round 1 of the 2017/18 Event Sponsorship Programme opened 1 March 2017 and closed 31 March 2017. A total of twenty-five (25) applications were received, requesting a total of \$299,734 in funding. Of these, 13 requests were for multi-year agreements and 12 were for single year agreements.

Additionally, five (5) events that are currently funded through the 2016/17 Municipal Budget have re-applied for funding, requesting a total of \$34,500 in 2017/18. The Events team evaluated all funding applications, applying the Strategic Funding Guidelines of economic impact, strategic alliance to off-peak and cultural events, destination tourism, social benefits and environmental impact. An overall score out of 100 was allocated and funding recommendations were based on this.

MERG members discussed each application and recommend the following funding allocations:

**Applications for funding through Differential Rate Events Budget** 

Event	New MYA application/ Existing 2016/17 MYA or Single Year	Requested	MERG Recommend
Busselton Spring Running Festival	Existing MYA expires 2016/17	2017/18 \$6,000 2018/19 \$6,000 2019/20 \$6,000	\$0
Down South MTB Festival	Existing MYA expires 2016/17	2017/18 \$8,000 2018/19 \$7,500 2019/20 \$7,000	2017/18 \$3,000 (single year agreement recommended- new event organiser)
South West Wellness Expo	New application - Single Year	\$3,780	\$0*
Make Smoking History Forest Rally	Existing MYA expires 2016/17	2017/18 \$15,000 2018/19 \$15,000 2019/20 \$15,000	2017/18 \$12,500 2018/19 \$12,500 2019/20 \$12,500
Wonderful Indonesia Getaway 2017	New application - Single Year	\$3,050	\$0*
Busselton Half Marathon	Existing MYA expires	2017/18 \$4,800	2017/18 \$2,500

& Fun Run	2016/17	2018/19 \$5,000	2018/19 \$2,500
& Fun Kun	2016/17	2018/19 \$5,000	
Jazz by the Day	Existing MAVA expires	2019/20 \$5,200	2019/20 \$2,500 2017/18 \$45,000
Jazz by the Bay	Existing MYA expires 2016/17	2017/18 \$50,000	2017/18 \$45,000
	2016/17		
MA Community Bughy 7's	Cingle Veer	2019/20 \$50,000 \$10,000	2019/20 \$40,000 \$3,000
WA Community Rugby 7's event	Single Year	\$10,000	\$3,000
Maramoo Marathon	Single year	\$6,650	\$0
X Adventure	Existing MYA expires	2017/18 \$10,000	2017/18 \$10,000
Dunsborough	2016/17	2018/19 \$10,000	2018/19 \$9,500
G		2019/20 \$10,000	\$2019/20 \$9,000
Hannay Lane Street Party	Single Year	\$3,129	\$2,000
Open Water Swim	MYA Renewal	2017/18 \$5,000	2017/18 \$3,000
·	Existing MYA expires	2018/19 \$5,000	2018/19 \$3,000
	2016/17	2019/20 \$5,000	2019/20 \$3,000
Undalup Makuru NAIDOC	Single year	\$12,000 cash	\$0*
Festival 2017	0 - 7 - 3.	\$1,000 in kind	
Dunsborough Rodeo Fest	Single year	\$25,000	\$0
Community Family Walk	Single Year	\$18,000	\$0*
for Health		7 2 3 7 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	
Vineyards Challenge	Single year	2017/18 \$8,500	\$0
Weekend		2018/19 \$7,500	
		2019/20 \$7,500	
Margaret River Region	Existing MYA expires	2017/18 \$16,100	2017/18 \$8,000
Open Studios	2016/17	2018/19 \$16,100	2018/19 \$7,500
•		2019/20 \$16,100	2019/20 \$7,000
Australian National	Single year	\$3,500	\$0*
Cherubs Championships			
Dunsborough Songfest	Existing MYA expires	2017/18 \$3,000	2017/18 \$2,500
	2016/17	2018/19 \$3,000	2018/19 \$2,500
		2019/20 \$3,000	2019/20 \$2,500
Cape to Cape MTB	Existing MYA expires	2017/18 \$7,500	2017/18 \$5,000**
	2016/17	2018/19 \$7,500	2018/19 \$5,000**
		2019/20 \$7,500	2019/20 \$5,000**
Port Geographe Blessing of the Fleet	Single year	\$3,000	\$0*
Pedal Prix WA	Existing MYA expires	2017/18 \$25,000	2017/18 \$20,000
I CAULLIN WA	2016/17	2017/18 \$25,000	2017/18 \$20,000
		2019/20 \$25,000	2019/20 \$20,000
Ironman WA – Volunteer	Existing MYA expires	2017/18 \$17,500	2017/18 \$17,500
Program	2016/17	2017/18 \$17,500	2017/18 \$17,500
		2019/20 \$17,500	2019/20 \$17,500
Ironman WA – FOC	Existing MYA expires	2017/18 \$9,625	2017/18 \$9,625
Rooms	2016/17	2017/10 \$5,625	2018/19 \$9,625
		2019/20 \$9,625	2019/20 \$9,625
Yalambi Spring Jumping	Single year	\$10,000	\$0
Classic			
Jetty Swim (25 <sup>th</sup>	Single year	2017/18 \$15,600	2017/18 \$15,600
Anniversary celebrations)	additional to MYA	2018/19 \$15,600	2018/19 \$15,600
,	Muni	2019/20 \$20,600	2019/20 \$20,600
TOTALS		2017/18 \$299,734	2017/18 \$159,225
		2018/19 \$200,325	2018/19 \$147,725
		2019/20 \$205,025	2019/20 \$149,225

- \* Officers to recommend application for funding through the Donations, Contributions and Subsidies Fund.
- \*\* Contract to stipulate minimum one (1) day of the event each year must be held within the City of Busselton for funding to be paid.

Based on the above recommendation, a total of \$27,375 remains for the events Sponsorship Programme - Round 2 to be funded through the Differential Rate events budget.

#### **Applications for funding through Municipal Budget**

Event	New/Renewed MYA or Single Year	Requested	(MERG) Recommend
Carols by the Jetty	Existing MYA expires	2017/18 \$4,500	2017/18 \$2,000
	2016/17	2018/19 \$4,500	2018/19 \$2,000
		2019/20 \$4,500	2019/20 \$2,000
Festival of Busselton	Existing MYA expires	2017/18 \$7,000	2017/18 \$7,000
	2016/17	2018/19 \$8,000	2018/19 \$7,000
		2019/20 \$9,000	2019/20 \$7,000
Rotary Australia Day	Existing MYA expires	2017/18 \$3,000	2017/18 \$3,000
Breakfast	2016/17	2018/19 \$3,000	2018/19 \$3,000
		2019/20 \$3,000	2019/20 \$3,000
Geographe Bay Race	Existing MYA expires	2017/18 \$20,000	2017/2018 \$5,000
Week	2016/17	2018/19 \$20,000	
		2019/20 \$20,000	
TOTALS		2017/18 \$34,500	2017/18 \$17,000
		2018/19 \$35,500	2018/19 \$12,000
		2019/20 \$36,500	2019/20 \$12,000

MERG recommend a total of \$17,000 be funded in Round 1 from the 2017/2018 Municipal Events Budget, leaving a total of \$18,600 remaining for Round 2.

#### **CONCLUSION**

The Marketing and Events Reference Group (MERG) has been assigned by Council to make recommendations on the way in which funds raised through the Industrial and Commercial Differential Rate for the purposes of events and marketing are allocated. This report contains the recommendations made at the 2 May 2017 meeting, which if endorsed by Council, will result in the continuation of high quality events being held within the region, supported by successful marketing promotions. All recommendations support Council's vision of being recognised as the 'Events Capital WA.'

#### **OPTIONS**

Council may choose not to support the recommendations made by the Marketing and Events Reference Group and resolve not to endorse part or all of the recommendations.

#### TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Following Council's decision, the outcomes will be communicated to all members of the Marketing and Events Reference Group and relevant event organisers for their information and implemented where required.

### **MERG RECOMMENDATION**

That Council;

1. As part of the Events Sponsorship Programme endorses the funding allocation towards the following events to be funded from the 2017/18 Differential Rate Events Budget:

Event	MERG Recommend
Busselton Spring Running Festival	\$0
Down South MTB Festival	2017/18 \$3,000
South West Wellness Expo	\$0*
Make Smoking History Forest Rally	2017/18 \$12,500
	2018/19 \$12,500
	2019/20 \$12,500
Wonderful Indonesia Getaway 2017	\$0*
Busselton Half Marathon & Fun Run	2017/18 \$2,500
	2018/19 \$2,500
	2019/20 \$2,500
Jazz by the Bay	2017/18 \$45,000
	2018/19 \$42,500
	2019/20 \$40,000
WA Community Rugby 7's event	2017/18 \$3,000
Maramoo Marathon	\$0
X Adventure Dunsborough	2017/18 \$10,000
-	2018/19 \$9,500
	\$2019/20 \$9,000
Hannay Lane Street Party	\$2,000
Open Water Swim	2017/18 \$3,000
	2018/19 \$3,000
	2019/20 \$3,000
Undalup Makuru NAIDOC Festival 2017	\$0*
Dunsborough Rodeo Fest	\$0
Community Family Walk for Health	\$0*
Vineyards Challenge Weekend	\$0
Margaret River Region Open Studios	2017/18 \$8,000
	2018/19 \$7,500
	2019/20 \$7,000
Australian National Cherubs Championships	\$0*
Dunsborough Songfest	2017/18 \$2,500
	2018/19 \$2,500
	2019/20 \$2,500
Cape to Cape MTB	2017/18 \$5,000
	2018/19 \$5,000
	2019/20 \$5,000
Port Geographe Blessing of the Fleet	\$0*
Pedal Prix WA	2017/18 \$20,000
	2018/19 \$20,000
	2019/20 \$20,000
Ironman WA – Volunteer Program	2017/18 \$17,500
	2018/19 \$17,500
	2019/20 \$17,500

Ironman WA – FOC Rooms	2017/18 \$9,625	5		
	2018/19 \$9,625	5		
	2019/20 \$9,625	5		
Yalambi Spring Jumping Classic	\$0			
Jetty Swim (25 <sup>th</sup> Anniversary celebrations)	2017/18 \$15,60	00		
	2018/19 \$15,60	00		
	2019/20 \$20,600			
TOTALS	2017/18	\$159,225		
	2018/19	\$147,725		
	2019/20	\$149,225		

<sup>\*</sup> Officers to recommend application for funding through the Donations, Contributions and Subsidies Fund.

2. As part of the Events Sponsorship Programme endorses the funding allocation towards the following events to be funded from the 2017/18 Municipal Events Budget:

3

Event		MERG Recommend
Carols by the Jetty		2017/18 \$2,000
		2018/19 \$2,000
		2019/20 \$2,000
Festival of Busselton		2017/18 \$7,000
		2018/19 \$7,000
		2019/20 \$7,000
Rotary Australia Day Breakfast		2017/18 \$3,000
		2018/19 \$3,000
		2019/20 \$3,000
Geographe Bay Race Week		2017/18 \$5,000
TOTALS	2017/18	\$17,000
	2018/19	\$12,000
	2019/20	\$12,000

4. Endorses the remaining \$156k in the 2016/17 Differential Rate Marketing Budget be transferred to the Airport Marketing Reserve.

### 14. FINANCE AND CORPORATE SERVICES REPORT

Nil

#### 15. CHIEF EXECUTIVE OFFICER'S REPORT

#### 15.1 COUNCILLORS' INFORMATION BULLETIN

**SUBJECT INDEX:** Councillors' Information

**STRATEGIC OBJECTIVE:** Accountable leadership that is supported by a skilled and professional

workforce.

BUSINESS UNIT: Executive Services
ACTIVITY UNIT: Governance Services
REPORTING OFFICER: Reporting Officers - Various

**AUTHORISING OFFICER:** Chief Executive Officer - Mike Archer

**VOTING REQUIREMENT:** Simple Majority

ATTACHMENTS: Attachment A Planning Applications Received U

Attachment B Planning Applications Determined Attachment C South Swest Zone WALGA Report

Attachment D Busselon Jetty Reference Group Minutes !!

Attachment E MERG Minutes 2 May 2017 U

#### **PRÉCIS**

This report provides an overview of a range of information that is considered appropriate to be formally presented to the Council for its receipt and noting. The information is provided in order to ensure that each Councillor, and the Council, is being kept fully informed, while also acknowledging that these are matters that will also be of interest to the community.

Any matter that is raised in this report as a result of incoming correspondence is to be dealt with as normal business correspondence, but is presented in this bulletin for the information of the Council and the community.

#### **INFORMATION BULLETIN**

#### 15.1.1 Planning and Development Statistics

Attachment A is a report detailing all Planning Applications received by the City between 1 May, 2017 and 15 May, 2017. 54 formal applications were received during this period.

Attachment B is a report detailing all Planning Applications determined by the City between 1 May, 2017 and 15 May, 2017. A total of 50 applications (including subdivision referrals) were determined by the City during this period with 50 approved / supported and 0 refused / not supported.

#### 15.1.2 Current Active Tenders

#### **RFT01/17 KERBSIDE RECYCLING SERVICES**

The City invited tenders for the collection of material from yellow-top recycling bins and related services within the City of Busselton. The tender was advertised on 28 January 2017, with a closing date of 10 March 2017. A total of 3 tenders were received. The evaluation was completed and in accordance with the City's Evaluation Panel Council resolved on 10 May 2017 to:

- Endorses the outcomes of the Evaluation Panel's assessment in relation to RFT01/17 for the provision of kerbside recycling services, which has resulted in Cleanaway being ranked as the best value for money tender.
- 2. Delegates authority to the CEO, following further negotiations, to award a contract for the kerbside recycling services.

The final contract amendments are currently being finalised with Cleanaway.

#### RFT02/17 KING STREET BEACH CAR PARK – SEAWALL REFURBISHMENT

The City of Busselton invited tenders for the upgrade of the geotextile sand containers seawall at the King Street Beach Car Park. The tender was advertised on 18 February 2017, with a closing date of 15 March 2017. A total of 6 tenders were received. The evaluation has been completed and the contract awarded by the CEO under delegated authority to BCP Contractors Pty Ltd.

## RFT03/17 DETAILED DESIGN AND CONSTRUCTION OF TODDLER'S PLAYGROUND, BUSSELTON FORESHORE

The City of Busselton invited tenders for the detailed design and construction of a toddler's playground at the Busselton foreshore. The tender was advertised on 18 March 2017, with a closing date of 18 April 2017. A total of 2 tenders were received. The evaluation was completed and under Delegation LG3J the CEO declined to accept any tender on the following grounds:

- one tender did not meet the tender specifications; and
- the other tender did not satisfy the City's value for money assessment.

In accordance with relevant provisions under *Local Government (Functions and General) Regulations* 1996 and the City's Purchasing Policy these goods/services will be procured by way of a request for quotation process.

## RFT04/17 DEVELOPMENT AND DETAILED DESIGN OF BUSSELTON FORESHORE JETTY PRECINCT PLAY SPACE

The City of Busselton invited tenders for the detailed design of the Busselton Foreshore Jetty Precinct Play Space. The tender was advertised on 8 April 2017, with a closing date of 5 May 2017. A total of 7 tenders were received. The value of the contract is not expected to exceed the CEO's delegated authority. As part of the evaluation process, four preferred tenderers were identified and asked to conduct a presentation to Council. Following the presentation, a preferred tenderer will be selected and a recommendation report presented to the CEO.

#### RFT05/17 BUSSELTON FORESHORE CENTRAL EAST CAR PARK

The City of Busselton invited tenders for the construction of a new car park located at the Busselton foreshore known as the Busselton Foreshore Central East Car Park. The tender was advertised on 18 March 2017, with a closing date of 4 April 2017. A total of 7 tenders were received. The evaluation has been completed and the contract awarded by the CEO under delegated authority to Leeuwin Civil Pty Ltd.

#### RFT06/17 VASSE SPORTING PRECINCT STAGE 2 – SUPPLY & INSTALL TURF

The City of Busselton invited tenders for the supply and installation of roll on turf as part of the Vasse Sporting Precinct Development (Stage 2). The tender was advertised on 18 March 2017, with a closing date of 5 May 2017. A total of 4 tenders were received. The evaluation has been completed and the contract awarded by the CEO under delegated authority to 3 Vines Management Co Pty Ltd T/A True Blue Turf.

#### **RFT07/17 BUSSELTON JETTY PRECINCT PROMENADE**

The City of Busselton invited tenders for the construction of a new footpath promenade located at the Busselton foreshore, known as the Jetty Precinct Promenade. The tender was advertised on 29 April 2017, with a closing date of 18 May 2017. A total of 3 tenders were received. The value of the

contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in June 2017.

#### RFT08/17 BUSSELTON FORESHORE GOOSE CAR PARK

The City of Busselton invited tenders for the construction of a new car park located at the Busselton foreshore known as the Busselton Foreshore Goose Car Park. The tender was advertised on 13 May 2017, with a closing date of 30 May 2017. The value of the contract is not expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to the CEO in June 2017.

#### RFT09/17 UPGRADE OF QUEEN STREET (NORTH)

The City of Busselton invited tenders for the upgrade of the northern section of Queen Street, Busselton. The tender was advertised on 13 May 2017, with a closing date of 31 May 2017. The value of the contract is expected to exceed the CEO's delegated authority. It is anticipated the evaluation will be completed and a recommendation report presented to Council in June 2017.

#### 15.1.3 South West Zone - WALGA

The summary of the south west zone actions sheet can be viewed at Attachment C.

#### 15.1.4 Busselton Jetty Reference Group

The minutes of the Busselton Jetty Reference Group Meeting held on 28 April 2017 are available to view at Attachment D.

#### 15.1.5 MERG

The minutes of the MERG Meeting held on 2 May 2017 are available to view at Attachment E.

#### **OFFICER RECOMMENDATION**

That the items from the Councillors' Information Bulletin be noted:

- 15.1.1 Planning and Development Statistics
- 15.1.2 Current Active Tenders
- 15.1.3 South West Zone WALGA
- 15.1.4 Busselton Jetty Reference Group
- <u>15.1.5 MERG</u>

## Attachment A Planning Applications Received

R-Codes Variation (Patio 6 Turbie Road~YALYALUP Lot 689 PLAN

with Reduced Setbacks) WA 6280

DA17/0313

**Applications Received (Deemed Complete) Report** Application Clock Primary Property Application Development Applications 669 Bussell Highway~BROADWATER Daniel John Wilde & Elisha DA17/0298 Solid 1.8m Front Fence WA 6280 Lot 51 PLAN 7895 3/05/2017 3/05/2017 2000 Celeste Wilde 82 Switchback Parade~WEST BUSSELTON Lot 864 PLAN Single House (Vehicular Fairway Developments WA Ventura Home Group Pty DA17/0301 Access) WA 6280 2/05/2017 4/05/2017 229350 Pty Ltd & Zaph Pty Ltd 555 Bussell Highway~BROADWATER 4 Storey Hotel D'Agostino and Luff DA17/0302 Development WA 6280 Lot 110 PLAN 28883 5/05/2017 15500000 Whitemark Pty Ltd Architects Pty Ltd 5 Serenity Grove~AMBERGATE WA Regan James & Claire Jane DA17/0303 with Reduced Setback 6280 Lot 12 PLAN 69012 1/05/2017 12/05/2017 17200 Sheds N Homes Bunbury Spiikers 19 Diamante R-Codes Variation Boulevard~DUNSBOROUG Lot 230 PLAN Nathan John Wells & Dale Alcock Homes South (Vehicle Access) DA17/0304 H WA 6281 407786 1/05/2017 16/05/2017 219081 Susan Dianne Buzan West Pty Ltd 2 Chieftain Holiday Home (Single Crescent~DUNSBOROUGH Darren James McAullay & Erica Michelle D'Andrea, DA17/0305 House) 10 People WA 6281 Lot 45 PLAN 14244 2/05/2017 8/05/2017 Erica Michelle D'Andrea Darren James McAullay 11 145 Butterly Road~YALLINGUP WA Clinton John Hulse, Hayley Single House (Verandah Clinton John Hulse & DA17/0306 and Carport Additions) Lot 4 PLAN 33476 1/05/2017 8/05/2017 19000 6282 Hayley Nicole Hulse Nicole Hulse 164 Marine Holiday Home (Single Terrace~GEOGRAPHE WA Lot 45 DIAGRAM Amy Lucille Stanley & Amy Lucille Stanley, Rodney DA17/0307 6280 21313 1/05/2017 Rodney Bruce Stanley House) - 8 People Bruce Stanley 15 High View Single House (Second Road~DUNSBOROUGH Storey Addition in Vicki Anne Prentice & DA17/0308 Special Character Area) WA 6281 Lot 1 SSPLN 41846 3/05/2017 30000 David Frederik Van Zalm Fraser McAlpine Design 18 Envelope (Ancillary Dwelling in Special 11 Waterlily Cove~EAGLE Ross Charles Sweet & Loris Ross Charles Sweet, Loris DA17/0309 Control Areas) BAY WA 6281 Lot 121 PLAN 18346 3/05/2017 17/05/2017 Elizabeth Sweet Elizabeth Sweet Heron Lake Investments 2 Cockatoo Loop~VASSE Pty Ltd & Banyanda DA17/0310 WA 6280 Lot 34 PLAN 407511 3/05/2017 8/05/2017 Tangent Nominees Pty Ltd Display Home 300000 Developments Pty Ltd Use Not Listed (Caravan and Horse Float Storage 115 Yalyalup Road~ABBA Lot 843 PLAN Peter Harvey Macleay, Anna Peter Harvey Macleay & DA17/0311 RIVER WA 6280 2/05/2017 8/05/2017 135000 Anna Maree Macleay Maree Macleay 56 Switchback Parade~WEST BUSSELTON Lot 740 PLAN Kenneth Brian Stinton & DA17/0312 9/05/2017 9/05/2017 Outbuilding (R-Codes) WA 6280 5500 Lonely Wisanty Stinton Kenneth Brian Stinton

1/05/2017 11/05/2017

3500

Robert William Howard &

Cape Shades

## 123 Planning Applications Received

#### Applications Received (Deemed Complete) Report

Attachment A

		T					T	I	at a
Application			Primary Property	Application	Application				Clock
Number	Description	Primary Property Address	Legal Desc	Received Date	Deemed	Estimated Cost	Primary Property Owners	Applicant Name	Days
		9 Diamante							
		Boulevard~DUNSBOROUG							
DA17/0314	and Outdoor Living Area)	H WA 6281	407786	4/05/2017	22/05/2017	236616	Carley Maree O'Neil	Plunkett Homes	18
	Oversized Outbuilding								
	(Extension to Existing	28 Ballarat							
	Outbuilding in Special	Road~WONNERUP WA					Phillip Dean Moore &	Phillip Dean Moore,	
DA17/0315	Control Areas)	6280	Lot 32 PLAN 223219	4/05/2017		12000	Beverley June Sykes	Beverley June Sykes	18
l .	Single House (With	Hazelbrook							
		Rise~YALLINGUP WA	Lot 203 PLAN						
DA17/0316	in Landscape Value Area)		409262	5/05/2017	12/05/2017	400000	Dick Visser	Space Light Order	10
	,								
	Single House (Extension	3 Caladenia Close~EAGLE							
DA17/0317		BAY WA 6281	Lot 100 PLAN 39473	5/05/2017		248000	Catherine Anne Finch	Built Right Approvals	4
		50 Hammond		5,00,202					_
		Road~YALLINGUP WA							
DA17/0318		6282	Lot 25 PLAN 8037	8/05/2017	10/05/2017	150000	Kristian Neil Moore	Kristian Neil Moore	15
0.12.70020	(openin entractor rines)	0.00	2012012110007	0,00,202	10,00,101.	150000	The state of the s		1
	Extractive Industry	696 Price Road~BOALLIA	Lot 2630 PLAN				Haley Marie Lucas &		
DA17/0319		WA 6280	203049	8/05/2017	10/05/2017	1	Patrick Anthony Lucas	BCP Materials Pty Ltd	5
5/12//0323	(Graver)	WAY 0200	203043	0,03,201,	10/05/2017	-	T derick rate only added	Do moteras ty eta	
	Holiday Home (Grouped	88 Dorset Street~WEST	Lot 44 DIAGRAM				Allan William Casey &	Allan William Casey, Cindy	
DA17/0320		BUSSELTON WA 6280	19286	10/05/2017	23/05/2017	0	Cindy Joy Casey	Joy Casey	8
DA17/0320	Dwelling/ 3 reopie	DOSSELTON WA 0200	13200	10/03/2017	23/03/2017	0	Cilidy Joy Casey	Joy Casey	°
	Rainwater Tank	26 Berwick							
		Place~QUINDALUP WA					Craig Martyn Lawrence &	Craig Martyn Lawrence,	
DA17/0321		6281	Lot 219 PLAN 68461	10/05/2017	22/05/2017	8500	Joanne Maree Lawrence	Joanne Maree Lawrence	13
DA1//0321	canuscape value Area)	0201	LUL 213 FLAIN 08401	10/03/2017	22/03/2017	8300	Joanne Maree Lawrence	Joanne Waree Lawrence	13
		65 Caprigardi					Raymond Keith Steedman		
	Single House (Extensions						& Dianne Patricia		
DA17/0322	in Landscape Value Area)		Lot 39 PLAN 13139	5/05/2017	23/05/2017	42000	Thomson	Resolve Group Pty Ltd	19
DA17/0322		Caudalie	LUL 35 FLAN 13135	3/03/2017	23/03/2017	42000	Amy Karin Molloy &	Resolve Group Fty Etu	15
		Way~QUINDALUP WA					Shannon Thomas Leslie	Amy Karin Molloy, Shannon	
DA17/0333		6281	Lot 40 PLAN 41369	E /0E /2017		7500	O'Donohue	Thomas Leslie O'Donohue	14
DA17/0323	Dalli	0201	LOT 40 PEAN 41369	5/05/2017		/500	O Dollonue	monias cesile o pononue	14
	Relocated Building								
	Envelope to								
		86 Shallows							
							John Alexander Vouca 9		
DA17/0224		Loop~YALLINGUP WA	Lat 116 DLAN 20175	9/05/2017	16/05/2017	20000	John Alexander Young &	Busselton Chade Dlur	,
DA17/0324		6282	Lot 116 PLAN 20175	8/05/2017	16/05/2017	30000	Cheryl Kaye Young	Busselton Sheds Plus	6
D 4 4 7 (000 F		6 Knapton Street~WEST		0 (05 1		24.4000	Todd Anthony Prideaux &	nt to the state of	
DA17/0325	Grouped Dwelling	BUSSELTON WA 6280	Lot 24 PLAN 8653	9/05/2017	1	214000	Rachael Alyssa Smith	Plunkett Homes	12

### 124 Planning Applications Received

### Attachment A

**Applications Received (Deemed Complete) Report** 

Application Number	December 1	Defenses December Address	Primary Property	Application	Application	Fatiment of Coat	0-1	A	Clock
Number	Description	Primary Property Address	Legal Desc	Received Date	Deemed	Estimated Cost	Primary Property Owners	Applicant Name	Days
	Grouped Durolling	3/10 Drawes							
	Grouped Dwelling	2/18 Prowse					Norman Barranaulas 8	Name Paragraphic Faus	
D147/0226	(Garage Addition on	Way~DUNSBOROUGH		0/05/2017	47/05/2047	40000	Norman Damopoulos &	Norman Damopoulos, Faye	4.0
DA17/0326	Boundary)	WA 6281	Lot 2 STPLN 26382	9/05/2017	17/05/2017	18000	Faye Damopoulos	Damopoulos	12
		2807 Caves							
	Outbuilding (Landscape	Road~YALLINGUP WA					Cedarfield Holdings Pty Ltd		l .
DA17/0327	Value Area)	6282	Lot 1 SSPLN 32218	9/05/2017	1	19000	& Timothy Simon Hopkins	Sheds Down South	3
		43 Spinnaker							
	Multiple Dwelling (3	Boulevard~GEOGRAPHE							
DA17/0328	units)	WA 6280	Lot 77 PLAN 404247	9/05/2017	1	1665000	Lowe Pty Ltd	Pro Living Pty Ltd	3
	Single House, Patio								
	Addition and Over-height	17 Hawker							
	Outbuilding (with	Approach~YALYALUP WA					Malcolm John Osborne &	Malcolm John Osborne,	
DA17/0329	reduced setback)	6280	Lot 6 PLAN 58883	12/05/2017	12/05/2017	42000	Lynette Patricia Osborne	Lynette Patricia Osborne	1
				,,			,		
	Grouped Dwelling (Deck	2/9 Elsegood							
	Additions in Special	Avenue~YALLINGUP WA					Vivian Lawrie & Jan Marie	Vivian Lawrie, Jan Marie	
DA17/0330	Character Area)	6282	Lot 2 STPLN 28700	9/05/2017	,	20000	Lawrie	Lawrie	3
DA17/0330	Character Area)	0202	LOC 2 STPLIN 20700	3/03/201/		20000	Lawrie	Lawrie	,
	Single House (Reduced	10 Curnerd Lean WEALV	Lot 1444 PLAN				Jordan David Palk & Lisa	Ventura Home Group Pty	
DA47/0224		10 Gurnard Loop~KEALY		0/05/2017	,	225224			,
DA17/0331	Front Setback)	WA 6280	409125	9/05/2017		235224	Anne Palk	Ltd	3
	Cinala Hausa (Dadusad								
	Single House (Reduced	0.0-1-10-10-11-11-11-11-11-11-11-11-11-11-					A I - I - D - II O I/	A	
	Primary Street Setback	9 Coobari Grange~WEST	Lot 857 PLAN				Aaron John Bell & Kerrie	Aaron John Bell, Kerrie Jane	
DA17/0332	and Open Space)	BUSSELTON WA 6280	407130	10/05/2017	12/05/2017	150000	Jane Bell	Bell	12
		612 Layman							
	Oversized and Over-	Road~WONNERUP WA					John Maxwell Craig &		
DA17/0333	height Outbuilding	6280	Lot 70 PLAN 201556	10/05/2017	12/05/2017	32000	Darryl Denise King	Sheds Down South	5
		69B Norfolk							
	Single House (Reduced	Street~DUNSBOROUGH					Graeme Ian Davies &	33 South Building Group	
DA17/0334	Visual Privacy Setback)	WA 6281	Lot 1 SSPLN 75036	12/05/2017	16/05/2017	270000	Janice May Davies	Pty Ltd	3
		146 Duke							
		Street~BUSSELTON WA	Lot 7 DIAGRAM					Dale Alcock Homes South	
DA17/0336	Two Grouped Dwellings	6280	16368	15/05/2017	'	500000	Jedi Master Pty Ltd	West Pty Ltd	0
	Over-height Outbuilding	34 Bower Road~WEST	Lot 56 DIAGRAM				Warren Michael Hancock		
DA17/0337	(reduced setback)	BUSSELTON WA 6280	54192	9/05/2017	17/05/2017	19000	& Tyra Louise Wainwright	Sheds Down South	15
, , , , , , , , , , , , , , , , , , , ,	, , , , , , , , , , , , , , , , , , , ,			-,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			, , , , , , , , , , , , , , , , , , , ,		
	Factory Unit Building	4 Faure							
	(Three Commercial	Lane~DUNSBOROUGH					Christine Ann Davies &		
DA17/0338	Units)	WA 6281	Lot 916 PLAN 45007	10/05/2017	16/05/2017	580000	Gary Clive Berwyn Davies	Gary Clive Berwyn Davies	14
DM17/U336	Units)		LOI 910 FLAN 45007	10/05/2017	10/03/201/	360000	daily clive berwyn bavies	Gary Clive Berwyn Davies	14
	Single House /Sne-i-I	26 Eagle Bay-Meelup	Let 42 DIACRANA				Cana Wayna Watkin - 0		
DA17/0220	Single House (Special	Road~EAGLE BAY WA	Lot 42 DIAGRAM	10/05/2017		350000	Gary Wayne Watkins &	Duild N. Davidan	-
DA17/0339	Control Areas)	6281	40953	10/05/2017		250000	Debra Doreen Watkins	Build N Develop	7
	Outbuilding (Reduced	7 Fitzroy Link~VASSE WA					Joshua David McHaffie &		
DA17/0340	Setback)	6280	Lot 24 PLAN 56807	10/05/2017	16/05/2017	19500	Salina Senihin	Sheds Down South	14

# 125 Planning Applications Received

Applications Received (Deemed Complete) Report

Attachment A

Application	Received (Deemed Co		Primary Property	Application	Application				Clock
Number	Description	Primary Property Address		Received Date	Deemed	Estimated Cost	Primary Property Owners	Applicant Name	Days
- Tunner	Description	Trimary Troperty Mauress	Legar Dese	necessed Date	Decinea	Estimated cost	Trimary Property Currents	repriedite Hunte	Duys
	Single House (Extension	10 Elsegood							
	in Special Character	Avenue~YALLINGUP WA							
DA17/0341	Area)	6282	Lot 10 PLAN 8037	10/05/2017	17/05/2017	85000	Lynne Therese Hewitt	Clark Coastal Build	9
	1			20,00,202	21/00/2021				_
1	Single House in								
	Landscape Value Area	201 Sheoak							
	with Modified Building	Drive~YALLINGUP WA					Peter Guy Brandenburg &	WA Country Builders Pty	
DA17/0342	Envelope	6282	Lot 16 PLAN 23574	10/05/2017	22/05/2017	408504	Terri Anne Brandenburg	Ltd - Busselton	12
		26 Galley							
	Single House (Landscape	Ramble~DUNSBOROUGH					Eden Shawn Bromfield &	WA Country Builders Pty	
DA17/0343	Value Area)	WA 6281	Lot 324 PLAN 38816	10/05/2017	17/05/2017	313270	Ayu Artini	Ltd - Busselton	13
1		110 Pinnacle							
		Avenue~AMBERGATE WA					Robert George Newbold &		
DA17/0344	Overheight Outbuilding	6280	Lot 118 PLAN 45238	11/05/2017	17/05/2017	24000	Jocelyn Margaret Newbold	Sheds Down South	9
	Retaining Wall (Port	64 Lanyard							
DA17/0345	Geographe Development Area)	Boulevard~GEOGRAPHE WA 6280	Lot 91 PLAN 59251	11/05/2017	17/05/2017	11940	Lisa Anne Stott & Bradley Alexander Stott	Bunbury Limestone	6
DA17/0343	Area)	WA 0200	LOL 91 PLAN 39231	11/05/2017	17/03/2017	11940	Alexander Stott	Buildury Limestone	-
	Single House (Reduced	18 Mill Road~WEST					Abhijit Mahadeo Wagh &	Plunkett Homes (1903) Pty	
DA17/0346	Rear Setback)	BUSSELTON WA 6280	Lot 75 PLAN 14463	11/05/2017	17/05/2017	360000	Vijaya Abhijit Wagh	Ltd	9
DA17/0340	incur setoucky	DOSSELION WA 0200	20073124141403	11/05/2017	1770372017	300000	Vijaya Abinjit Wagii	cto	
	Single House (Vehicular								
	Access from Primary	5 Otway Pass~WEST	Lot 356 PLAN						
DA17/0347	Street)	BUSSELTON WA 6280	402935	12/05/2017	17/05/2017	226462	Benjamin Clive Henderson	Tangent Nominees Pty Ltd	11
		109 Woodbridge					Benjamin William Donald		
	Outbuilding (Outbuilding	Vale~YALLINGUP SIDING					Smith & Nadia Sharee		
DA17/0349	in Landscape Value Area)	WA 6282	Lot 3 PLAN 38741	15/05/2017	23/05/2017	16000	Power	Sheds Down South	8
		328 Marine							
	Change of Use	Terrace~GEOGRAPHE WA						George Grey Egerton-	
DA17/0350	(Takeaway Food Outlet)	6280	60573	15/05/2017		50000	Emerald Heights Pty Ltd	Warburton	3
	Single House (Special	29A Ella Gladstone Drive~EAGLE BAY WA							
DA17/0352	Control Areas)	6281	Lot 632 PLAN 58323	11/05/2017	24/05/2017	1500000	NHOJ Nominees Pty Ltd	Theo Mathews Architect	۹ ا
DA17/0332	Control Aleas)	0201	LOT 032 FLAIN 30323	11/05/2017	24/03/2017	1300000	INFO NOTHINEES FLY LLU	THEO Mathews Architect	
	Unauthorised								
	Development (sea								
	containers) - Lot 112	Walger Close~VASSE WA	Lot 112 PLAN						
DACP17/0023	Walger Close, Vasse	6280	409110	1/05/2017		0	Steven Michael Anstee		17
	Unauthorised								
	Development (Holiday								
	Home) - Lot 172 (No. 14)						Geoffrey Edward Mason,		
	Marri Drive,	Drive~DUNSBOROUGH	Lot 172 DIAGRAM				Susan Mason, Trent James		
DACP17/0024	Dunsborough	WA 6281	87973	2/05/2017		0	Mason		16

### Attachment A Planning Applications Received

Applications Received (Deemed Complete) Report

Application			Primary Property	Application	Application				Clock
Number	Description	Primary Property Address	Legal Desc	Received Date	Deemed	Estimated Cost	Primary Property Owners	Applicant Name	Days
	Unauthorised								
	Development (sea								
	container / signage) - Lot								
	47 (No. 44) Commerce	44 Commerce					Paris Road Australind CT		
DACP17/0025	Road, Vasse	Road~VASSE WA 6280	Lot 47 PLAN 52479	3/05/2017		0	Pty Ltd		15
		1597 Chapman Hill					Dext Pty Ltd, James		
	2 Lot Subdivision	Road~CHAPMAN HILL WA	Lot 4 DIAGRAM				George Griswolde Wood,	McMullen Nolan Group Pty	
WAPC17/0013	(Boundary Alignment)	6280	31227	2/05/2017	2/05/2017	0	Elizabeth Imray Wood	Ltd	24

## Attachment B Planning Applications Determined

**Applications Determined Report** 

Application		Primary Property	Primary Property	Determined	Determined		Clock	Estimated	Primary Property	
Number	Description	Address	Legal Desc	Date	Result	Decision	Days	Cost	Owners	Applicant Name
Development										
Applications										
	Overheight and Oversized	16 Davies							Cheryl Joy Wellstead &	
	Outbuilding (cumulative)	Way~BROADWATER							Kennith Reginald	Cheryl Joy Wellstead,
DA16/0001	nil setback	WA 6280	Lot 40 PLAN 9091	5/05/2017	Approved	Approved	488	25000	Wellstead	Kennith Reginald Wellstead
,		216 Fish		.,,						
		Road~SABINA RIVER							Antony Spencer Cook &	Antony Spencer Cook,
DA16/0696	Extractive Industry (Sand)	WA 6280	Lot 55 PLAN 409947	1/05/2017	Approved	Approved	231	1	Claire Elizabeth McIntosh	Claire Elizabeth McIntosh
		32 Serpentine							Roxahn Amber	
	Single House (Reduced	Bend~YALYALUP WA							Buitenhuis & Grant	
DA17/0080	Side Setback)	6280	Lot 73 PLAN 407789	3/05/2017	Approved	Approved	52	217148	Andrew Goodall	Plunkett Homes
		5 Park Way~WEST								
	Over-height Outbuilding	BUSSELTON WA								
DA17/0085	(reduced setbacks)	6280	Lot 25 PLAN 8328	8/05/2017	Approved	Approved	28	14817	Bronte Ronald Shreeve	CPR Outdoor Centre
		14 Quedjinup								
	Outbuilding - Lean to off	Drive~QUEDJINUP							Jasmin Anderson &	Kenneth Allan Anderson,
DA17/0094	Shed	WA 6281	Lot 122 PLAN 21712	2/05/2017	Approved	Approved	71	2000	Kenneth Allan Anderson	Jasmin Anderson
		71 Gale Street~WEST								
	Holiday Home (Single	BUSSELTON WA								
DA17/0143	House) 6 People	6280	Lot 6 DIAGRAM 7566	1/05/2017	Approved	Approved	3	0	Kevin James Mcgregor	Kevin James Mcgregor
		9 Gambetta								
		Road~YALYALUP WA							John Lohf & Delyce	
DA17/0172	Overheight Outbuilding	6280	Lot 926 PLAN 409180	8/05/2017	Approved	Approved	56	19000	Marina Lohf	Busselton Sheds Plus
		3 Baudin								
	Holiday Home (Single	Street~DUNSBOROU							Christopher David Plint &	,
DA17/0175	House) 10 People	GH WA 6281	Lot 299 PLAN 12170	1/05/2017	Approved	Approved	43	1	Jennifer Mary Plint	Jennifer Mary Plint
	Single House - Deck and	28 Wylarah								
	Bunkroom Additions	Way~QUINDALUP				l			Alan James Good & Hazel	l
DA17/0176	(Landscape Value Area)	WA 6281	Lot 107 PLAN 22896	11/05/2017	Approved	Approved	62	70000	Kathryn Margaret Good	Mark Webster Design
		4/126 Gifford								
D 4 4 7 (0 4 7 0	Holiday Home (Grouped	Road~DUNSBOROUG		4 /05 /205					D	Deborah Maree Battle,
DA17/0179	Dwelling) 6 People	H WA 6281	Lot 2 SSPLN 58420	4/05/2017	Approved	Approved	53	0	Royal Force Pty Ltd	Gary James Battle
	Haliday Harra (Granned	3/126 Gifford							Complement Bothle C	Carra James Battle
DA17/0100	Holiday Home (Grouped	Road~DUNSBOROUG	1 -+ 2 CCDINI FO 420	4/05/2017					Gary James Battle &	Gary James Battle,
DA17/0180	Dwelling) 6 People	H WA 6281	Lot 3 SSPLN 58420	4/05/2017	Approved	Approved	53	0	Deborah Maree Battle	Deborah Maree Battle

## 128 Planning Applications Determined

#### **Applications Determined Report**

Attachment B

Application			Primary Property	Determined	Determined		Clock	Estimated	Primary Property	
Number	Description	Address	Legal Desc	Date	Result	Decision	Days	Cost	Owners	Applicant Name
		12 Powell								
	Single House (Alfresco	Court~WEST								
	Addition with Two	BUSSELTON WA							Peter John Lloyd &	Peter John Lloyd,
DA17/0182	Boundary Walls)	6280	Lot 28 PLAN 10434	12/05/2017	Approved	Approved	61	19400	Samantha Haworth	Samantha Haworth
		22 North								
	Single House ( Patio in a	Street~DUNSBOROU	Lot 1 DIAGRAM						Thats Gold Properties Pty	
DA17/0184	Special Character Area)	GH WA 6281	41638	2/05/2017	Approved	Approved	43	8000	Ltd	Kim Gordon
		22 North								
	Holiday Home (Single	Street~DUNSBOROU	Lot 1 DIAGRAM						Thats Gold Properties Pty	
DA17/0185	House) 7 People	GH WA 6281	41638	2/05/2017	Approved	Approved	44	0	Ltd	Kim Gordon
		8/1172 Wildwood								
	Chalet in Landscape Value	Road~YALLINGUP							Corinne Edith Gruenthal	Dale Alcock Homes South
DA17/0187	Area	SIDING WA 6282	Lot 8 SSPLN 46398	9/05/2017	Approved	Approved	49	227272	& Danny Julius Gruenthal	West Pty Ltd
		7/1172 Wildwood								
	Chalet (Landscape Value	Road~YALLINGUP							Corinne Edith Gruenthal	Dale Alcock Homes South
DA17/0188	Area)	SIDING WA 6282	Lot 7 SSPLN 46398	9/05/2017	Approved	Approved	49	227272	& Danny Julius Gruenthal	West Pty Ltd
		21 Dawson								
	Holiday Home (Single	Drive~YALLINGUP								
DA17/0190	House) 6 People	WA 6282	Lot 34 PLAN 8037	8/05/2017	Approved	Approved	0	0	Scott Gregory Cole	Scott Gregory Cole
	Single House (Timber	25 Elsegood								
	Deck Addition in a Special	Avenue~YALLINGUP								
DA17/0191	Character Area)	WA 6282	Lot 68 PLAN 8037	2/05/2017	Approved	Approved	46	20000	Anatems Pty Ltd	Mark Webster Design
		146 Yungarra								
	Single House (Additions in	Drive~QUEDJINUP								
DA17/0193	a Landscape Value Area)	WA 6281	Lot 4 PLAN 15570	8/05/2017	Approved	Approved	51	500000	Peter Lloyd Robinson	Theo Mathews Architect
		49 Wilyabrup							William Roy Meiklejohn	
	Rural Enterprise (Cellar	Road~WILYABRUP	Lot 10 DIAGRAM						& Roberta Dorothy	
DA17/0194	Door)	WA 6280	76990	1/05/2017	Approved	Approved	43	1	Meiklejohn	Elizabeth Christine Reed
	Recreation Facility (New	2 King Street~WEST							Geographe Bay Yacht	
	Junior Clubhouse and	BUSSELTON WA							Club, City of Busselton,	
DA17/0197	Caretakers Residence)	6280	Lot 539 PLAN 404860	12/05/2017	Approved	Approved	61	200000	State of WA	Geographe Bay Yacht Club
						1				
	Single House (Patio	49 High Street~WEST								
	Addition with Reduced	BUSSELTON WA	Lot 7 DIAGRAM						Gregory John Daniels &	
DA17/0198	Setback)	6280	15488	1/05/2017	Approved	Approved	49	6460	Margaret Phoebe Daniels	CPR Outdoor Centre

## 129 Planning Applications Determined

#### **Applications Determined Report**

Attachment B

Application		Primary Property	Primary Property	Determined	Determined		Clock	Estimated	Primary Property	
Number	Description	Address	Legal Desc	Date	Result	Decision	Days	Cost	Owners	Applicant Name
		3/20 Geographe Bay								
	Holiday Home (Grouped	Road~DUNSBOROUG								
DA17/0203	Dwelling) 6 People	H WA 6281	Lot 3 STPLN 17588	4/05/2017	Approved	Approved	78	1	Douglas Allan Brooks	Douglas Allan Brooks
									0 " 5 10	
		1044 Geographe Bay							Geoffrey Frank Spencer	0 % 5 10
	Over-height Carport and	Road~GEOGRAPHE	Lot 49 DIAGRAM	10/05/0017	l	١			& Wendy Carolyn	Geoffrey Frank Spencer,
DA17/0210	Patio	WA 6280	38728	10/05/2017	Approved	Approved	46	8000	Spencer	Wendy Carolyn Spencer
	Relocate an Existing	10 Caprock								
	Outbuilding (Reduced	Crescent~VASSE WA			l	l	l		David Stanley Willott &	David Stanley Willott,
DA17/0217	Setbacks)	6280	Lot 519 PLAN 49085	5/05/2017	Approved	Approved	31	3000	Maureen Shirley Willott	Maureen Shirley Willott
	Display Home with	2 Amberjack Avenue~KEALY WA	Lot 1423 PLAN							
DA17/0219	Reduced Setbacks	6280	409125	1/05/2017	Annround	Annuarad	36	14545455	Burgay Pty Ltd	DreamStart Homes
DA17/0219	Reduced Setbacks	0280	409125	1/05/2017	Approved	Approved	36	145454.55	Burgay Pty Ltu	DreamStart Homes
	Single Herres with	5 Ollis								
	Single House with Reduced Setbacks (Special		Lot 14 DIAGRAM						Peter Leslie Carter &	WA Country Builders Pty
DA17/0222	Character Area)	WA 6281	47394	1/05/2017	Approved	Approved	26	429800	Susan Elizabeth Carter	Ltd - Busselton
DA17/0222	Character Area)	WA 6261	47394	1/05/2017	Approved	Approved	26	429000	Susan Enzabeth Carter	Ltd - Busselton
	Modified Building									
	Envelope to									
	Accommodate	128 Sonning								
	Outbuilding (Landscape	Loop~YALLINGUP								
DA17/0224	Value Area)	WA 6282	Lot 74 PLAN 23573	10/05/2017	Approved	Approved	37	20000	Hilton John Butler	Peter Tibbitt
,		5 Albert					-			
		Street~BUSSELTON							Peter Bowman Nominees	
DA17/0226	Commercial Signage	WA 6280	Lot 150 PLAN 65897	12/05/2017	Approved	Approved	32	123800	Pty Ltd	Public Ink
		10 Seagrott								
		Road~WEST								
	Single House (reduced	BUSSELTON WA								
DA17/0227	setbacks)	6280	Lot 67 PLAN 8799	12/05/2017	Approved	Approved	37	600000	Silvia Maria Bucolo	Landon Wilde
		15 Knapton								
		Street~WEST								
		BUSSELTON WA								
DA17/0233	Oversized Outbuilding	6280	Lot 13 PLAN 8653	8/05/2017	Approved	Approved	35	10000	Jarrad Norman O'Brien	Jarrad Norman O'Brien
		15 Keel								
	Jetty (Port Geographe	Retreat~GEOGRAPHE							Ian David Robbins &	
DA17/0236	Development Area)	WA 6280	Lot 507 PLAN 22448	4/05/2017	Approved	Approved	41	17000	Pamela Jean Robbins	West Coast Jetties

# Attachment B Planning Applications Determined

**Applications Determined Report** 

Application		Primary Property	Primary Property	Determined	Determined		Clock	Estimated	Primary Property	
Number	Description	Address	Legal Desc	Date	Result	Decision	Days	Cost	Owners	Applicant Name
		31 Pinehurst								
		Crescent~DUNSBORO	Lot 1270 PLAN							
DA17/0247	Retaining Wall and Fence	UGH WA 6281	406062	10/05/2017	Approved	Approved	30	1500	Andrew John Barry	Andrew John Barry
		8 Bendjar								
	Single House (Reduced	Grove~VASSE WA								Plunkett Homes (1903) Pt
DA17/0250	Rear Setback)	6280	Lot 61 PLAN 407511	5/05/2017	Approved	Approved	26	285716	Jacqueline Karen Thorn	Ltd
		215 Marine								
		Terrace~GEOGRAPHE								Plunkett Homes (1903) Pt
DA17/0251	Grouped Dwelling	WA 6280	Lot 5 SSPLN 45688	4/05/2017	Approved	Approved	21	153000	Luke Benjamin Durcan	Ltd
		St Michaels								
	Holiday Home (Single	Parkway~DUNSBORO							Carolyn Jane Robinson &	Carolyn Jane Robinson,
DA17/0258	House) 8 People	UGH WA 6281	Lot 599 PLAN 44185	9/05/2017	Approved	Approved	23	1	Michael Eric Robinson	Michael Eric Robinson
,		19 Carriage		-,,						
	Patio (Reduced Rear	Terrace~VASSE WA								
DA17/0261	Setback)	6280	Lot 430 PLAN 49085	10/05/2017	Approved	Approved	28	4220	Martin Thomas Hassall	CPR Outdoor Centre
	Extension to Existing	21 Mistover								Charles Grist GN
	Single House (Landscape	Place~YALLINGUP								Constructions [WA] PTY
DA17/0264	Value Area)	WA 6282	Lot 88 PLAN 37901	4/05/2017	Approved	Approved	19	190000	Stephen Richard Boyle	LTD
DA17/0204	value Area)	8A Reynolds	LOT 00 F LAIN 37301	4/03/2017	Арргочец	Approved	13	130000	Stephen Michard Boyle	LID
		Street~WEST								
	Holiday Home (Grouped	BUSSELTON WA								
DA17/0266	Dwelling) 6 People		Lot 2 SSPLN 73364	9/05/2017	Annroyad	Annroyad	22	0	Mark Anthony Mitchell	Mark Anthony Mitchell
DA17/0266	Dwelling) 6 People	6280	LOT 2 SSPLIN 73364	9/05/2017	Approved	Approved	22	0	Mark Anthony Mitchell	Mark Anthony Mitchell
	Chalat (Usa of Daffaction	7/11 000								
	Chalet (Use of Reflective	7/11 Quininup								Town North Duilding
D 4 4 7 /00 7 7	Building Material -	Road~YALLINGUP		4 /05 /0047			١		0	True North Building
DA17/0277	retrospective)	WA 6282	Lot 7 SSPLN 58314	1/05/2017	Approved	Approved	11	0	Gerrit Andre Kemp	Supplies Pty Ltd
		15 Songlark								
/	Gable Patio Extension (R-	Mews~GEOGRAPHE				l			Thomas Andrew	
DA17/0286	Codes)	WA 6280	Lot 345 PLAN 19930	11/05/2017	Approved	Approved	15	5355	Shanahan	CPR Outdoor Centre
		68 Cookworthy								
	Patio in Landscape Value	Road~BROADWATER		l					Ross Varcoe & Wendy	Ross Varcoe, Wendy Mary
DA17/0288	Area	WA 6280	Lot S11 PLAN 161513	3/05/2017	Approved	Approved	8	8000	Mary Varcoe	Varcoe
		137 Balmoral								
	Holiday Home (Single	Drive~QUINDALUP								
DA17/0292	House) 8 People	WA 6281	Lot 253 PLAN 68461	10/05/2017	Approved	Approved	13	0	Daniel Perera	Private Properties Service
		3 Court Street~WEST								
	Single House (Reduced	BUSSELTON WA	Lot 19 DIAGRAM						David John Nelson &	
DA17/0293	Setbacks)	6280	6327	5/05/2017	Approved	Approved	10	418000	Melissa Jean Nelson	Ustyle Homes

#### **Applications Determined Report**

Application		Primary Property	Primary Property	Determined	Determined		Clock	Estimated	Primary Property	
Number	Description	Address	Legal Desc	Date	Result	Decision	Days	Cost	Owners	Applicant Name
		17 Diamante								
	R-Codes Variation (Vehicle	Boulevard~DUNSBOR							Ross Keith Lavington &	Ventura Home Group Pty
DA17/0296	Access)	OUGH WA 6281	Lot 215 PLAN 407786	11/05/2017	Approved	Approved	7	206729	Leah Joy Lavington	Ltd
		82 Switchback								
		Parade~WEST							Fairway Developments	
	Single House (Vehicular	BUSSELTON WA							WA Pty Ltd & Zaph Pty	Ventura Home Group Pty
DA17/0301	Access)	6280	Lot 864 PLAN 408159	9/05/2017	Approved	Approved	3	229350	Ltd	Ltd
		56 Switchback								
		Parade~WEST								
		BUSSELTON WA							Kenneth Brian Stinton &	
DA17/0312	Outbuilding (R-Codes)	6280	Lot 740 PLAN 402346	12/05/2017	Approved	Approved	4	5500	Lonely Wisanty Stinton	Kenneth Brian Stinton
		78 Gale Street~WEST								
		BUSSELTON WA	Lot 13 DIAGRAM							
WAPC17/0009	2 Lot Survey Strata	6280	18687	1/05/2017	Approve	Approved	41	0	CJAC2 Pty Ltd	Automated Surveys
	Reconfiguration of Lots	469 Wildwood								
	3920 & 4090 Wildwood	Road~CARBUNUP	Lot 3920 PLAN							Tim Koroveshi (Town
WAPC17/0011	Road	RIVER WA 6280	164964	11/05/2017	Support	WaitWAPC	49	0	Craig Frederick Berryman	Planning Consultant)
		1380 Vasse-Yallingup								
		Siding								
	3 x Rural Residential Lots	Road~YALLINGUP								
WAPC17/0012	(3.1 Ha - 4.5 Ha)	SIDING WA 6282	Lot 93 PLAN 62385	1/05/2017	Support	WaitWAPC	35	0	Michael Hector Simpson	Naturaliste Land Surveys

#### South Swest Zone WALGA Report

#### **SOUTH WEST ZONE - WALGA**

#### REPORT

#### Background

At the April 2017 meeting of the South West Zone it was resolved that the Executive Officer provide a summary of the Zone reports for the preceding 12 monts to enable members to review the progress of items submitted to the State Council. April 2017

#### Report

The following table provides a summary by month of those reports extracted from the minutes. The report will be presented to the next meeting of the Zone but is circulated prior to the Agenda to enable members time to review the issues contained in the summary.

#### **April 2017**

Zone	Agenda Item	Zone Resolution	WALGA Response	Up- date	WALGA Contact
Sth West C	2017 February 24 Zone Agenda Item 10.1 Hazard Reduction on Highway Reserves	That WALGA consult with Main Roads Western Australia seeking the development of some clear standards for roadside hazard reduction noting that this summer has seen a significant reduction in such hazard reduction within the South-West Region.	A letter has been sent to the Executive Director, Metropolitan and Southern Regions and to the Regional Manager setting out the concerns of the Zone and seeking a response from Main Roads WA.	April 2017	lan Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2017 February 24 State Council Agenda Item 5.12 Post Border Biosecurity Policy Position & Recommendations to the State Government	That WALGA:  1. Endorse the proposed post- border biosecurity policy position subject to amending policy position 3.2 to state that "Local Government are not supportive of Recognised Biosecurity Groups". WALGA's policy position in item 3.2 is to call on the State Government to adequately fund DAFWA for biosecurity officers to be able to administer full compliance regarding biosecurity	STATE COUNCIL MARCH 2017 That WALGA:  1. Endorse the proposed post-border biosecurity policy position with:  a) The adoption of a recommendation for the re-instatement of an appropriately resourced Agriculture Protection Board; and, b) An amended policy position 3.2 to state that "Local Government are not supportive of Recognised"	April 2017	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au

		matters.  2. Advocate for the State Government to implement the recommendations in the Position Paper, including a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act 2007 as a priority.	Biosecurity Groups". WALGA's policy position in item 3.2 is to call on the State Government to adequately fund DAFWA for biosecurity officers to be able to administer full compliance regarding biosecurity matters.  2. Advocate for the State Government to implement the recommendations in the Position Paper, including a review of the operation and effectiveness of the Biosecurity and Agriculture Management Act 2007 as a priority.  Copies of both the policy and the recommendations for State Government have been sent to the Chair of the Biosecurity Council, the A/Director General of DAWA, and the topic is on the agenda for the first meeting with the new Minister for Agriculture.		
Sth West C	2017 February 24 Zone Agenda Item 7.1 Divestment from Fossil Fuels	That WALGA State Council:  1. Rescind Investment Policy FS080 endorsed at the December 2016 State Council Meeting;  2. Revert to the previous version of this policy.	State Council considered a rescission motion in respect to WALGA's internal investment policy at the March 2017 State Council meeting.  The rescission motion was lost and the current policy remains in place.	April 2017	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au
Sth West C	2017 February 24 Zone Agenda Item 10.2 Annual Electors Meetings	That the South West Zone seeks the support of WALGA in lobbying the Department of Local Government and Communities to remove the requirement in the Local Government Act (S.5.27) to conduct Annual Electors Meetings as it is considered that Annual Electors Meetings have little relevance to the Electors when issues can be raised on a regular	The Zone position is consistent with WALGA's current advocacy position for section 5.27 of the Local Government Act should be amended so that Electors General Meetings are not compulsory. WALGA has listed this as an item to be considered in the upcoming Local Government Act review.	April 2017	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

### Attachment C

		basis at Council meetings during			
Sth West C	2017 February 24 State Council Agenda Item 5.6 Interim Submission – State Planning Policy 3.6 – Development Contributions for Infrastructure	Public Question Time.  That the State Planning Policy 5.5 be amended to allow for an unlimited timescale on a Greenfield sites.	The resolution from the South West Country Zone was considered at the State Council meeting and the decision was, unlimited time frames unfairly disadvantage residents in terms of their expectations for delivery of the components of the development contribution plan. However longer time frames than the 5-10 years proposed in the State Planning Policy (ie 10-20 years) would provide a more realistic set of parameters. It is possible to review the operation of the Development Contribution Plan at the end of its 'term' and either remove the plan as the subdivision has been developed, or endorse a new Development Contribution Plan only for the remaining land that is still being developed.	April 2017	Vanessa Jackson Policy Manager Planning and Improvement vjackson@walqa.asn.au 9213 2064
			STATE COUNCIL RESOLUTION MARCH 2017  That the interim submission to the WA Planning Commission on State Planning Policy 3.6 – Development Contributions for Infrastructure be endorsed.		
Sth West C	2016 November 25 Zone Agenda Item 10.4 Shire of Collie Submission – Charitable Rating Status	That WALGA;  1. Express concern to the Department of Housing regarding the proliferation of organisations (quite often managing properties on behalf of the Housing Authority) claiming charitable status and seeking to avoid paying rates. This has and will lead to a diminishing unsustainable rate base for local governments and	A review of the charitable land use rate exemption provisions under Section 6.26(2) (g) of the Local Government Act is a long-standing advocacy position of the Association. WALGA calculates the loss in revenue due to the exemption is over \$17m per year. State Government's outsourcing of Department of Housing stock to be registered not for profit organisations that manage the community housing program will be included in the advocacy for a review of this provision	April 2017	James McGovern Manager Governance 9213 2093 jmcgovern@walga.asn.au

Sth West C	2016 August 26 Zone Agenda Item 7.6 Withdrawal of DLGC Owned Buildings – Shire of Collie	urgent attention is required to address this matter,  2. Seek agreement from the Department of Housing that the outsourcing of the management of public housing to not for profit organisations will not adversely impact on Councils rating income.  That WALGA make representation to the Department of Local Government and Communities and strongly oppose the Department of Local Government and Communities (DLGC) plans to withdrawal its support for childcare services and ownership of related assets on the ground of cost shifting to affected local governments and community organisations.	WALGA has continued to raise the issue with the Department including the President's column in the West Australian on 11 October 2017.  The issue has been raised with the Minister's chief of staff and at a number of forums, however the State Government has been resolute in their position.  WALGA has met with Linkwest to discuss their role with assisting centres in the transition.  With the McGowan Labor Government now fully implemented, the Association will raise this issue with both the Minister for Local Government, David Templeman and the Minister for Community Services,	April 2017	Joanne Burges Executive Manager, Planning and Community Development jburges@walga.asn.au mailto:wcarter@walga.asn.au 9213 2018
Sth West C	2016 April 22 Zone Agenda Item 11.2 Bunbury Outer	That WALGA lobby the State Government to have the Bunbury Outer Ring Road declared a project of state significance and that both	and the Minister for Community Services, Simone McGurk.  This matter will be added to the agenda for future discussions with the Minister for Transport, Hon Rita Saffioti. Will investigate with South West Zone	April 2017	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West	Ring Road  2016 April 22 Zone Agenda	funding and a time line be identified. Furthermore, that the State approach the Federal government to contribute funding to the project.  That WALGA be requested to seek an amendment to the Biosecurity and	representatives their interest in participating in a small delegation to the Minister for Transport.  The Association will include the issue of Government agency compliance	April 2017	Mark Batty Executive Manager Environment and Waste
С	Item 11.3 Review of	Agriculture Management Act to remove the exclusion on Government	with the BAM Act in its meetings with		9213 2078 mbatty@walga.asn.au

Biosecurity and	agencies and the Public Transport	the Minister for Agriculture, the				
Agriculture	Authority currently not bound by	Biosecurity Council and the A/Director	1			
Management Act	legislation to ensure reserves in urban	General when discussion the new	1			
	areas comply with "managed	Biosecurity Policy position of the	1			
	bushland" category. Furthermore a	Association.	1			
	complete review of the act be			1		
	undertaken.		1	1		
				1		

### February 2017

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C	2016 November 25 Zone Agenda Item 10.1 Submission by the Shire of Donnybrook- Balingup (Responsibility for Bridges)	THAT:  1. The Zone supports the proposal by the Shire of Donnybrook-Balingup that in the case of legal action occurring in regard to the situation of local government responsibility relevant to 3. 53 of the Act that WALGA consider coresponsibility for contesting the case, with or without the assistance of the State Solicitors Office and Department of Local Government and Communities, and  2. That WALGA request the Department of Local Government and Communities to amend the Local Government Act 1995 to clarify local government responsibility under Section 3.53	WALGA will consider supporting a legal case at the time when the situation arises. Section 3.53 of the Local Government Act is listed for consideration in any future review of the Act. The current State Government has given no commitment to a review of the Act.	February 2017	Ian Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2016 November 25 Zone Agenda Item 10.3 Shire of Harvey Submission –	That the South West Zone of WALGA advise the WA Local Government Association that it supports the principle of a ban on one use plastic bags, thin (supermarket) shopping bags, on the basis that a considered State-wide or	The Association thanks the Zone for their consideration of this issue. The feedback from the Zone will be incorporated with other Local Government feedback to inform WALGA's advocacy on this issue.	February 2017	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au

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Sth West C	2016 November 25 State Council Agenda Item 5.3 Local Government Industrial Jurisdiction	National implementation and consultation plan is developed which covers issues such as community education, environmental alternatives and an equitable transition period.  THAT item 5.3 be amended as under;  1. Provide information and advice to Local Government to support their assessment of the appropriate industrial relations jurisdiction within which to operate  2. Advocate for modernization of the WA industrial relations framework with a view to achieve consistency with the predominant Federal industrial relations system	State Council accepted the Zones position.  STATE COUNCIL RESOLUTION  DECEMBER 2016  That WALGA:  1. Provide information and advice to Local Government to support their assessment of the appropriate industrial relations jurisdiction within which to operate; and 2. Advocate for modernization of the WA industrial relations framework with a view to achieve consistency with the predominant Federal industrial relations system.	February 2017	Scott Roffey Employee Relations Manager sroffey@walga.asn.au 9213 2014
Sth West C	2016 November 25 Zone Agenda Item 10.4 Shire of Collie Submission – Charitable Rating Status	That WALGA;  3. Express concern to the Department of Housing regarding the proliferation of organisations (quite often managing properties on behalf of the Housing Authority) claiming charitable status and seeking to avoid paying rates. This has and will lead to a diminishing unsustainable rate base for local governments and urgent attention is required to address this matter,  4. Seek agreement from the Department of Housing that the outsourcing of the management of public housing to not for profit organisations will not adversely impact on	A review of the charitable land use rate exemption provisions under Section 6.26(2)(g) of the Local Government Act is a long-standing advocacy position of the Association. WALGA calculates the loss in revenue due to the exemption is over \$17m per year. State Government's outsourcing of Department of Housing stock to be registered not for profit organisations that manage the community housing program will be included in the advocacy for a review of this provision continues.	February 2017	James McGovern Manager Governance 9213 2093 jmcgovern@walga.asn.au

Attachment C

2016 April 22

West | Zone Agenda

Item 11.3

Review of

Biosecurity

That WALGA be requested to seek

an amendment to the Biosecurity and

Agriculture Management Act to

remove the exclusion on Government

agencies and the Public Transport

#### Councils rating income. Sth 2016 THAT the South West Zone of the James McGovern February The Department of Local Government and West November 25 WA Local Government Association: -2017 Manager Governance Communities provides advice and guidance Zone Agenda 1. Encourage the South West Zone jmcgovern@walga.asn.au on responsible ownership for both cats and Item 10.5 member Councils to: 9213 2093 dogs, which reflects their administrative a. support a responsible cat Responsible responsibility for the relevant Acts. Cat ownership education campaign; Ownership b. participate in the campaign and manage their own education Shire of program on a regular basis through Dardanup their own media functions. 2. Seek advice from the WA Local Government Association on the concept of a state wide responsible cat ownership campaign. 2016 August That WALGA make representation to Sth February Joanne Burges WALGA has continued to raise the issue the Department of Local Government **Executive Manager, Planning and Community** West 26 2017 with the department including the Zone Agenda and Communities and strongly Development President's column in the West Australian Item 7.6 oppose the Department of Local jburges@walga.asn.au mailto:wcarter@walga.asn.au on 11 October. Withdrawal of Government and Communities 9213 2018 The issue has been raised with the DLGC Owned (DLGC) plans to withdrawal its Minister's chief of staff and at a number of Buildings support for childcare services and forums, however the State Government has Shire of Collie ownership of related assets on the been resolute in their position. ground of cost shifting to affected WALGA has met with Linkwest to discuss local governments and community their role with assisting centres in the organisations. transition. Ongoing 2016 April 22 That WALGA lobby the State Ian Duncan Sth February This matter will be added to the agenda for Zone Agenda **Executive Manager Infrastructure** Government to have the Bunbury West future discussions with the Minister for Item 11.2 Outer Ring Road declared a project iduncan@walga.asn.au Transport. Will investigate with South West 9213 2031 **Bunbury Outer** of state significance and that both Zone representatives their interest in Ring Road funding and a time line be identified. participating in a small delegation to the Furthermore, that the State approach Minister for Transport. the Federal government to contribute funding to the project.

The Association has been making

strong representations on behalf of the

sector to the new Agriculture Minister,

Director General of the Department of

Mark Batty

9213 2078

mbatty@walga.asn.au

**Executive Manager Environment and Waste** 

February

2017

Sth West C	2015 November 27 Zone Agenda Item 8.9 Volunteer Bush Fire	That the South West Zone of WA Local Government Association:- Require the Executive Officer write to the WA Local Government Association to request that State Council:	of RBGs with existing NRM bodies;  The need for greater compliance and enforcement activity by DAFWA;  current arrangements could be improved through better communication, extension support to RBGs, instituting an annual forum and the development of an online project map.  The Association released a Biosecurity Position Paper to the sector for comment in December. This paper followed on from the WALGA Biosecurity Discussion Paper released in December 2015, a series of workshops held in February 2016 and feedback from Councils. A recommendation and an updated biosecurity policy position has been sent to State Council as an Item for Decision for the March meeting.  WALGA continue to advocate for appropriate training of volunteer bushfire brigades and recognise that the Special Inquiry into the Waroona Fire Opportunity 23 states:  When established, the Rural Fire Service,	February 2017	Melissa Pexton Policy Manager Emergency Management mpexton@walga.asn.au 9213 2080
	and Agriculture Management Act	Authority currently not bound by legislation to ensure reserves in urban areas comply with "managed bushland" category. Furthermore a complete review of the act be undertaken.	Agriculture and Food (DAFWA) and departmental officials.  The Association met with the Agriculture Minister on 29 November. The key points from this meeting were:  That a review of the BAM Act should be undertaken in 2017 as a priority, not in 2022 as has been indicated by DAFWA;  That more guidance and a strategic approach is required, such as that in the NSW Local Land Services Act 2013 model;  There should be greater alignment of PBCs with oviction NBM hodios:		

Brigad	es –
Trainin	g
Pathwa	ays –
DFES	-

- brigades; and
- Emergency Commissioner to have the members of volunteer Brigades. from the list of prerequisites so that volunteer bush fire fighters they need to be effective and WALGA. safe bush fire fighters, with the DFES in response to Local Government possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.

a) Seek feedback from all rural in conjunction with the Departments of Local Governments in Western | Parks and Wildlife and Fire and Emergency Australia to assess if this is a Services, to establish a Western Australian state wide issue that is Centre for Excellence in Rural and Forest impacting on volunteer bush fire | Fire Management. The Centre to include a networked capability for research, planned b) Refer this matter to the Fire and | burning, lessons learned and facilitating Services training for rural firefighters, especially for

training for structural fires The Minister Emergency Services has placed further down or removed requested a meeting with WALGA to discuss the recommendations and opportunities from the report in November can receive the training that 2016 and to initiate consultation with

> concerns with the Volunteer Pathway have put in place a change to better accommodate the training of Fire Control Officers as a stand-alone or elective course to be offered separate from the pathway. This separation accommodates those Local

> Governments who appoint a member of staff (not a firefighter) to the role of FCO. The training can now be undertaken in isolation of the Pathway.

With regard to other improvements in the delivery of training to volunteers, the Pathway will remain until the creation of a Rural Fire Service. WALGA continues to assist individual Local Governments having specific issues with the Pathway with liaison meetings with DFES. DFES advises that the Volunteer Pathway Training program is constantly being updated in response to user feedback.

November 2016

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C	2016 June 23 State Council Agenda Item 5.1 Local Government Gift Provisions	That item 5.1, item 2 recommendations be amended as follows;  By the removal of the words "continue to develop suggested" in line 1 and replacement with "Engage in Drafting relevant" and the inclusion of the words following Officers in line 3 "and forward to the Government, Opposition and relevant ministers and Opposition spokesman.	The resolution from the South West Country Zone was included at the State Council meeting and resolved as follows:  STATE COUNCIL RESOLUTION JULY 2016  That WALGA:  1. Seek commitment from the State Government and The Opposition to align Local Government Elected Members and employees with State Parliamentarians in respect to exempting gifts received in a genuine personal capacity; and  2. Engage in drafting relevant long term Act and Regulatory provisions relating to gifts to provide more logical and relevant provisions for Elected Members and Local Government Officers.  3. As an interim measure, explore potential opportunities to amend the Local Government (Administration) Regulations to achieve exemption from disclosure of travel, accommodation and meals provided by ALGA, WALGA, LGMA and other Local Government professional associations.  Information will be provided to the Government, Opposition and relevant Ministers and Opposition spokesman.	August 2016	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au
Sth West C	2016 June 23 Zone Agenda Item 10.1 Speakers at WALGA AGM	THAT: SWZ seek that WALGA undertake a review of its annual conference including structure, format, content and cost,	The Local Government Convention and Exhibition was last reviewed following the 2015 convention. It is reviewed every second year in deference to the result of the survey of participating delegates. For example, a significant change to the 2016 program was to offer a speaker program more orientated around practical application than the previous balance of practical, motivational and inspirational. In addition pricing and pricing options for the convention and exhibition are maintained in reference to comparable events offered by similar organisations. The evolution of the convention is	August 2016	Zac Donovan Executive Manager Finance and Marketing zdonovan@walga.asn.au 9213 2038

			perpetual and insights for development are welcomed, especially from participating Members.		
Sth West C	2016 June 23 Zone Agenda Item 10.2 Councillor Training Programs	That WALGA be advised that program as circulated is to be confirmed and that nominations from elected members will be sought by CEOs and advised directly to WALGA	Course dates, venue and trainers now finalised and enrolment forms available on WALGA website.	August 2016	Jacqueline Dodd Training Manager jdodd@walga.asn.au 9213 2090
Sth West C	2016 June 23 Zone Agenda Item 10.1 DAFWA Recognised Biosecurity Groups – Shire of Capel	That: 1. The South West Zone WALGA call on the State Government to immediately reinstate adequate funding to DAFWA for biosecurity officers to enact full compliance regarding the control of declared weeds and feral animals across the South West: and  2. WALGA be requested to lobby the State Government and State Labour Party on this matter.	As per the AGM resolution, the Association will be making a comprehensive submission to the review of the Biosecurity and Agriculture Management Act 2007, and will advocate the submission recommendations to the Minister for Agriculture and Food, the Director General of DAFWA and the State Biosecurity Council. It will also advocate to the State Labor Party and the Greens on this matter.	August 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au
Sth West C	2016 April 22 Zone Agenda Item 11.2 Bunbury Outer Ring Road	That WALGA lobby the state government to have the Bunbury Outer Ring Road declared a project of state significance and that both funding and a time line be identified. Furthermore, that the State approach the Federal government to contribute funding to the project.	This matter will be added to the agenda for future discussions with the Minister for Transport. Will investigate with South West Zone representatives their interest in participating in a small delegation to the Minister for Transport.	August 2016	lan Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2016 April 22 Zone Agenda Item 11.3 Review of Biosecurity and Agriculture Management Act	That WALGA be requested to seek an amendment to the Biosecurity and Agriculture Management Act to remove the exclusion on Government agencies and the Public Transport Authority currently not bound by legislation to ensure reserves in urban areas comply with "managed bushland" category. Furthermore a complete review of the act be undertaken.	The Association will be making a comprehensive submission to the review of the Biosecurity and Agriculture Management Act 2007, and will advocate the submission recommendations to the Minister for Agriculture and Food, the Director General of DAFWA and the State Biosecurity Council.	August 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au
Sth West C	2016 April 22 Zone Agenda Item 11.1 BAL Mapping	That:  That WALGA lobby DFES to undertake a review of Bushfire Attack Level (BAL) Mapping;  Continue to lobby for mandatory	State Council supports state-wide, minimum bushfire mitigation standards, specifically to:  • Give legislative effect to bushfire	August 2016	Melissa Pexton Senior Policy Advisor Community mpexton@walga.asn.au 9213 2080

## Attachment C

Sth West C  2015 November 27 Zone Agenda Item 9.3 Asset Valuations and Depreciation  Depreciation  A common methodology or framework established to consistently identify and determine "fair value" of Local Government assets; A common methodology or framework established to consistently identify and determine "fair value" of Local Govern assets; A common methodology or framework established to determine consistently if at what rate various asset types are depreciated; and A review of the way asset ratios are ag the Department of Local Government of Communities as an indicator of curren future viability.	depreciation.  This issue has been further highlighted by the information to be provided on the DLGC comparative website.  The Zone will be kept informed as this issue progresses.  The depreciation.  Governance and Organisational Services thrown@walga.asn.au 9213 2051  The Zone will be kept informed as this issue progresses.
Sth West C 2015 November That the South West Zone of WA Local Government Association:-	Further to WALGAs representation and advocacy to the Inter Agency Bushfire Training  August 2016  Melissa Pexton Senior Policy Advisor

### Attachment C

	Zone Agenda Item 8.9 Volunteer Bush Fire Brigades – Training Pathways – DFES	Require the Executive Officer write to the WA Local Government Association to request that State Council:  c) Seek feedback from all rural Local Governments in Western Australia to assess if this is a state wide issue that is impacting on volunteer bush fire brigades; and  d) Refer this matter to the Fire and Emergency Services Commissioner to have the training for structural fires placed further down or removed from the list of prerequisites so that volunteer bush fire fighters can receive the training that they need to be effective and safe bush fire fighters, with the possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.	Subcommittee, where this issue has been raised, WALGA will be conducting workshops in the South West to address a range of emergency management issues of which training will be considered in detail. The workshop was originally scheduled for June, however was cancelled due to member commitments to an exercise in the region on the same day. WALGA will discuss a suitable date with the Zone. WALGA is planning to host workshops in September 2016 and will consult with the South West Zone for the best date.  As part of this process WALGA is hosting a workshop with members to progress the Emergency Services Levy (ESL) Project on Tuesday 23 August at the Hyatt Hotel. This will follow the breakfast with Waroona Bushfire Special Inquirer, Euan Ferguson. Mr Ferguson will discuss the report, highlighting relevant recommendations and opportunities for Local Governments.		Community mpexton@walga.asn.au 9213 2080
Sth West C	2015 June 26 Zone Agenda Item 8.7 SAI Global – Australian Standards – Subscription Costs	That the South West Zone of WALGA request the WALGA investigate the most cost effective solution for Local Governments to maintain up to date Australian Standards that apply to the activities that Local Governments are required to administer, apply to the organisation and advice given to contractors and the community.	WALGA's Procurement team is currently investigating this issue and two options are being considered:  1. A review and refinement of our current templates and standard contract terms and conditions which Members will have access to. WALGA is in the process of engaging legal expertise to assist with the drafting of new standard contract terms and conditions for use by Members. This work will commence in August. Once finalized, these standard WALGA General Conditions of Contract will negate the need to use the Standards Australia (SA) Terms and Conditions, for those Members that wish to adopt the new WALGA General Conditions of Contract.  2. For those Members that still wish to use the SA Terms and Conditions or have access to other Australian Standards through SAI	August 2016	John Filippone Executive Manager Business Solutions jfilippone@walga.asn.au 9213 2020

	Global, WALGA will investigate the opportunity to enter into a single statewide license agreement. Municipal Association of Victoria (MAV) has already undertaken some of this work and WALGA would look to build on what has already been achieved by MAV. This will remove the need for Members to individually enter into arrangements with SA.	
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### August 2017

Zone Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C  2016 June 23 State Council Agenda Item 5.1 Local Government Gif Provisions	That item 5.1, item 2 recommendations be amended as follows;  By the removal of the words "continue to develop suggested" in line 1 and replacement with "Engage in Drafting relevant" and the inclusion of the words following Officers in line 3 "and forward to the Government, Opposition and relevant ministers and Opposition spokesman.	The resolution from the South West Country Zone was included at the State Council meeting and resolved as follows:  STATE COUNCIL RESOLUTION JULY 2016  That WALGA:  4. Seek commitment from the State Government and The Opposition to align Local Government Elected Members and employees with State Parliamentarians in respect to exempting gifts received in a genuine personal capacity; and  5. Engage in drafting relevant long term Act and Regulatory provisions relating to gifts to provide more logical and relevant provisions for Elected Members and Local Government Officers.  6. As an interim measure, explore potential opportunities to amend the Local Government (Administration) Regulations to achieve exemption from disclosure of travel, accommodation and meals provided by ALGA, WALGA, LGMA and other Local Government professional associations.  Information will be provided to the Government, Opposition and relevant Ministers and Opposition spokesman.	August 2016	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

Sth West C	Zone Agenda Item 10.1 Speakers at WALGA AGM	THAT: SWZ seek that WALGA undertake a review of its annual conference including structure, format, content and cost,	The Local Government Convention and Exhibition was last reviewed following the 2015 convention. It is reviewed every second year in deference to the result of the survey of participating delegates. For example, a significant change to the 2016 program was to offer a speaker program more orientated around practical application than the previous balance of practical, motivational and inspirational. In addition pricing and pricing options for the convention and exhibition are maintained in reference to comparable events offered by similar organisations. The evolution of the convention is perpetual and insights for development are welcomed, especially from participating Members.	August 2016	Zac Donovan Executive Manager Finance and Marketing zdonovan@walga.asn.au 9213 2038
Sth West C	2016 June 23 Zone Agenda Item 10.2 Councillor Training Programs	That WALGA be advised that program as circulated is to be confirmed and that nominations from elected members will be sought by CEOs and advised directly to WALGA	Course dates, venue and trainers now finalised and enrolment forms available on WALGA website.	August 2016	Jacqueline Dodd Training Manager jdodd@walga.asn.au 9213 2090
Sth West C	2016 June 23 Zone Agenda Item 10.1 DAFWA Recognised Biosecurity Groups – Shire of Capel	That: 3. The South West Zone WALGA call on the State Government to immediately reinstate adequate funding to DAFWA for biosecurity officers to enact full compliance regarding the control of declared weeds and feral animals across the South West: and  4. WALGA be requested to lobby the State Government and State Labour Party on this matter.	As per the AGM resolution, the Association will be making a comprehensive submission to the review of the Biosecurity and Agriculture Management Act 2007, and will advocate the submission recommendations to the Minister for Agriculture and Food, the Director General of DAFWA and the State Biosecurity Council. It will also advocate to the State Labor Party and the Greens on this matter.	August 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au
Sth West C	2016 April 22 Zone Agenda Item 11.2 Bunbury Outer Ring Road	That WALGA lobby the state government to have the Bunbury Outer Ring Road declared a project of state significance and that both funding and a time line be identified. Furthermore, that the State approach the Federal government to contribute funding to the project.	This matter will be added to the agenda for future discussions with the Minister for Transport. Will investigate with South West Zone representatives their interest in participating in a small delegation to the Minister for Transport.	August 2016	lan Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031

# South Swest Zone WALGA Report

Sth West C	2016 April 22 Zone Agenda Item 11.3 Review of Biosecurity and Agriculture Management Act	That WALGA be requested to seek an amendment to the Biosecurity and Agriculture Management Act to remove the exclusion on Government agencies and the Public Transport Authority currently not bound by legislation to ensure reserves in urban areas comply with "managed bushland" category. Furthermore a complete review of the act be undertaken.	The Association will be making a comprehensive submission to the review of the Biosecurity and Agriculture Management Act 2007, and will advocate the submission recommendations to the Minister for Agriculture and Food, the Director General of DAFWA and the State Biosecurity Council.	August 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au
Sth West C	2016 April 22 Zone Agenda Item 11.1 BAL Mapping	That:  That WALGA lobby DFES to undertake a review of Bushfire Attack Level (BAL) Mapping;  Continue to lobby for mandatory accreditation (WALGA, Building Commission, WAPC)	State Council supports state-wide, minimum bushfire mitigation standards, specifically to:  • Give legislative effect to bushfire guidelines • Improve guidance on design of subdivision and buildings • Provide policy guidance, model subdivision and development conditions • Establish an accreditation system for BAL assessments • Establish a training and education program.  WALGA continue to monitor the implementation of the planning for bushfire risk management policy framework in support of the position adopted by State Council and advocate accordingly.  Further updates will be provided in the Planning and Community Development Key Activity Report.	August 2016	Melissa Pexton Senior Policy Advisor Community mpexton@walga.asn.au 9213 2080
Sth West C	2015 November 27 Zone Agenda Item 9.3 Asset Valuations and Depreciation	THAT: WALGA be requested to lobby the Minister for Local Government and the Department of Local Government and Communities (DLGC) to initiate a standardised approach to the way asset valuation and depreciation expense is applied across the WA Local Government sector. This includes but is not limited to the following: A common methodology or framework being established to consistently identify and	WALGA staff are liaising with the DLGC in respect to a standardised approach for asset valuation and depreciation.  This issue has been further highlighted by the information to be provided on the DLGC comparative website.  The Zone will be kept informed as this issue progresses.	August 2016	Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051

14 June 2017

Sth West C	2015 November 27 Zone Agenda Item 8.9 Volunteer Bush Fire Brigades – Training Pathways – DFES	determine "fair value" of Local Government assets; A common methodology or framework being established to determine consistently how and at what rate various asset types are depreciated; and A review of the way asset ratios are applied by the Department of Local Government and Communities as an indicator of current and future viability.  That the South West Zone of WA Local Government Association:- Require the Executive Officer write to the WA Local Government Association to request that State Council: e) Seek feedback from all rural Local Governments in Western Australia to assess if this is a state wide issue that is impacting on volunteer bush fire brigades; and f) Refer this matter to the Fire and Emergency Services Commissioner to have the training for structural fires placed further down or removed from the list of prerequisites so that volunteer bush fire fighters can receive the training that they need to be effective and safe bush fire fighters, with the possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.	Further to WALGAs representation and advocacy to the Inter Agency Bushfire Training Subcommittee, where this issue has been raised, WALGA will be conducting workshops in the South West to address a range of emergency management issues of which training will be considered in detail. The workshop was originally scheduled for June, however was cancelled due to member commitments to an exercise in the region on the same day. WALGA will discuss a suitable date with the Zone. WALGA is planning to host workshops in September 2016 and will consult with the South West Zone for the best date.  As part of this process WALGA is hosting a workshop with members to progress the Emergency Services Levy (ESL) Project on Tuesday 23 August at the Hyatt Hotel. This will follow the breakfast with Waroona Bushfire Special Inquirer, Euan Ferguson. Mr Ferguson will discuss the report, highlighting relevant recommendations and opportunities for Local Governments.	August 2016	Melissa Pexton Senior Policy Advisor Community mpexton@walga.asn.au 9213 2080
Sth West C	2015 June 26 Zone Agenda Item 8.7 SAI Global – Australian Standards – Subscription	That the South West Zone of WALGA request the WALGA investigate the most cost effective solution for Local Governments to maintain up to date Australian Standards that apply to the activities that Local Governments are required to administer, apply to the organisation and advice given to contractors and the community.	WALGA's Procurement team is currently investigating this issue and two options are being considered:  3. A review and refinement of our current templates and standard contract terms and conditions which Members will have access to.  WALGA is in the process of engaging legal	August 2016	John Filippone Executive Manager Business Solutions jfilippone@walga.asn.au 9213 2020

Costs	ovportion to o	agist with the drafting of new	
Costs		ssist with the drafting of new ract terms and conditions for use	
		This work will commence in	
		e finalized, these standard	
		eral Conditions of Contract will	
	negate the ne	ed to use the Standards	
	Australia (SA)	Terms and Conditions, for those	
	Members that	wish to adopt the new WALGA	
	General Cond	litions of Contract.	
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	L For those Mar	where that atill wish to use the	
		mbers that still wish to use the	
		Conditions or have access to	
		an Standards through SAI	
		SA will investigate the opportunity	
	to enter into a	single statewide license	
	agreement. N	funicipal Association of Victoria	
	(MAV) has alr	eady undertaken some of this	
		LGA would look to build on what	
		een achieved by MAV. This will	
		eed for Members to individually	
	enter into arra	ingements with SA.	

### June 2016

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
Sth West C	2016 April 22 Zone Agenda Item 11.2 Bunbury Outer Ring Road	That WALGA lobby the state government to have the Bunbury Outer Ring Road declared a project of state significance and that both funding and a time line be identified. Furthermore, that the State approach the Federal government to contribute funding to the project.	This matter will be added to the agenda for future discussions with the Minister for Transport. Will investigate with South West Zone representatives their interest in participating in a small delegation to the Minister for Transport.	June 2016	lan Duncan Executive Manager Infrastructure iduncan@walga.asn.au 9213 2031
Sth West C	2016 April 22 Zone Agenda Item 11.3 Review of Biosecurity and Agriculture	That WALGA be requested to seek an amendment to the Biosecurity and Agriculture Management Act to remove the exclusion on Government agencies and the Public Transport Authority currently not bound by legislation to ensure reserves in urban areas comply with	The Association is meeting with the new Minister for Agriculture on June 15 <sup>th</sup> to discuss this issue, and to seek a commitment to review the Act in 2017.	June 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au

	Management Act	"managed bushland" category. Furthermore a complete review of the act be undertaken.			
Sth West C	2016 April 22 Zone Agenda Item 11.1 BAL Mapping	That:  That WALGA lobby DFES to undertake a review of Bushfire Attack Level (BAL) Mapping;  Continue to lobby for mandatory accreditation (WALGA, Building Commission, WAPC)	State Council supports state-wide, minimum bushfire mitigation standards, specifically to:  Give legislative effect to bushfire guidelines  Improve guidance on design of subdivision and buildings  Provide policy guidance, model subdivision and development conditions  Establish an accreditation system for BAL assessments  Establish a training and education program.  WALGA continue to monitor the implementation of the planning for bushfire risk management policy framework in support of the position adopted by State Council and advocate accordingly.	June 2016	Melissa Pexton Senior Policy Advisor Community mpexton@walga.asn.au 9213 2080
Sth West C	2016 April 22 State Council Agenda Item 5.1 Local Government Gift Provisions	That the recommendation in item 5.1 – Local Government Gift provisions be amended by the addition of a further point 4.  Attendance at Government related functions and events (local, State and Federal) that are principally sponsored or organised by Government entities. Further that this exemption should apply to travel contributions.	The South West Country Zone's amendment has been incorporated into the State Council resolution as follows.  STATE COUNCIL RESOLUTION MAY 2016 That WALGA urgently seek alignment in the interpretation of a gift as described in the WA Ministerial Code of Conduct and consequentially strongly request the Minister for Local Government to amend the Local Government (Administration) Regulations 1996 and the Local Government (Rules of Conduct) Regulations 2007 in respect to the Gift provisions to provide Elected Members and Officers with an exemption for the following; Gifts provided in a genuine personal capacity; Business involving Local Government Associations and Organisations such as WALGA, ALGA, LGMA and Regional Local Governments; Attendance at community events and functions provided by Community Groups; and Attendance at Government related functions and	June 2016	Tony Brown Executive Manager Governance and Organisational Services 9213 2051 tbrown@walga.asn.au

			events (local, State and Federal) that are principally sponsored or organised by Government. That WALGA in conjunction with LGMA and DLGC conduct a complete review of the gift provisions of the Local Government Act 1995, Local Government (Administration) Regulations 1996 and Local Government (Rules of Conduct) Regulations 2007 including the ability for regular reviews of the value of notifiable gifts and prohibited gifts to arrive at a more logical understandable and relevant provisions applicable to Elected Members and Employees.		
Sth West C	2016 February 26 Zone Agenda Item 9.3 Local Government Comparative Website	THAT:  1. The SWZ requests WALGA to advocate to DLGC for consultation on information to be incorporated on the Local Government Comparative website before implementation  2. Requests that implementation be deferred for a 12 month period to June 2017.	State Council considered the SW Zone's motion at their March meeting as an emerging issue and resolved as follows:  That WALGA advocates to the Department of Local Government and Communities for Local Government sector consultation on information to be incorporated on the Local Government Comparative website before further phases of the website are implemented.  The Secretariat has written to the Director General of the Department of Local Government and Communities seeking Local Government sector consultation prior to development of further phases of the Local Government comparative website.	June 2016	Tim Lane Manager Strategy & Reform 9213 2029 tlane@walga.asn.au
Sth West C	2016 February 26 Zone Agenda Item 9.2 State Council Agenda Items for amendment 5.8 WALGA Governance Review	That clause 33 be amended to read (ii) That the WALGA Governance Manager undertakes research into alternative executive/corporate structure models for the governance of the association and report back with preferred scenarios to the State Council for consideration.  Any preferred/alternative models to examine –  1. The positive and negative contingencies likely to result from formation of a new executive structure of the State Council, 2. The cost/benefit analysis of any alternative	An agenda item will be prepared for the 2016 June/July round of Zone and State Council meetings.	June 2016	Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051

Sth West C	2015 November 27 Zone Agenda Item 8.9 Volunteer Bush Fire Brigades – Training Pathways – DFES	executive structure 3. Roles and responsibilities, includng relationships between executive, zones and members.  That the South West Zone of WA Local Government Association:- Require the Executive Officer write to the WA Local Government Association to request that State Council: g) Seek feedback from all rural Local Governments in Western Australia to assess if this is a state wide issue that is impacting on volunteer bush fire brigades; and h) Refer this matter to the Fire and Emergency Services Commissioner to have the training for structural fires placed further down or removed from the list of prerequisites so that volunteer bush fire fighters can receive the training that they need to be effective and safe bush fire fighters, with the possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.	WALGA await correspondence from the South West Zone. Further to WALGAs representation and advocacy to the Inter Agency Bushfire Training Subcommittee, where this issue has been raised, WALGA will be conducting workshops in the South West to address a range of emergency management issues of which training will be considered in detail. The workshop was originally scheduled for June, however was cancelled due to member commitments to an exercise in the region on the same day.	June 2016	Melissa Pexton A/Policy Manager Community 9213 2080 mpexton@walga.asn.au
Sth West C	2015 November 27 Zone Agenda Item 9.3 Asset Valuations and Depreciation	THAT: WALGA be requested to lobby the Minister for Local Government and the Department of Local Government and Communities (DLGC) to initiate a standardised approach to the way asset valuation and depreciation expense is applied across the WA Local Government sector. This includes but is not limited to the following: A common methodology or framework being established to consistently identify and determine "fair value" of Local Government assets; A common methodology or framework being	WALGA staff are liaising with the DLGC in respect to a standardised approach for asset valuation and depreciation.  This issue has been further highlighted by the information to be provided on the DLGC comparative website.  The Zone will be kept informed as this issue progresses.	June 2016	Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051

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		established to determine consistently how and at what rate various asset types are depreciated; and A review of the way asset ratios are applied by the Department of Local Government and Communities as an indicator of current and future viability.			
Sth West C	2015 June 26 Zone Agenda Item 8.7 SAI Global – Australian Standards – Subscription Costs	That the South West Zone of WALGA request the WALGA investigate the most cost effective solution for Local Governments to maintain up to date Australian Standards that apply to the activities that Local Governments are required to administer, apply to the organisation and advice given to contractors and the community.	WALGA's Procurement team is currently investigating this issue and two options are being considered:  5. A review and refinement of our current templates and standard contract terms and conditions which Members will have access to. Once finalized, these standard WALGA General Conditions of Contract will negate the need to use the Standards Australia (SA) Terms and Conditions, for those Members that wish to adopt the new WALGA General Conditions of Contract.  6. For those Members that still wish to use the SA Terms and Conditions or have access to other Australian Standards through SAI Global, WALGA will investigate the opportunity to enter into a single statewide license agreement. Municipal Association of Victoria (MAV) has already undertaken some of this work and WALGA would look to build on what has already been achieved by MAV. This will remove the need for Members to individually enter into arrangements with SA.	June 2016	John Filippone Executive Manager Business Solutions ifilippone@walga.asn.au 9213 2020

# April 2016

Zone	Agenda Item	Zone Resolution	WALGA Response	Up-date	WALGA Contact
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# 154 South Swest Zone WALGA Report

# Attachment C South Swest Zone WA

Sth West C	2016 February 26 Zone Agenda Item 9.3 Local Government Comparative Website	THAT:  1. The SWZ requests WALGA to advocate to DLGC for consultation on information to be incorporated on the Local Government Comparative website before implementation  2. Requests that implimentation be deferred for a 12 month period to June 2017.	State Council considered the SW Zone's motion at their March meeting as an emerging issue and resolved as follows:  That WALGA advocates to the Department of Local Government and Communities for Local Government sector consultation on information to be incorporated on the Local Government Comparative website before further phases of the website are implemented.	April 2016	Tim Lane Manager Strategy & Reform 9213 2029 tlane@walga.asn.au
Sth West C	2016 February 26 Zone Agenda Item 9.2 State Council Agenda Items for amendment 5.8 WALGA Governance Review	That clause 33 be amended to read (ii) That the WALGA Governance Manager undertakes research into alternative executive/corporate structure models for the governance of the association and report back with preferred scenarios to the State Council for consideration.  Any preferred/alternative models to examine –  1. The positive and negative contingencies likely to result from formation of a new executive structure of the State Council, 2. The cost/benefit analysis of any alternative executive structure 3. Roles and responsibilities, includng relationships between executive, zones and members.	An agenda item will be prepared for the 2016 June/July round of Zone and State Council meetings.	April 2016	Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051
Sth West C	2015 November 27 Zone Agenda Item 8.9 Volunteer Bush Fire Brigades – Training Pathways – DFES	That the South West Zone of WA Local Government Association:- Require the Executive Officer write to the WA Local Government Association to request that State Council: i) Seek feedback from all rural Local Governments in Western Australia to assess if this is a state wide issue that is impacting on volunteer bush fire brigades; and j) Refer this matter to the Fire and Emergency Services Commissioner to have the training for structural fires placed	DFES is establishing a new Training Pathways Advisory Committee which will include 6 Local Government Volunteer representatives. WALGA made comments to the Public Inquiry into the January 2016 Waroona Fire Reference was made to the need for clarity on the roles and responsibilities of DFES, DPaW and Local Governments for the development and delivery of training for Local Government volunteers. This was provided in line with previous submission to the Department of Fire and Emergency Services for Emergency Services Legislation Review 2013. (Resolution 219.3/2013)	April 2016	Melissa Pexton A/Policy Manager Community 9213 2080 mpexton@walga.asn.au

# 155 South Swest Zone WALGA Report

Sth West C	2015 June 26 Zone Agenda Item 8.7	That the South West Zone of WALGA request the WALGA investigate the most cost effective solution for Local Governments to maintain up	WALGA's Procurement team is currently investigating this issue and two options are being	February 2016	John Filippone Executive Manager Business Solutions
Sth West C	2015 November 27 Zone Agenda Item 9.3 Asset Valuations and Depreciation	THAT: WALGA be requested to lobby the Minister for Local Government and the Department of Local Government and Communities (DLGC) to initiate a standardised approach to the way asset valuation and depreciation expense is applied across the WA Local Government sector. This includes but is not limited to the following: A common methodology or framework being established to consistently identify and determine "fair value" of Local Government assets; A common methodology or framework being established to determine consistently how and at what rate various asset types are depreciated; and A review of the way asset ratios are applied by the Department of Local Government and Communities as an indicator of current and future viability.	and recognition of prior learning/experience is developed.  • A transparent and current training database be developed with online access.  WALGA staff are liaising with the DLGC in respect to a standardised approach for asset valuation and depreciation.  This issue has been further highlighted by the information to be provided on the DLGC comparative website.  The Zone will be kept informed as this issue progresses.	April 2016	Tony Brown Executive Manager Governance and Organisational Services tbrown@walga.asn.au 9213 2051
		further down or removed from the list of prerequisites so that volunteer bush fire fighters can receive the training that they need to be effective and safe bush fire fighters, with the possibility of developing their skills as structural fire fighters later on in their careers if that is their choice.	Two specific recommendations were made in the Waroona Fire Submission regarding volunteer training:  • That a clear policy statement about the roles and responsibilities of all agencies for the training of volunteers; the standards to which volunteers are required to be trained; the availability and location of training throughout the State;		

# 156 Attachment C South Swest Zone WALGA Report

	SAI Global – Australian Standards – Subscription Costs	to date Australian Standards that apply to the activities that Local Governments are required to administer, apply to the organisation and advice given to contractors and the community.	considered:  7. A review and refinement of our current templates and standard contract terms and conditions which Members will have access to. Once finalized, these standard WALGA General Conditions of Contract will negate the need to use the Standards Australia (SA) Terms and Conditions, for those Members that wish to adopt the new WALGA General Conditions of Contract.  8. For those Members that still wish to use the SA Terms and Conditions, WALGA will investigate the opportunity to enter into a single statewide license agreement. This will remove the need for Members to individually enter into arrangements with SA.		jfilippone@walga.asn.au 9213 2020
Sth West C	2015 April 23 Zone Agenda Item 7 Clearing of Native Vegetation WAPC Policy alignment with DER Clearing Policy	That this item be retained on the Zone Status Report to ensure it is pursued in a timely manner. The Minister be asked to intervene to ensure this matter is brought to a speedy conclusion.	Further updates on this streamlining will be provided as they occur.	April 2016	Mark Batty Executive Manager Environment and Waste 9213 2078 mbatty@walga.asn.au

E R FISHER Executive Officer SWZ-WALGA

26/05/17

#### **Busselon Jetty Reference Group Minutes**



# Minutes MEETING HELD AT RAILWAY HOUSE BOARDROOM

#### Friday 28 April 2017, at 9.00am Busselton Jetty Reference Group

Name	Title
Cr Grant Henley	Mayor, City of Busselton
Cr Rob Bennett	Councillor, City of Busselton
Jenny Sheehan	President, Busselton Jetty Inc.
Stephen Gaebler	Vice President, Busselton Jetty Inc.

#### Additional attendees:

Gordon Bleechmore - Councillor, City of Busselton

Mike Archer - CEO City of Busselton

Naomi Searle - Director Community and Commercial Services

Oliver Darby - Director, Engineering and Works Services, City of Busselton

Shawn Lombard - Facilities Coordinator, City of Busselton

Jon Berry - Economic Development Coordinator, City of Busselton

Tanya Downie – Executive Support Officer, City of Busselton

Lisa Shreeve - Chief Executive Officer, Busselton Jetty Inc.

Simon McArthur - Simon McArthur and Associates

Charmian Terry - Secretary, Busselton Jetty Inc.

Caroline Vincin - Tourism WA

Ken Shular - Oceanis

Sharon Falconer - Oceanis

Mark Exeter – South West Development Commission

#### APOLOGIES

Oliver Darby - Director Engineering and Works Services, City of Busselton

#### 1.0 Declaration of Opening

Cr Grant Henley welcomed everyone and declared the meeting open at 9.10am.

#### 2.0 Attendance

Attendance and apologies were noted.

# 3.0 <u>Presentation from Oceanis/Simon McArthur – Second Underwater Observatory / Marine</u> Discovery Centre

Simon McArthur and Ken Shular from Oceanis presented concept designs and feasibility to increase opportunities at the Busselton Jetty.

# 15.1 Attachment D Busselon Jetty Reference Group Minutes

The idea of the concepts is to create new experiences for people visiting the Interpretive Centre and Underwater Observatory (UWO), increase underwater habitat and exhibitions, provide a new Underwater Observatory/Discovery Centre which incorporated more retail, care and capacity to hold functions.

The Group were provided with concepts for two (2) options for a new UWO to be located at the end of the Busselton Jetty within close proximity to the existing UWO.

Option 1: "Base Model" would include two (2) cylinder structures with a tunnel, pop-up café,

large retail, adventure pavilion and new underwater habitat.

Option 2: "World Class Destination" could include a large elliptical UWO, café/function room,

interactive exhibits, adventure pavilion, larger retail, new underwater habitat.

Action: The Group asked for feasibility and approximate costing to be provided for both

options, with preference being for the "World Class Destination" model.

#### 4.0 Confirmation of Minutes

President Busselton Jetty asked if "Busselton Jetty Inc" could be used for future meeting, replacing BJECA. These amendments will be made to all future correspondence for this Group.

Change to be made to previous minutes (3 March 2017) Item 5.5 to say the 8 seat mule was used to transport people, not the train.

With the changes listed above, Jenny Sheehan moved to accept the minutes of the Busselton Jetty Reference Group meeting held on 3 March 2017 as a true and correct record, no objections.

#### 5.0 <u>Business Arising From Previous Minutes</u>

#### 5.1 Memorial Plaques on the Busselton Jetty (Jon Berry)

Economic Development Coordinator provided a draft of the revised Busselton Jetty – Placement of Memorial Plaques policy.

The Group reviewed the changes and suggested including:

- Annual inspections will take place by the City to determine the condition of the plaques
- The City will notify the owner (where records exist) or advertise locally to advise any
  plaques found to be in a poor condition. These will be removed from the Jetty and stored
  by the City and will require the owner to reapply for placement.

The draft revised policy will be presented at the Policy and Legislation Committee Meeting on 18 May 2017 and further comments can be sent to the City by 5 May 2017.

#### 5.2 Signage concept plans for the Jetty (Jon Berry)

Tenders are currently being sought for the signage at the Busselton Foreshore.

All marine boat operators have been notified of the new signage and will pay a fee to advertise using the signage as part of their permits. Jon will discuss the needs of other tour operators (e.g Underwater Helmet Walks) with Busselton Jetty CEO.

#### Attachment D Busselon Jetty Reference Group Minutes

15.1 Attachment D

Action: Copy of the concept plan for the signage to be forwarded to the Group with the

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minutes of this meeting.

#### 5.3 Artificial Reef Program (Jon Berry)

The City provided Busselton Jetty Inc with a letter of support for the artificial reef program. Of the \$300k allocated, it is hoped Busselton Jetty will receive \$150k towards installing an artificial reef near the Busselton Jetty.

Action: Economic Development Coordinator to arrange a meeting with Charles Jenkinson from Regional Development South West and Busselton Jetty Inc to discuss further.

#### 4.4 Use of Skateboards/Bikes on Jetty (Lisa Shreeve)

Busselton Jetty CEO informed the Group of numerous issues with children on bikes/skateboards holding on to the back of the train while moving and camping on the jetty during the school holidays.

Director Community and Commercial Services advised the Group, when the new Youth Building has been completed, Youth Officers will be present over the weekends who will have the ability to suspend/ban people from the an Youth Precinct if they are causing a nuisance under the Local Law.

Action: Busselton Jetty CEO to liaise with the Office of Rail Safety regarding offences

relating to interference with a train.

Busselton Jetty CEO to contact the City's Rangers and Police requesting joint attendance at the jetty in the early hours of morning during peak times to catch anyone camping on the jetty and infringe under the Local Law.

Rangers will be required to have Induction training to drive a Mule on the Jetty.

#### 6.0 General Business

#### 6.1 Busselton Jetty Items in Peel Terrace Customers Service Area (Lisa Shreeve)

Busselton Jetty CEO enquired if the City would allow a glass cabinet or something similar to be placed at the Customer Information Centre / New Administration Building with some retail items promoting the Busselton Jetty.

Action:

Busselton Jetty CEO to contact the City's Customer Service Coordinator to seek advice whether Jetty retail items could be made available for sale in the Customer Information Centre / New Administration Building.

#### **Busselon Jetty Reference Group Minutes**

#### 6.2 Mobile Vendors on Busselton Jetty (Jon Berry)

Economic Development Coordinator provided the Group with a draft revised Mobile Vendors on the Busselton Jetty Policy. The Policy will be presented at the next Policy and Legislation meeting scheduled to be held on 18 May 2017.

The City have not received any interest from vendors, however the sites for heritage node 4 and 7 will be advertised with the next round of EOI for Mobile Traders.

Action: If members of the Group have any feedback regarding the policy, please forward to Economic Development Coordinator by Friday 5 May 2017.

#### 6.3 Memorial Plaque – Vivien Hickman

The Group considered the email received from Murray Hickman who is requesting a memorial plaque to be installed on the Busselton Jetty for his mother Vivien Hickman.

After consideration, the Group agreed the application did not meet the criteria set out in the Busselton Jetty – Placement of Memorial Plaques Policy and did not approve the request.

Action: Executive Support Officer to inform the applicant the request for a memorial plaque has not been approved as it did not meet the criteria set out in the Busselton Jetty – Memorial Plaque Policy.

#### 6.4 Memorial Plaque – Leslie Hollands

The Group considered a letter received from Valarie Hollands who is requesting a memorial plaque to be installed on the Busselton Jetty for her husband Leslie Hollands.

After consideration, the Group agreed the application met the criteria set out in the Busselton Jetty – Placement of Memorial Plaque Policy and approved the request.

Action:

Economic Development Coordinator to provide a Council Report advising of the decision to approve a memorial plaque to be placed on the Busselton Jetty for Leslie Hollands.

Executive Support Officer to inform the applicant the outcome of Council's decision for a memorial plaque to be installed on the Busselton Jetty.

#### 6.5 New Jetty Train (Jenny Sheehan)

Busselton Jetty President informed the group the new Jetty Train and Museum will be launched on 19 May 2017. Invitations will be forwarded to City Officers and Councillors.

The Festival of Trains will take place the following week with free train rides for the community at 9am and 4pm each day during the week, plus a bouncy castle and cake at the launch.

There will be Golden Tickets in the paper to win a pass to the UWO.

# Busselon Jetty Reference Group Minutes

#### 6.6 30th Anniversary/Retirement (Lisa Shreeve)

Busselton Jetty Inc will be celebrating their 30<sup>th</sup> Anniversary in October 2017.

lan Clarke will be retiring from his position as train driver at the Jetty. Recruitment for the position is currently taking place along with other positions which have been advertised in today's paper (28 April). Following an organisational restructure, a number of positions will be advertised for the Jetty, noting that they are all within the existing budget.

#### 6.7 Jetty Entrance Fees (Jon Berry)

Economic Development Coordinator informed Busselton Jetty Inc the Jetty Entrance Fee for the 2017/2018 financial year has been adopted by Council and will be \$4.00 effective 01 July 2017.

#### 6.0 Next Meeting

Meeting closed at: 11.18am

Next Meeting Busselton Jetty Reference Group Meeting

Time: 9.00am Date: 30 June 2017

Venue: TBA

Cr Grant Henley Chairperson MAYOR, CITY OF BUSSELTON



# MEETING HELD IN MEETING ROOM A, DONGA CITY

On

#### Tuesday 2 May 2017 at 9.00am Marketing and Events Reference Group

#### **ATTENDEES**

Name	Title
Cr. Grant Henley	Mayor, City of Busselton
Cr. Coralie Tarbotton	Deputy Mayor, City of Busselton
Cr. Rob Bennett	Councillor, City of Busselton (left 10.24am)
Jodie Richards	Chief Executive Officer, Busselton Chamber of Commerce and Industry (BCCI)
Josh Hardy	Representative Dunsborough Yallingup Chamber of Commerce and Industry (DYCCI)
Peta Tuck	Events Coordinator, City of Busselton
Sharna Kearney	Group Marketing Manager, Margaret River Busselton Tourism Association (MRBTA)
Tanya Downie	Executive Support Officer, City of Busselton

#### **APOLOGIES**

Naomi Searle, Director Community and Commercial Services, City of Busselton Jennifer May, Manager Commercial Services, City of Busselton Tanya Gillett, Manager Health Services, City of Busselton Meredith Dixon, Public Relations Officer, City of Busselton Lisa Shreeve, Chief Executive Officer, Busselton Jetty Inc.

#### 1.0 ATTENDANCE AND APOLOGIES

Mayor Henley opened the meeting at  $9.08 \, \mathrm{am}$  and welcomed attendees to the Marketing and Events Reference Group meeting.

#### 2.0 CONFIRMATION OF PREVIOUS MINUTES

Cr Tarbotton moved a motion to accept the minutes of the meeting held on 9 November 2016 as a true and accurate record of the meeting. Seconded by Cr Bennett.

#### 2.1 BUSINESS ARISING FROM PREVIOUS MINUTES (not covered in item 5.0)

Nil.

15.1

#### 3.0 EVENT COORDINATORS REPORT (PETA TUCK)

#### 3.1 BUSINESS ARISING FROM MINUTES

A meeting of MERG was held on the 9 November 2016 and resulted in the following actions;

 Group Manager Marketing MRBTA to provide DYCCI with link to events advertised on the MRBTA website. Marketing Manager to follow up with DYCCI.

Information has been provided by MRBTA to DYCCI

Events Coordinator to advise what facilities are required to run the Masters Games.

Events Coordinator has spoken with Uni Sport Australia as organisers of the Australian Masters Games. Arrangements have been in place since 2015 for the 2019 Games to be held in Adelaide. Events Coordinator has expressed interest in bidding for possible future Games, awaiting advice back from the Chief Operating Officer on the bidding process.

The next games to bid for will be in 2021. Item to be deferred until a later date.

 Manager Commercial Services and Events Coordinator to look at resourcing social media page. Public Relations Officer to advise if Events can be included on the City's Facebook page, when endorsed by Council.

Social media was launched by the City of Busselton in December 2016 and is being used successfully in conjunction with the PR Team to promote events and advertise relevant information such as road and Jetty closures for events.

4. Events Coordinator to inform the group of registration numbers for Ironkids.

2016 Ironkids participants totalled 286.

Letter of support to be written in partnership with MRBTA to host the Regional 2017 WA Tourism Conference.

Event Coordinator to include \$10k in the 2017/2018 Budget to host the Regional 2017 WA Tourism Conference.

At the meeting of 14 December 2016, Council endorsed the allocation of \$10k in the draft 2017/18 budget towards the 2017 WA Tourism Conference, to be funded from the 2017/18 Differential Rate Events Budget (C1612/152). A letter of support was written and forwarded to Tourism WA. Unfortunately, MRBTA were unsuccessful in their bid to host the conference, it was awarded to Albany.

#### 3.2. FINANCIAL IMPLICATIONS

Two (2) Year Cashflow Forecast to 2016/2017 -2017/2018 was tabled (Attachment 1).

At the 21 July 2016 Council meeting, Council resolved to include a 1% increase in the Industrial and Commercial Differential Rate from 9% to 10% in the 2016/17 budget (C1607/157), resulting in an allocation of \$624k for events and marketing, with a split of 75/25 (\$468k/\$156k) respectively. At the end of the 2015/16 financial year an allocation of \$8,488 was unspent and at the Special Council Meeting on 21 July 2016, Council endorsed to include the allocation in the 2016/17 Differential Rates Budget, allowing a total of \$476,488 in the Differential Rates Events Budget.

The Events Coordinator received written advice on 30 March 2017 that the Busselton Festival of Paddle event would not be taking place in April 2017, and therefore would not require the \$5k funding allocated to the event in the 2016/17 Events Sponsorship Programme (Round 1).

With this event cancellation, this leaves a total of \$9,063 remaining in the 2016/17 Differential Rate Events Budget and Officers recommend that this amount is rolled over into the 2017/18 Differential Rate Events Budget. Further it is recommended that the \$156k marketing budget be transferred to the Airport Marketing Reserve as part of the City's required contribution towards an airline incentive package for the Busselton-Margaret River Airport Development Project.

The 2017/18 draft budget includes an allocation of \$647,400 in the Differential Rates budget, with a proposed split of \$347,400 for events and \$300k for marketing.

Further, \$268k is allocated towards events from the municipal budget. This excludes budgetary allocations for the Leavers Week event, administration, and events staffing.

Funds already committed in 2017/18 for Multi Year Agreements through the Differential Rates Budget totals \$160,800, leaving a total of \$186,600 to be allocated to Rounds 1 and 2 of the 2017/18 Events Sponsorship Programme.

It is recommended that the \$300k budgeted for marketing be transferred to the Airport Marketing Reserve as part of the City's required contribution towards an airline incentive package for the Busselton-Margaret River Airport Development Project.

### 1. Funded Events 2016/2017 Financial Year

The following events funded through the Event Sponsorship Programme have been held in 2016/17 and post event statistics supplied:

Event Name	Event Date	Amount	Event	Economic
		Funded	Attendance	Impact (as
				reported by
				Event
				Organiser)
South West Mudfest	2 July 2016	\$7,500	2000	\$805,729
Books By The Bay	22-24 July 2016	\$15,000	200	\$19,200
*City to Surf	14 August 2016	\$10,000		

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RAC Pedal Prix WA	21 August 2016	\$25,000	1400	\$113,250
CinefestOz	24-28 August 2016	\$95,000	13414	\$7,700,000
Maramoo Marathon	10 September 2016	\$3,000	257	\$57,800
*Busselton Spring Running	2 October 2016	\$7,000	Not yet supplied	Not yet
Festival				supplied
Cape to Cape MTB	20-23 October 2016	\$5,000	3,250	\$1,991,000
Dunsborough Songfest	11-13 November	\$3,000	740	\$125,000
	2016			
*Busselton Pro Beach	12-13 November	\$4,000	Not yet supplied	Not yet
Volleyball Tour	2016			supplied
Open Water Swimming	13 November 2016	\$5,000	590	\$43,680
Series – Busselton				
Yallingup Malibu Classic	3-4 December 2016	\$2,000	330	Not provided
Busselton Ironman WA	4 December 2016	\$198,000	10,000	*Pending
				Tourism WA
				report
Carols by the Jetty	10 December 2016	\$1,000	2,000	Not provided

<sup>\*</sup>Final event reports pending, to be reported at further meetings.

The City has been informed ACTIV will be taking over the City to Surf event from Corporate Sports. ACTIV have been advised that funding has closed for the financial year, and the City can potentially support them with in-kind support for event and ground hire fees, application pending.

#### 2. Multi-Year Events Funded from Municipal Funds Update

There are currently seven (7) events funded through Multi-Year Agreements from Municipal Funds. Of those, five (5) are expiring at the end of 2016/17 (Carols by the Jetty \$1k, Festival of Busselton \$6k, Australia Day Busselton \$3k, Busselton Jetty Swim \$15.6k and Geographe Bay Race Week \$10k), for which the City has received applications for further sponsorship. The remaining two (2) are contracted until 2018/19 (Ironman WA \$187,400 and Ironman 70.3 \$45k).

#### 2016 Ironman WA

Ironman Asia Pacific reported good numbers in both their full and half Ironman events. In total, 2,549 athletes representing 41 countries registered for the 2016 SunSmart IRONMAN Western Australia and IRONMAN 70.3 Western Australia events.

A total of 505 participants were international, with 971 from interstate bringing the field from outside of Western Australia to 56%. In addition to that, 286 children took part in the Ironkids event.

Ironman organisers have indicated they will continue with some of the new initiatives introduced in 2016, including the introduction of the Half Ironman event and increased use of local businesses through the distribution of restaurant vouchers, instead of the function marquee.

They are currently working with City Officers to design a new course for the 2017 IRONMAN event to accommodate the foreshore redevelopment.

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#### Jetty Swim 2017

The final number of swimmers for Jetty Swim 2017 was 2293 in the main swim. The 2017 event also saw for the first time, an inclusion of a Kids Swim. Organisers were happy with the 121 children that participated in the inaugural Kids Swim, and anticipate building on this number into the future.

#### Busselton Festival of Triathlon (inc. Ironman 70.3)

Numbers are currently tracking well for the event on 6 & 7 May 2017. Individual registrations have sold out, with 1770 received. Team numbers are down on previous year's total of 300, with 200 teams currently registered.

Triathlon WA is looking at methods to better promote and increase team numbers for next year. Registrations are starting to flow in for the festival events (Fun Run, Open Water Swim and Kids Triathlon) that take place on Saturday 6 May.

Event Coordinator informed the Group volunteer numbers were very low. BCCI CEO will approach Triathlon WA offering assistance with volunteers.

#### **Festival of Busselton**

Discussion was held within the group regarding the Festival of Busselton, with a need expressed for a re-vamp of the Festival. The Events Coordinator will contact the Festival committee to attend the next committee meeting, the Mayor and BCCI CEO to be invited also.

#### 2. Events Development

New events and potential events listed in the Event Coordinators Report were tabled.

#### 3. Round 2 Event Sponsorship Programme 2017/2018

#### **Events Sponsorship Programme**

Advertising for Round 1 of the 2017/18 Event Sponsorship Programme opened on 01 March 2017 and closed on 31 March 2017. A total of twenty-five (25) applications were received, requesting a total of \$289,134 in funding. Of these, 13 requests were for multi-year agreements and 12 were for single year agreements.

Additionally, five (5) events that are currently funded through the 2016/17 Municipal Budget have re-applied for funding, requesting a total of \$45,100 in 2017/18.

The Events team evaluated all funding applications, applying the Strategic Funding Guidelines of economic impact, strategic alliance to off-peak and cultural events, destination tourism, social benefits and environmental impact. An overall score out of 100 was allocated and funding recommendations based on this.

The MERG members discussed each application and recommended the following:

#### Applications for funding through Differential Rate Budget

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Event	New MYA	Requested	MERG Recommend
	application/Existing		
	2016/17 MYA or		
	Single Year		
Busselton Spring Running	Existing MYA expires	2017/18 \$6,000	\$0
Festival	2016/17	2018/19 \$6,000	
		2019/20 \$6,000	
Down South MTB Festival	Existing MYA expires	2017/18 \$8,000	2017/18 \$3,000
	2016/17	2018/19 \$7,500	(single year
		2019/20 \$7,000	agreement
			recommended-
			new event
			organiser)
South West Wellness Expo	New application - Single Year	\$3,780	\$0*
Make Smoking History Forest	Existing MYA expires	2017/18 \$15,000	2017/18 \$12,500
Rally	2016/17	2018/19 \$15,000	2018/19 \$12,500
		2019/20 \$15,000	2019/20 \$12,500
Wonderful Indonesia Getaway 2017	New application - Single Year	\$3,050	\$0*
Busselton Half Marathon &	Existing MYA expires	2017/18 \$4,800	2017/18 \$2,500
Fun Run	2016/17	2018/19 \$5,000	2018/19 \$2,500
		2019/20 \$5,200	2019/20 \$2,500
Jazz by the Bay	Existing MYA expires	2017/18 \$50,000	2017/18 \$45,000
,	2016/17	2018/19 \$50,000	2018/19 \$42,500
	,	2019/20 \$50,000	2019/20 \$40,000
WA Community Rugby 7's	Single Year	\$10,000	\$3,000
event	J. J	4=5,555	,,,,,,,,,
Maramoo Marathon	Single year	\$6,650	\$0
X Adventure Dunsborough	Existing MYA expires	2017/18 \$10,000	2017/18 \$10,000
	2016/17	2018/19 \$10,000	2018/19 \$9,500
		2019/20 \$10,000	\$2019/20 \$9,000
Hannay Lane Street Party	Single Year	\$3,129	\$2,000
Open Water Swim	MYA Renewal	2017/18 \$5,000	2017/18 \$3,000
	Existing MYA expires	2018/19 \$5,000	2018/19 \$3,000
	2016/17	2019/20 \$5,000	2019/20 \$3,000
Undalup Makuru NAIDOC	Single year	\$12,000 cash	\$0*
Festival 2017		\$1,000 in kind	
Dunsborough Rodeo Fest	Single year	\$25,000	\$0
Community Family Walk for Health	Single Year	\$18,000	\$0*
Vineyards Challenge Weekend	Single year	2017/18 \$8,500	\$0
		2018/19 \$7,500	
		2019/20 \$7,500	
Margaret River Region Open	Existing MYA expires	2017/18 \$16,100	2017/18 \$8,000
Studios	2016/17	2018/19 \$16,100	2018/19 \$7,500
		2019/20 \$16,100	2019/20 \$7,000
Australian National Cherubs Championships	Single year	\$3,500	\$0*
Dunsborough Songfest	Existing MYA expires	2017/18 \$3,000	2017/18 \$2,500
	2016/17	2018/19 \$3,000	2018/19 \$2,500
		2019/20 \$3,000	2019/20 \$2,500
Cape to Cape MTB	Existing MYA expires	2017/18 \$7,500	2017/18 \$5,000**
	2016/17	2018/19 \$7,500	2018/19 \$5,000**
	,	, + . , _ 0 0	

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Port Geographe Blessing of	Single year	\$3,000	\$0*
the Fleet	,		
Pedal Prix WA	Existing MYA expires	2017/18 \$25,000	2017/18 \$20,000
	2016/17	2018/19 \$25,000	2018/19 \$20,000
		2019/20 \$25,000	2019/20 \$20,000
Ironman WA – Volunteer	Existing MYA expires	2017/18 \$17,500	2017/18 \$17,500
Program	2016/17	2018/19 \$17,500	2018/19 \$17,500
		2019/20 \$17,500	2019/20 \$17,500
Ironman WA – FOC Rooms	Existing MYA expires	2017/18 \$9,625	2017/18 \$9,625
	2016/17	2018/19 \$9,625	2018/19 \$9,625
		2019/20 \$9,625	2019/20 \$9,625
Yalambi Spring Jumping Classic	Single year	\$10,000	\$0
Jetty Swim (25 <sup>th</sup> Anniversary	Single year	2019/20 \$5,000	2019/20 \$5,000
celebrations)	additional to MYA		
	Muni		
TOTALS		2017/18 \$284,134	2017/18 \$148,625
		2018/19 \$184,725	2018/19 \$132,125
		2019/20 \$189,425	2019/20 \$133,625

<sup>\*</sup> Officers to recommend application for funding through the Donations, Contributions and Subsidies Fund.

MERG recommend a total of \$148,625 be funded in Round 1 from the 2017/2018 Differential Rates Budget, leaving a total of \$37,975 remaining for Round 2.

The following conditions to be included in funding agreements:

- South West Wellness Expo consider using Mitchell Park
- Wonderful Indonesian Getaway consider using Mitchell Park
- WA Community Rugby 7's event move away from Australia Day weekend
- Hannay Lane move to location with no road closures
- Margaret River Region Open Studios either opening or closing event to be held within the City of Busselton
- Cape to Cape MTB utilising accommodation partners within the City of Busselton
- Pedal Prix WA suggest Undalup Association enter a team
- Jetty Swim presentations to be carried out earlier in the day, not 4 hours after finish of the race
- Rotary Club Australia Day breakfast suggest that it is held at a later time slot

#### **Applications for funding through Municipal Budget**

Event	Requested	New/Renewed MYA or Single Year	(MERG) Recommend
Carols by the Jetty	2017/18 \$4,500	Existing MYA expires	2017/18 \$2,000
	2018/19 \$4,500	2016/17	2018/19 \$2,000
	2019/20 \$4,500		2019/20 \$2,000
Festival of Busselton	2017/18 \$7,000	Existing MYA expires	2017/18 \$7,000
	2018/19 \$8,000	2016/17	2018/19 \$7,000
	2019/20 \$9,000		2019/20 \$7,000

<sup>\*\*</sup> Contract to stipulate minimum one (1) day of the event each year must be held within the City of Busselton for funding to be paid.

Busselton Jetty Swim	2017/18 \$15,600	Existing MYA expires	2017/18 \$15,600
	2018/19 \$15,600	2016/17	2018/19 \$15,600
	2019/20 \$15,600		2019/20 \$15,600
Rotary Australia Day	2017/18 \$3,000	Existing MYA expires	2017/18 \$3,000
Breakfast	2018/19 \$3,000	2016/17	2018/19 \$3,000
	2019/20 \$3,000		2019/20 \$3,000
Geographe Bay Race	2017/18 \$20,000	Existing MYA expires	2017/2018 \$5,000
Week	2018/19 \$20,000	2016/17	
	2019/20 \$20,000		
TOTALS	2017/18 \$50,100		2017/18 \$32,600
	2018/19 \$51,100		2018/19 \$27,600
	2019/20 \$52,100		2019/20 \$27,600

MERG recommends a total of \$32,600 be funded through the Municipal Budget.

Action: Terms of Reference to circulated to all members and reviewed at the next meeting.

#### 4. Annual City Events Update

#### **Event Reports**

#### **Busselton Fringe Festival**

The Busselton Fringe Festival was successful in securing a 3 year sponsorship from Healthway, for \$10k per year. This agreement commenced with the March 2017 event, and expires at the end of the 2019 event. The sponsorship is aligned with the LiveLighter message, promoting healthy food and lifestyle choices.

City Officers are meeting with Acting Up next week to debrief this year's event and will suggest making some changes to the programme including running the event over a shorter time frame.

Recommendation for funding of the 2018 Fringe Festival to be made at the next meeting, pending discussion with Acting Up and subject to available funds.

#### Books by the Bay

City Officers have elected not to continue with Books by the Bay in 2017 instead will look at the feasibility of running it as a bi-annual event, recommencing in 2018.

#### MERG RECOMMENDATIONS

Officers Recommendation: That the Marketing and Events Reference Group receives and notes the Events Coordinator's Report and considers the following points prior to making formal recommendations to Council:

- 1. Discussed and recommended 2017/18 Round 1 Event Sponsorship Program to Council as detailed above
- Discussed and make recommended for the allocation of \$300k from marketing 2. funds to be allocated to the Airport Marketing Reserve.

15.1 Attachment E

#### 4.0 **GENERAL BUSINESS**

Nil

Meeting closed at: 11.00am.

**Next Meeting:** 

Date: TBA Venue: TBA

> Cr. Grant Henley MAYOR, CITY OF BUSSELTON CHAIRPERSON

Agenda Item	Action	Responsible Officer
Event	Terms of Reference to be circulated to all members	Event Coordinator
Sponsorship	and reviewed at the next meeting.	
Program		

# 16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

# 17. CONFIDENTIAL REPORTS

Nil

# 18. **QUESTIONS FROM MEMBERS**

# 19. PUBLIC QUESTION TIME

# 20. <u>NEXT MEETING DATE</u>

Wednesday 28 June 2017

### 21. <u>CLOSURE</u>