



City of Busselton
Geographe Bay

Policy and Legislation Committee Agenda

9 April 2019

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city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 9 APRIL 2019


TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Policy and Legislation Committee will be held in the the Committee Room, Administration Building, Southern Drive, Busselton on Tuesday, 9 April 2019, commencing at 2.00pm.

The attendance of Committee Members is respectfully requested.

DISCLAIMER

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MIKE ARCHER

CHIEF EXECUTIVE OFFICER

3 April 2019

CITY OF BUSSELTON

AGENDA FOR THE POLICY AND LEGISLATION COMMITTEE MEETING TO BE HELD ON 9 APRIL 2019

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

2. **ATTENDANCE**

Apologies

3. **PUBLIC QUESTION TIME**

4. **DISCLOSURE OF INTERESTS**

5. **CONFIRMATION AND RECEIPT OF MINUTES**

5.1 **Minutes of the Policy and Legislation Committee Meeting held 12 March 2019**

RECOMMENDATION

That the Minutes of the Policy and Legislation Committee Meeting held 12 March 2019 be confirmed as a true and correct record.

6. REPORTS

6.1 TERMINOLOGY FOR THE REMOVAL OF A COUNCIL POLICY FROM EFFECT

SUBJECT INDEX:	Council Policies
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Governance
REPORTING OFFICER:	Manager Governance and Corporate Services - Sarah Pierson
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

This report addresses discussion and concerns that have been raised within the Policy and Legislation Committee about the appropriate word to use in the context of removing a Council policy from effect, and recommends adoption of the word rescind (rescission) as the most appropriate term.

BACKGROUND

In August 2017 the CEO commissioned a high level independent review of the City's governance systems - the Governance Systems Review (GSR). Included in the scope of the review was the City's policy and procedure framework with recommendations made in relation to the nature and intent of Council policies; namely that Council policies should deal with higher level strategies and objectives. In accordance with the recommendations of the GSR, a policy review is being undertaken and a number of policies are, and are expected to be, recommended for rescission.

Concerns have been raised by members at previous Policy and Legislation Committee meetings about the use of the word rescind (rescission) in relation to the removing of Council policies from effect and at the meeting of 12 March 2019 members requested that officers provided more information, including definitions and application in a local government context, around the commonly used terms 'Revoke', 'Rescind' and 'Withdraw' when referring to the removal of a Council policy from effect.

This report responds to that request and makes a recommendation to the Policy and Legislation Committee for the term 'rescind' to be used when removing a policy from effect.

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 City of Busselton Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of the Act. It is relevant to note that, aside from references in the Act to the requirement for specific policies (eg a Purchasing Policy) there are no other statutory requirements with respect to policies, their adoption or, importantly in this context, their removal.

RELEVANT PLANS AND POLICIES

There are no plans or policies relevant to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report or its recommendations.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with this report or its recommendations.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area and Community Objective of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 6 - LEADERSHIP: Visionary, collaborative, accountable
6.1 Governance systems, process and practices are responsible, ethical and transparent.

RISK ASSESSMENT

There are no identified risks of a medium or greater level associated with the officer recommendation.

CONSULTATION

Advice in relation to the use of the word rescind and / or revoke in this context has previously been sought from WALGA, with the advice below received:

The words "rescind" and "revoke" will only be problematic if they are used in conjunction with the Administration Regulation 10 process for "Revoking or Changing decisions" to effect the revoking of the policy.

If a Council resolution states: That Council revokes (rescinds) Policy XYZ, effective from dd Month yyyy, as the policy is no longer relevant to the operations of the City.

The effect of this resolution is that the policy was effective from the date originally adopted, including all consequential amendments resolved by Council, through to the date resolved by Council for the revocation to take effect.

*This is different than if the Council uses the Admin. Reg. 10 process, as the effect would be that the **original decision** to adopt the policy would be revoked and therefore it would be as if the policy never existed, calling into question all the decisions made under that policy in the intervening period.*

So, the issue is not with the words themselves, but with the process that is used to make the decision.

If using the words "rescind" or "revoke" in a context other than in an Admin Reg.10 process causes confusion for the organisation, then it is up to the organisation to determine if other words better clarify the process which is being undertaken.

We are not using the *Local Government Administration Regulations 1996* – Regulation 10 (Admin Regulation 10) process to remove a council policy from effect. Admin Regulation 10(3) states ‘This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different’. We are not in this case changing a decision – that is the first decision to adopt the policy, we are instead saying that now, as at this point in time, we want to make a new decision to remove the policy from effect.

As per above, there is therefore no required or ‘correct’ word to use in this context, it is for the organisation to determine the terminology that is most appropriate.

With respect to the suggested phrase “That Council revokes (rescinds) Policy XYZ, effective from dd Month yyyy, as the policy is no longer relevant to the operations of the City”, and in particular the underlined portion, given that it can be difficult to predict exactly when the policy will be rescinded we have instead used the phrase “That the Council rescind Council Policy XYZ”. While we have contemplated adding the words “effective immediately” they are considered potentially redundant.

OFFICER COMMENT

Officers have at various points considered the following words to use in this context:

- Revoke
- Rescind
- Withdraw (from effect)

Some common dictionary definitions are provided for each below.

Revoke

- officially cancel (a decree, decision, or promise).
- when people in authority revoke something such as a licence, a law, or an agreement, they cancel it.
- to say officially that an agreement, permission, a law etc. is no longer in effect: e.g. The authorities have revoked their original decision to allow development of this rural area.

Rescind

- revoke, cancel, or repeal (a law, order, or agreement)
- if a government or a group of people in power rescind a law or agreement, they officially withdraw it and state that it is no longer valid
- to make a law, agreement, order, or decision no longer have any (legal) power: e.g. the policy of charging air travellers for vegetarian meals proved unpopular and has already been rescinded

Withdraw (from effect)

- remove or take away (something) from a particular place or position
- if you withdraw something from a place, you remove it or take it away
- to take or move out or back, or to remove: eg Once in court, he withdrew the statement he'd made to the police (= he claimed it was false); all charges against them were withdrawn after the prosecution's case collapsed.

The Interpretation Act 1984 has the following definition of repeal – repeal includes rescind, revoke, cancel, or delete.

It is and has been (aside from one instance) the officer recommendation that the word rescind be used. This is on the basis that the word revoke is used in Admin Regulation 10 and its use may lead to confusion, and the word / phrase withdraw (from effect) is cumbersome and less formal (as noted when it was used once).

It is the officer view that the use of the word rescind, given it is not being used in conjunction with Admin Regulation 10, is appropriate. If however Councillors would prefer to use an alternative word (noting that the word rescind and revoke are both defined within the Interpretation Act to mean repeal) then withdraw or remove from effect is considered an alternative option.

CONCLUSION

Officers recommend the word rescind to be the most appropriate term to be used in the context of removing a Council policy from effect.

OPTIONS

The Policy and Legislation Committee may choose to use an alternative word to rescind. Withdraw or remove from effect is considered an alternative option.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The adopted terminology will be implemented for all future reports.

OFFICER RECOMMENDATION

That the Committee:

1. adopt the use of the word rescind (rescission) for recommendations to remove Council policies from effect; and
2. recommend the use of the following phrase or similar "That the Council rescind Council Policy XYZ, as the policy is longer relevant to the operations of the City"

6.2 RECISSION OF COUNCIL POLICY 065/2 - COUNCIL PROPERTY - GRANTING OF ACCESS TO PUBLIC VENUES

SUBJECT INDEX:	Council Policy
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Governance Coordinator - Emma Heys
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Council Property - Granting of Access to Public Venues↓ Attachment B Non-Exclusive use of City Land↓

PRÉCIS

In August 2017 the CEO commissioned a high level independent review of the City's governance systems – the Governance Systems Review (GSR). Included in the scope of review was the City's policy and procedure framework with recommendations made in relation to the nature and intent of Council policies; namely that Council policies should deal with high level strategies and objectives.

In accordance with the recommendations of the GSR, the purpose of this report is to recommend that Council Policy 065/2 – Council Property – Granting of Access to Public Venues (Attachment A) (the Policy), be rescinded.

BACKGROUND

The objective of the Policy is to assess and manage the use of hall facilities under the Council's direct care and control in cases where there is a retail or commercial element. These include those facilities where there may be a perception of an unfair advantage by way of direct competition with other activities carried out in recognised commercial floor space throughout the district.

The Policy outlines the categories which are to be used to prioritise applications from community groups to gain access to public venues. The Policy was previously used to support Council policy 027 Community Facilities Bookings, which was rescinded in November 2017 and replaced with an amended version of Council policy, 249 Non-Exclusive use of City Land (C1712/322) (Attachment B).

Council policy 249 Non-Exclusive use of City Land includes the objectives and principles of fair and equitable allocation of hall facilities to community groups and is the policy that is principally applied to manage the non-exclusive commercial use of City land.

STATUTORY ENVIRONMENT

Several pieces of legislation provide for the legal parameters of the use of public land and facilities, including, but not limited to:

- Local Government Act 1995
- Land Administration Act 1997
- Food Act 2008
- Public Health Act 2016
- City of Busselton Local Laws such as the Local Government Property Local Law 2010 and Activities in Thoroughfares and Public Places and Trading Local Law 2015.

RELEVANT PLANS AND POLICIES

The GSR was undertaken over a 3 month period by Mr John Woodhouse LLB Juris and made the recommendations in relation to the City's policy and procedure framework, including but not limited to the following:

1. *There should be a review of the Council Policies with the intent that a Council Policy:*
 - a. *Should deal with higher level objectives and strategies;*
 - b. *Should not deal with operational matters, employee matters, or other matters which are the responsibility of the CEO; and*
 - c. *Should, where appropriate provide sufficient direction to the CEO to develop OPPs which deal with the implementation of the Council Policy or other detailed matters.*
2. *As part of that review, any existing Council Policy should be deleted where it could, more sensibly, be dealt with by an OPP adopted by the CEO.*

In response a Policy Framework has been developed and endorsed by Council, setting out the intent of Council policies, as opposed to operational documents such as Staff Management Practices and operational procedures.

Council Policies Non-Exclusive Use of City Land; Markets; and Events are relevant documents to this report in that they all address the non-exclusive use of City property for both commercial and community purposes in varying capacities.

An associated policy to this report is Council Policy 248 'Leases of City Land and Buildings', which outlines the framework and methodology under which the City may grant exclusive use of land or buildings within the City district, be it owned or managed by the City outright or on behalf of the Crown.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plans implications associated with the officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area and Community Objective of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 1 – LEADERSHIP: Visionary, collaborative, accountable
6.1 Governance systems, process and practices are responsible, ethical and transparent

RISK ASSESSMENT

There are no identified risks of a medium or greater level associated with the officer recommendation.

CONSULTATION

No external consultation was considered necessary as part of the review of this Policy.

OFFICER COMMENT

The purpose of the Policy is to outline categories to be utilised when assessing the priority of applications from community groups for the hire of hall facilities, where there may be a perceived unfair advantage by way of direct competition with commercial businesses in the district.

The Policy was previously used to support Council Policy 027 Community Facilities Bookings, which was rescinded in November 2017. The overarching objectives and principles of both Council policies were included in the amendments to Council policy 249 Non-Exclusive use of City Land (Attachment B).

Council policy 249 Non-Exclusive Use of City Land articulates and updates the position of the City in relation to the use of City land and facilities. The objectives of Council policy 249 seek to achieve both the fair and equitable use of City land and facilities, we well as encourage innovation, new business development and economic growth, and provide for a financial return to ratepayers.

CONCLUSION

It is considered that the objectives of the Policy are sufficiently covered off in Council policy 249 and therefore it is recommended that Council rescind the Policy.

OPTIONS

Council could instead choose for the Policy to be maintained and updated to the new template and/or further reviewed.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be rescinded immediately upon the adoption of the officer recommendation.

OFFICER RECOMMENDATION

That the Council rescind Council Policy 065/2 Council Property – Granting of Access to Public Venues, as the overarching objectives within this policy are adequately catered for within Council Policy 249 Non-Exclusive use of City Land.

065/2	Council Property - Granting of Access to Public Venues	Current
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The following categories to be utilised as Council Policy to prioritise applications for Community Group Access to Public Venues:

(a) **Local Community Groups.**

Groups that are locally constituted and service the local community. Generally these groups have little or no access to funds other than their own fund raising efforts. This group would typically include (not limited to) sporting clubs, cultural and arts groups, service clubs, and so on.

(b) **Locally Based Welfare/State or Federal Funded Groups.**

These are organisations that are locally based groups which may be totally or partially funded by either State or Federal Government. Council may choose to support or assist these groups even though they are not strictly its responsibility.

(c) **State/Federal Government Programmes and Services.**

There are some fields Council may, as a matter of policy, choose to assist on a short term or limited basis. Areas such as education, employment and health care are either Federal or State issues, however, Council can provide support if required.

(d) **Commercial Users.**

Council can support commercial users once the other priorities have been satisfied and they can be incorporated into the program in a complementary manner.

However, it is Council's policy to decline the use of any hall facility under Council's direct care and control in cases where there is a retail or commercial element of a nature which represents unfair advantage by way of direct retail competition with other activities carried out in recognised commercial floor space throughout the Shire.

Updated 13/12/2017

249	NON-EXCLUSIVE USE OF CITY LAND AND FACILITIES	V2 Current
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PURPOSE

This Policy 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.

BACKGROUND

Prior to development of this Policy, the City had been managing a significant amount of non-exclusive of commercial land, but without an overarching or integrated policy framework. Because of the level of interest in the subject, the potential implications of such activity, both positive and negative, and the need to provide for administrative fairness, consistency, efficiency and robust decision-making, this policy was developed. Further background to the development of this Policy can be found in the report to the Council that supported the Policy's consideration and adoption by the Council.

SCOPE

The Policy relates to the following kinds of non-exclusive commercial use of City land -

- Mobile traders (i.e. traders that operate from particular locations for certain periods of time);
- Itinerant traders (i.e. traders that offer goods and services by travelling around the District, stopping only for as long as it takes to serve customers in a particular location);
- Al fresco dining on footpaths or other City land adjacent or close to a permanent, fixed business (other than where this is facilitated via a lease);
- Recreational activities of various kinds (including fitness classes or similar - i.e. 'exercise permits' - and things like mobile climbing walls or water playgrounds);
- The running of tours or similar, which wholly or partly take place on City land and/or using City infrastructure;
- Businesses involved in the short-term hiring of recreational equipment, such as bikes, kayaks or jet skis; and
- Trading that operates from more or less temporary premises and/or from fixed premises, but on the basis of relatively short-term arrangements, such as trading from a converted/adapted sea container, or from some other relocatable and/or relatively low cost structure (although note that once there is a significant degree of 'permanence' associated with a business and/or structure in this kind of example, it becomes indistinguishable from a more conventional leasehold situation, and is therefore not subject of this policy).
- Short term and seasonal hire of City land and facilities such as sporting grounds, halls, public open spaces or reserves

6.2 Attachment B Non-Exclusive use of City Land

Updated 13/12/2017

The Policy does not relate to the following kinds of activities -

- Events, and the trading activity associated with events;
- Markets;
- Buskers/street entertainers;
- ; or
- Leasehold use/development of City land.

STATUTORY/POLICY ENVIRONMENT

- *Land Administration Act 1997* and associated regulations
- *Local Government Act 1995* and associated regulations
- *Planning and Development Act 2005* and associated regulations
- *Building Act 2012* and associated regulations
- *Health Act 1911* and associated regulations
- *Public Health Act 2016*
- *Food Act 2008* and associated regulations
- *Local Planning Scheme 21* and associated structure plans and policies
- *Activities in Thoroughfares and Public Places and Trading Local Law*
- *Property Local Law*
- *Jetties Local Law*
- *Airport Local Law*
- *Busse/ton Foreshore Master Plan*
- *Busse/ton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy*- Reference No. 008*
- *Trading in Public Places Policy*- Reference No. 020*
- *Mobile Vendors on the Busselton Jetty Policy*- Reference No. 006*
- *Community Facilities Bookings Policy*- Reference No. 027
- *Markets Policy*- Reference No. 074
- *Events Policy*- Reference No. 231
- *Leases of City Land and Buildings Policy*- Reference No. 248

6.2 Attachment B Non-Exclusive use of City Land

Updated 13/12/2017

OBJECTIVES

1. Achieving fair outcomes, in both procedural and outcome terms, in relation to the treatment of different businesses, business models, activities, community groups and individuals;
2. Preserving and enhancing the vibrancy and attractiveness of City, Town and other activity centres, and other important public spaces, such as the Busselton and Dunsborough Foreshores;
3. Providing convenient and attractive services to residents and visitors;
4. Encouraging innovation, new business development, and economic and employment growth;
5. Generating financial return to ratepayers associated with use of City land and infrastructure;
6. Supporting the delivery of other City strategies and objectives; and
7. Ensuring legal robustness, simplicity and comprehensibility, and administrative efficiency and workability.

GUIDING PRINCIPLES FOR IMPLEMENTATION

1. Where there is competition for space/sites (including with other kinds of uses, such as general public recreation or public car parking requirements) and/or concerns that activity should be managed carefully and/or not be supported in certain locations, applications will only be considered as part of an expression-of-interest process and not as a result of *ad hoc* applications;
2. Expression-of-interest sites and assessment criteria will be periodically reviewed and updated, including through appropriate Council consultation/consideration and industry/community consultation;
3. Novel proposals or *ad hoc* proposals may, however, be considered where it is clear they are supportable, given the broader policy direction, and/or to trial a new kind of activity and/or location;
4. Where there is more than one regulatory option, once it is clear that a particular activity or proposal is broadly supported, the most administratively simple option, or combination of options, will be used; and
5. Where there is identified to be a need to ensure a return on the value of City land and/or infrastructure, there will be a requirement for an 'agreement' and/or 'licence', in addition to a 'permit', with a 'licence' only being required where there is a need for a registerable interest in land.
6. Notwithstanding clause 1 above, where there is a need for short term or seasonal hire of City land and/or facilities for a specific use, these will be managed through appropriate guidelines specific to each portion of land or facility, in keeping with the broader policy direction

ADMINISTRATION OF THIS POLICY

The Chief Executive Officer {CEO} has the authority (including through necessary delegations and/or authorisations) to administer the requirements of the Non-Exclusive Use of City Land and Facilities on behalf of Council.

6.2 Attachment B Non-Exclusive use of City Land

Updated 13/12/2017

Policy Background

Policy Reference No - 249

Owner Unit - Environmental Health

Originator- Manager Environmental Services

Policy considered by Policy and Legislation Committee and approved by- Council

Date Approved - 9 November 2016

Review Frequency-As required

Related Documents -

- Activities in Thoroughfares and Public Places and Trading Local Law 2015
- Properties Local Law
- Jetties LocalLaw
- Busselton Foreshore Master Plan
- *Busse/ton City Centre Conceptual Plan*
- *Dunsborough Town Centre Conceptual Plan*
- *Commercial Hire Site Policy- Reference No. 008*
- *Trading in Public Places Policy- Reference No. 020*
- *Mobile Vendors on the Busselton Jetty Policy- Reference No. 006*
- *Community Facilities Bookings Policy- Reference No. 027*
- *Markets Policy- Reference No.074*
- *Events Policy- Reference No. 231*
- *Leases of City Land and Buildings Policy- Reference No. 248*

Background/History-

Implementation of new policy to facilitate, control and regulate the non-exclusive commercial use of City owned and managed land across the District.

History

Council Resolution	Date	Information
C1712/322	13 December 2017	Reviewed
1611/123	9 November 2016	Date of Implementation Version 1

6.3 AMENDED COUNCIL POLICY - DESIGNATION OF SENIOR EMPLOYEE AND ACTING CEO

SUBJECT INDEX:	Council Policies
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Governance
REPORTING OFFICER:	Manager Governance and Corporate Services - Sarah Pierson
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Proposed Policy ↓ Attachment B Current Policy ↓ Attachment C Tracked changes version ↓

PRÉCIS

This report presents a revised Council policy - Designation of Senior Employees and Acting CEO (Attachment A) (the Policy) for Council approval, with the current policy having been amended to incorporate a policy statement with respect to the Council's succession planning strategy for the role of Chief Executive Officer (CEO). It is recommended that Council adopt the Policy.

BACKGROUND

Section 5.37(1) of the Local Government Act 1995 (the Act) provides for a local government to designate employees or persons belonging to a class of employees to be Senior Employees. Section 5.37(2) of the Act requires the CEO to inform the Council of each proposal to employ or dismiss a Senior Employee.

The current policy in relation to the designation of senior employees and the appointment of an acting CEO was adopted in June 2018. Prior to its adoption Council had in place a policy entitled 'Senior Employees' which designated senior employees but did not deal with the appointment of an Acting CEO.

Section 5.36 of the Act establishes that a person is not to be employed in the position of CEO unless the council believes that the person is suitably qualified for the position. While the CEO has responsibility under his contract of employment for all staffing matters, including the appointment of an Acting CEO for periods when he is on leave, it was identified during a review of the City's governance system that the lack of a formal policy position was a gap in the City's policy framework.

In February 2018 the City was invited to participate in a self-assessment governance review facilitated by the Australian Institute of Company Directors (AICD). One of the statements explored within the review was whether the Council has an appropriate CEO succession plan in place that helps to ensure continuity in the management of the local government's activities. While the responses indicated a 'sound' overall rating, it was from a Council member perspective one of the lower average scoring statements.

Further to this the CEO has recently completed some professional development with respect to best practice governance structures, where the importance of clearly identifying a succession planning strategy for critical and senior roles such as a Chief Executive Officer was stressed. The amendments to the Policy seeks to do this.

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 the Act.

As detailed in the background section of this report section 5.36 and 5.37 of the Act sets out requirements in relation to the appointment of a CEO and any designated Senior Employees.

RELEVANT PLANS AND POLICIES

The City has a policy framework which was developed and endorsed by Council in response to the recommendations of the Governance Systems Review (GSR). The framework sets out the intent of Council policies, as opposed to operational documents such as Staff Management Practices and operational procedures.

FINANCIAL IMPLICATIONS

Adoption of the Policy has no budget implications.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

Adoption of the Policy has no long term financial plan implications.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area/s and Community Objective/s of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 6 - LEADERSHIP: Visionary, collaborative, accountable

6.1 Governance systems, process and practices are responsible, ethical and transparent.

RISK ASSESSMENT

There are no risks identified of a medium or greater level associated with the officer recommendation, with the Policy serving to secure the operational effectiveness of the organisation.

CONSULTATION

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

OFFICER COMMENT

Since commencing employment in August 2010, the CEO has effectively managed the appointment of an Acting CEO for his periods of leave, ensuring that each Senior Employee is given the opportunity to act, while at the same time ensuring timing is appropriate to each person and their role requirements. This has enabled all four Senior Employees to develop their skills and gain experience in the role of CEO, and minimises the risk of the organisation not having a suitably capable person to act as CEO.

The purpose of the Policy (as amended) is to formalise Council's position with respect to which class of employees are the most suitably qualified for the position of Acting CEO, and, in addition, to formally recognise the benefit that acting in the role of CEO can provide for Senior Employees and the organisation in terms of succession planning.

Effective succession planning is vitally important for ensuring the continued success of any business or organisation. In times of crisis in particular having a clear succession plan can save an organisation significant time and money and ensure its goals and objectives continue to be realised.

The Policy also makes it clear that Council will make the appointment of a Senior Employee to the role of Acting CEO in the event that the CEO is incapacitated or otherwise unable to, for instance in the event of death. This provides surety and greater clarity with respect to how and from which class of employees an Acting CEO would be appointed in the event of an unforeseen event.

CONCLUSION

The Policy has been updated to formally recognise the importance of providing Senior Employees (City Directors) with the opportunity to act in the role of CEO for succession planning purposes and to provide surety about what would happen in the event that the CEO was unexpectedly unable to appoint an Acting CEO as per the other provisions of the Policy.

OPTIONS

1. Council could decide not to adopt the Policy and instead choose to take a different position in relation to succession planning, noting that the Policy formalises the current established approach.
2. Council could require further amendments to the Policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

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

OFFICER RECOMMENDATION

That the Council adopts the amended Designation of Senior Employees and Acting CEO Council policy as per Attachment A, to replace the current policy (Attachment B).

COUNCIL POLICY



Council Policy Name: Designation of Senior Employees and Acting CEO

Responsible Directorate: Finance and Corporate Services Version: Proposed

1. PURPOSE

- 1.1. To designate Senior Employees in accordance with Section 5.37(1) of the Local Government Act 1995.
- 1.2. To provide for the appointment of a Senior Employee as Acting Chief Executive Officer during periods of Leave by the Chief Executive Officer or by Council such that the continuous and efficient execution of the City's functions is maintained

2. SCOPE

- 2.1. This policy applies to the role of Chief Executive Officer of the City of Busselton and those employees designated as Senior Employees.

3. DEFINITIONS

Term	Meaning
Act	Local Government Act 1995
City	City of Busselton
Council	The Council of the City of Busselton
Leave	Annual or personal leave for periods of up to six continuous weeks

4. STRATEGIC CONTEXT

- 4.1. This policy links to Key Goal Area 6 'Leadership' of the City's Strategic Community Plan 2017 and specifically the following Community Objective/s:
 - a. 6.1: Governance systems, process and practices are responsible, ethical and transparent; and
 - b. 6.3: Accountable leadership that is supported by a skilled and professional workforce.

5. POLICY STATEMENT

- 5.1. In accordance with Section 5.37(1) of the Act, a local government may designate employees or persons belonging to a class of employees to be Senior Employees.
- 5.2. In accordance with Section 5.37(2) of the Act, the CEO is to inform the Council of each proposal to employ or dismiss a Senior Employee.
- 5.3. The Senior Employees of the City are designated as:
 - a. Director, Planning and Development Services;
 - b. Director, Community and Commercial Services;
 - c. Director, Engineering and Works Services; and
 - d. Director, Finance and Corporate Services

- 5.4. The Council has determined that those appointed as a Senior Employee are suitably qualified to perform the role of Acting Chief Executive Officer.
- 5.5. Notwithstanding requirements under the Act with respect to the advertising, selection and appointment of a Chief Executive Officer, Council also recognises that the appointment of Senior Employees to the role of Acting Chief Executive Officer is an effective succession planning strategy, providing valuable experience and exposure to the role and functions of a Chief Executive Officer.
- 5.6. Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer subject to performance and dependent on availability and operational requirements.
- 5.7. Appointment of a Senior Employee to the role of Acting Chief Executive Officer will be determined by Council resolution:
 - a. for any periods exceeding six continuous weeks; or
 - b. in the event that the Chief Executive Officer is incapacitated or otherwise unable to make an appointment under paragraph 5.6.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995.

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	13 June 2018	Resolution #	C1806/114

COUNCIL POLICY



Council Policy Name: Designation of Senior Employees and Acting CEO

Responsible Directorate: Finance and Corporate Services Version: Adopted

1. PURPOSE

- 1.1. To designate Senior Employees in accordance with Section 5.37(1) of the Local Government Act 1995.
- 1.2. To provide for the appointment of a Senior Employee as Acting Chief Executive Officer during periods of Leave by the Chief Executive Officer such that the continuous and efficient execution of the City's functions is maintained

2. SCOPE

- 2.1. This policy applies to the role of Chief Executive Officer of the City of Busselton and those employees designated as Senior Employees.

3. DEFINITIONS

Term	Meaning
Act	Local Government Act 1995
City	City of Busselton
Council	The Council of the City of Busselton
Leave	Annual or personal leave for periods of up to six continuous weeks

4. STRATEGIC CONTEXT

- 4.1. This policy links to Key Goal Area 6 'Leadership' of the City's Strategic Community Plan 2017 and specifically the following Community Objective/s:
 - a. 6.1: Governance systems, process and practices are responsible, ethical and transparent; and
 - b. 6.3: Accountable leadership that is supported by a skilled and professional workforce.

5. POLICY STATEMENT

- 5.1. In accordance with Section 5.37(1) of the Act, a local government may designate employees or persons belonging to a class of employees to be Senior Employees.
- 5.2. In accordance with Section 5.37(2) of the Act, the CEO is to inform the Council of each proposal to employ or dismiss a Senior Employee.
- 5.3. The Senior Employees of the City are designated as:
 - a. Director, Planning and Development Services;
 - b. Director, Community and Commercial Services;
 - c. Director, Engineering and Works Services; and
 - d. Director, Finance and Corporate Services
- 5.4. The Council has determined that those appointed as a Senior Employee are suitably qualified to perform the role of Acting Chief Executive Officer.

- 5.5. Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer subject to performance and dependent on availability and operational requirements.
- 5.6. Appointments to the role of Acting Chief Executive Officer for any periods exceeding six continuous weeks will be determined by Council resolution.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995.

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	13/06/2018	Resolution #	C1806/114
Previous Adoption	DATE	08/05/2015	Resolution #	C1504/081

COUNCIL POLICY



Council Policy Name: Designation of Senior Employees and Acting CEO

Responsible Directorate: Finance and Corporate Services

Version: Adopted

1. PURPOSE

- 1.1. To designate Senior Employees in accordance with Section 5.37(1) of the Local Government Act 1995.
- 1.2. To provide for the appointment of a Senior Employee as Acting Chief Executive Officer during periods of Leave by the Chief Executive Officer or by Council such that the continuous and efficient execution of the City's functions is maintained

2. SCOPE

- 2.1. This policy applies to the role of Chief Executive Officer of the City of Busselton and those employees designated as Senior Employees.

3. DEFINITIONS

Term	Meaning
Act	Local Government Act 1995
City	City of Busselton
Council	The Council of the City of Busselton
Leave	Annual or personal leave for periods of up to six continuous weeks

4. STRATEGIC CONTEXT

- 4.1. This policy links to Key Goal Area 6 "Leadership" of the City's Strategic Community Plan 2017 and specifically the following Community Objective/s:
 - a. 6.1: Governance systems, process and practices are responsible, ethical and transparent; and
 - b. 6.3: Accountable leadership that is supported by a skilled and professional workforce.

5. POLICY STATEMENT

5.1 In accordance with Section 5.37(1) of the Act, a local government may designate employees or persons belonging to a class of employees to be Senior Employees.

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5.2 In accordance with Section 5.37(2) of the Act, the CEO is to inform the Council of each proposal to employ or dismiss a Senior Employee.

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5.3. The Senior Employees of the City are designated as:

- a. Director, Planning and Development Services;
- b. Director, Community and Commercial Services;
- c. Director, Engineering and Works Services; and

d. Director, Finance and Corporate Services

5.4. The Council has determined that those appointed as a Senior Employee are suitably qualified to perform the role of Acting Chief Executive Officer.

~~5.4.~~

5.5. Notwithstanding requirements under the Act with respect to the advertising, selection and appointment of a Chief Executive Officer, Council also recognises that the appointment of Senior Employees to the role of Acting Chief Executive Officer is an effective succession planning strategy, providing valuable experience and exposure to the role and functions of a Chief Executive Officer.

5.6. Senior Employees will be appointed to the role of Acting Chief Executive Officer at the discretion of the Chief Executive Officer subject to performance and dependent on availability and operational requirements.

5.7. Appointment of a Senior Employees to the role of Acting Chief Executive Officer will be determined by Council resolution:

a. for any periods exceeding six continuous weeks; -or

b. in the event that the Chief Executive Officer is incapacitated or otherwise unable to make an appointment under paragraph 5.6. will be determined by Council resolution.

6. RELATED DOCUMENTATION / LEGISLATION

6.1. Local Government Act 1995.

7. REVIEW DETAILS

Review Frequency	3 yearly			
Council Adoption	DATE	<u>13/06/2018</u>	Resolution #	<u>C1806/114</u>
Previous Adoption	DATE	<u>13/06/201808/05/2015</u>	Resolution #	<u>C1806/114C1504/081</u>

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6.4 REVIEW OF COUNCIL POLICY COUNCILLOR INDUCTION TRAINING AND PROFESSIONAL DEVELOPMENT

SUBJECT INDEX:	Council Policy
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Governance
REPORTING OFFICER:	Manager Governance and Corporate Services - Sarah Pierson
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Proposed Policy Attachment B Current Policy

PRÉCIS

This report presents a revised 'Elected Member Training and Professional Development' Council policy (Attachment A) (the Policy) for Council approval, with the current policy entitled 'Councillors Induction, Training and Professional Development' (Attachment B) having been amended as part of the City's overall review of its Council policies, having regard to the recommendations of the Governance System Review (GSR) carried out by Mr John Woodhouse in 2017.

The Policy, which has been moved into the new policy format, is considered to be of continuing relevance and is therefore recommended for Council approval.

BACKGROUND

The current policy was last reviewed as part of the City's policy review process and re-adopted in May 2017, with amendments to incorporate guidelines in relation to overseas travel, contained at the time in Council policy 013 – Specific Requirements for Development Opportunities Involving Significant Travel. Council policy 013 was revoked as a result.

In August 2017 the CEO commissioned a high level independent review of the City's governance systems – the Governance Systems Review (GSR). The GSR made the following recommendations with respect to the City's policy and procedure framework:

- 1. There should be a review of the Council Policies with the intent that a Council Policy:
 - a. Should deal with higher level objectives and strategies;*
 - b. Should not deal with operational matters, employee matters, or other matters which are the responsibility of the CEO; and*
 - c. Should, where appropriate provide sufficient direction to the CEO to develop OPPs which deal with the implementation of the Council Policy or other detailed matters.**
- 2. As part of that review, any existing Council Policy should be deleted where it could, more sensibly, be dealt with by an OPP adopted by the CEO.*
- 3. Consideration should be given to developing a new Council Policy which sets out the 'framework' for Council Policies, OPPs and other procedures. The new Policy would explain the role to be played by each level of document. It could, for example, be called a Policy Framework Policy.*

Prompted by the findings of the GSR and the ongoing requirement to periodically review Council policies, the Policy has again been reviewed by officers and, being considered of continuing relevance, is presented for the Council's consideration, with amendments.

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 City of Busselton Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of the Act.

As an outcome of Phase 1 of the Local Government Act review process the Local Government Legislation Amendment Bill 2019 has been introduced and has progressed to the Second Reading stage. Included in the bill is universal training for candidates and council members. Candidates will be required to complete an online induction prior to nominating for election. Following election, elected members will be required to complete five modules of training within the first 12 months of being in office. The foundation units, which will all be available online, will cover a range of topics that will equip council members with the basic skills and knowledge to carry out their duties. No penalties for failure to complete the training will be set at this time. There will, however, be a requirement for councils to report annually on the training completed by all elected members.

The final element of universal training is the requirement for councils to develop an ongoing professional development training policy, with local governments to tailor training to strengthen their council members' capacity to perform their role. This Policy aligns with this pending requirement.

RELEVANT PLANS AND POLICIES

The City has a policy framework which was developed and endorsed by Council in response to the recommendations of the GSR. The framework sets out the intent of Council policies, as opposed to operational documents such as Staff Management Practices and operational procedures.

FINANCIAL IMPLICATIONS

Adoption of the Policy has no immediate budget implications, with the City's annual budget containing an appropriate amount to meet the Policy requirements. The form and associated costs of any introduced mandatory training is currently unknown. While the Policy proposes that the costs be prioritised from the annual allowance, therefore limiting the financial impacts upon introduction, the potential for this to have future budgetary impacts is acknowledged.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

Adoption of the Policy has no long term financial plan implications.

STRATEGIC COMMUNITY OBJECTIVES

The officer recommendation primarily aligns with the following Key Goal Area and Community Objective of the City of Busselton's Strategic Community Plan 2017:

Key Goal Area 6 - LEADERSHIP: Visionary, collaborative, accountable

6.1 Governance systems, process and practices are responsible, ethical and transparent.

RISK ASSESSMENT

There are no risks identified of a medium or greater level associated with the officer recommendation, with the Policy maintaining Council's support for elected members to receive training and development which will assist them to undertake their very important role.

CONSULTATION

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

OFFICER COMMENT

The purpose of the Policy is to provide a framework within which elected members may access an annual allowance to fund training and professional development opportunities that will assist them to undertake their role through the development of relevant skills and competencies.

The Policy has been amended to provide greater clarity as to what the annual allowance will be, recommending that it be set at \$3,000 per annum, based on a financial year and pro-rata for elected members elected or standing for election. Aside from overall streamlining of the policy content, other more significant amendments are:

- Removal of reference to the pre-election seminar for aspiring Councillors. While it is intended that an information session for candidates will be held as part of the election process, it is considered outside the scope of the Policy. Additionally as discussed under Statutory Environment under the Local Government Legislation Amendment Bill 2019, it is proposed that candidates will be required to complete an online induction prior to nominating for election.
- Removal of reference to the City induction program for new elected members. While an induction program is considered an important training and development initiative for elected members, it is not funded from the annual allowance and hence is considered to fall outside of the scope of the Policy. Its importance is noted however and a comprehensive induction program is being developed ready for the 2019 election and any resulting new elected members.
- Inclusion of a reference to likely mandatory training for elected members.
- Removal of the ability for unused funds to be carried forward to the next financial year. This has not been occurring in practice and is not considered best practice, instead elected members are encouraged to attend relevant and regular training and development throughout their term.
- Retention of the restriction on intrastate training and development attendance (to two elected members at the same time) unless however the training is mandatory or universal to the functions of an elected member, or it is training being held within the City of Busselton or adjoining districts, where it would make sense to be well represented.
- Standardises reporting requirements for interstate training and development opportunities, removing the when considered appropriate wording.
- Removal of operational detail such as the requirement for the CEO to maintain a register of elected member training and development expenses (something that occurs in any event).

CONCLUSION

The Policy updates and replaces the current 'Councillors Induction, Training and Professional Development', and in doing so refocuses the policy content to the provision and use of an annual allowance for elected member training and development.

OPTIONS

Should Council not agree with the officer recommendation they could

1. decide not to adopt the Policy and instead take a different position / approach.
2. require further amendments to the Policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

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

OFFICER RECOMMENDATION

That the Council adopts the Elected Member Training and Professional Development Council policy as per Attachment A, to replace the Councillor Induction, Training and Professional Development policy (Attachment B).

COUNCIL POLICY



Council Policy Name: Elected Member Training and Professional Development

Responsible Directorate: Finance and Corporate Services Version: Proposed

1. PURPOSE

1.1. The purpose of this Policy is to provide a framework within which elected members may access an annual allowance to fund training and professional development opportunities that will assist them to undertake their role through the development of relevant skills and competencies.

2. SCOPE

2.1. This Policy is applicable to all elected members for their term of office.

3. DEFINITIONS

Term	Meaning
Annual Allowance	\$3,000 per financial year, allocated on a pro-rata basis for each elected member's term of office
Policy	This City of Busselton Council policy entitled "Elected Members Training and Professional Development"

4. STRATEGIC CONTEXT

4.1. This Policy links to Key Goal Area 6 - Leadership of the City's Strategic Community Plan 2017 and specifically Community Objective 6.1: Governance systems, processes and practices are responsible, ethical and transparent.

5. POLICY STATEMENT

- 5.1. Elected members are encouraged to attend relevant training and development opportunities with the aim of:
- a. Assisting elected members to understand their role and obligations;
 - b. Assisting elected members to meet the demands of their role by developing the necessary skills and knowledge;
 - c. Assisting elected members to achieve excellence in performance; and
 - d. Ensuring elected members work professionally in a team environment for the betterment of their constituents.
- 5.2. Each elected member will be allocated an Annual Allowance to be used for attendance at training and development programs and courses.

- 5.3. The Annual Allowance may be used for:
- a. Attendance at training run by the Western Australian Local Government Association (WALGA);
 - b. Attendance at Local Government Week run by WALGA, subject to paragraph 5.4; and
 - c. Other training and development opportunities where
 - i. the course or development opportunity is relevant to the functions of an elected member; or
 - ii. the course or development opportunity is relevant to an elected member's role or their role as an elected representative on a Council Committee or external body; and
 - iii. there is scope for the elected member to acquire skills relevant and beneficial to their role.
- 5.4. It is usual for the Mayor and the Deputy Mayor, along with the CEO or his delegate, to attend WALGA's Annual General Meeting (normally held in Local Government week). Where attendance is solely for the purposes of attending the Annual General Meeting the associated costs will not be taken from the Annual Allowance.
- 5.5. Elected members may also be required under the Local Government Act 1995 (or any replacement legislation) to complete mandatory training. The Annual Allowance will be used in the first instance for completion of mandatory training.

Approvals and restrictions on training

- 5.6. No more than two elected members may attend the same intrastate training and development opportunity at the same time unless the training is mandatory or universal to the functions of an elected member, or it is training being held within the City of Busselton or adjoining districts.
- 5.7. No more than two elected members may attend the same interstate training and development opportunity at the same time.
- 5.8. Attendance at an interstate training and development opportunity is not permitted within three months of the date of expiry of an elected member's current term of office.
- 5.9. Attendance at any overseas training and development opportunity requires the specific approval of Council.
- 5.10. Applications from elected members to attend training and development opportunities will be considered by the Mayor and Deputy Mayor in consultation with the CEO, with regard to be given to applicability of the training and development as it relates to the City of Busselton and to the individual elected member's functions (e.g. committee membership).
- 5.11. The application may only be approved where the costs including registration fees, travel, accommodation and an estimation of other expenses, (subject to Council Policy Fees Allowances and Expenses for Elected Members), can be accommodated within the Annual Allowance.
- 5.12. Nothing in this Policy prevents the Council from approving additional funding for elected member training and professional development or a specific application to be funded outside of the Annual Allowance.

Reporting Requirements

- 5.13. On return from attending an interstate training and development opportunity elected members shall within 21 days provide either a written report to the City or a verbal presentation to a Councillor briefing session; the purpose being to facilitate knowledge sharing. The report / presentation should detail

knowledge and skills gained, benefits of attendance for the City, Council and community, and relevant recommendations.

5.14. Failure to provide a report or presentation within the approved timeframe may result in the elected member being required to reimburse costs associated with attendance to the City. The Mayor may approve an extension in circumstances deemed appropriate.

6. RELATED DOCUMENTATION / LEGISLATION

6.1. Council Policy - Fees Allowances and Expenses for Elected Members

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	10 May 2017	Resolution #	C1705/103

Last updated 10/05/2017

098	Councillors' Induction, Training and Professional Development	V4 Current
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1. PURPOSE

This policy is to provide a framework within which Councillors can have access to a range of development opportunities that will assist them to undertake their role, including but not limited to pre-election information sessions, induction programs, training programs, attendance at conferences & seminars and other development opportunities throughout the elected term of office.

The City of Busselton has a budget allocation for the purpose of enabling Councillors to participate in development opportunities that will assist them to undertake their role and/or develop skills and competencies.

2. SCOPE

The policy provides that all Councillors can participate in development and training opportunities during their elected term of office, noting that where a term of office is less than the usual four-year term, access to a full range of opportunities may not be available within the term.

3. POLICY CONTENT

3.1 Pre-Election

The Chief Executive Officer or his delegate will conduct a seminar for aspiring Councillors to be held prior to a Local Government election. The aim of this seminar would be to provide aspirants with an insight to the role of a Councillor and better prepare them for what lays ahead.

3.2 Induction

Upon election to Council, the City will provide an Induction, training and development program for Councillors modelled on the Department of Local Government Councillor Induction Checklist, to provide them with all the information relevant to commencing their role as a Councillor. Attendance at in-house information and training sessions is also encouraged after the completion of the induction program.

The Induction program contributes to the corporate objectives by:

- Assisting new Councillors assimilate into the role;
- Assisting Councillors meet the demands upon them by developing the necessary skills through recognised training;
- Assisting Councillors achieve excellence in performance; and
- Ensuring Councillors work professionally in a team environment for the betterment of their constituents.

3.3 Annual Allowance for Training and Development

Councillors are encouraged to attend various programs during their term of office, to assist their professional development and to provide them with enhanced skills to effectively maximise the benefits of the commitment they have given to their elected position.

Last updated 10/05/2017

Each Elected Member is equally allocated an annual sum as allocated in each annual budget for attendance at Training and Development programs and courses. The amount should not, in normal circumstances be exceeded and registration will not be effected if there are insufficient funds available to be used.

If the annual allowance is exceeded, the value in excess of the amount allowed will be reduced from the following years allowance. Any surplus funds in an Elected Members allocation will be carried forward to the next financial year but will not be carried forward to the next following year.

3.4 Conferences & training courses

The annual budget allocation may be used for any of the following:

- Western Australian Local Government Association (WALGA) Training Program

WALGA offers a module-based training program that is standardised for WA Local Governments. Progressive participation in this program is encouraged and is considered to be the best opportunity outside of the organisation to develop relevant local government knowledge, including the opportunity to obtain a Diploma in Local Government by the completion of the course modules.

- Local Government Week

Local Government Week is an annual networking and development opportunity for Councillors provided by the WALGA. This is undertaken in conjunction with the Association's Annual General Meeting at which the City of Busselton is entitled to have two delegates. It is usual that this will be the Mayor and Deputy Mayor, however, this may be passed to another Councillor or Councillors when one or both of the Mayor and Deputy Mayor are not in attendance.

In addition to the two delegate participants, opportunity exists for other Councillors and the CEO to attend Local Government Week.

- Other Training and Development

Other training and development opportunities are identified from time to time by either an individual Councillor or the organisation, attendance at which may be approved where:

- The course or development opportunity is relevant to the functions of a Councillor; or
- The course or development opportunity is relevant to a Councillor's role or as a member of a Council approved representative on a Council Committee or external body; and
- There is scope for the attendee to acquire skills beneficial to the City.

3.5 Restrictions and exclusion on Travel

No more than two Elected Members may attend the same Interstate event and no more than three Elected Members may attend the same Intrastate event (authorised training and development courses excluded).

Travel Interstate is not permitted within three months of being elected as an Elected Member and is not permitted within three months of the date of expiry of office.

Last updated 10/05/2017

Attendance at any overseas conference, seminar or other development event requires the specific approval of Council.

Attendance at BASCA events / exchanges are not covered by this Policy

3.6 Reporting Requirements

When considered appropriate, on return from attending an Interstate training & development opportunity attendee shall provide either a written report to the City or a verbal presentation to an Elected Members Briefing session within 21 days to facilitate knowledge sharing. The report should detail skills and competencies gained, benefits for the City, Council and Community and relevant recommendations.

The Mayor or CEO may approve an extension in circumstances deemed appropriate. Regard may be given to the technicality of the information to be prepared into a report, workloads or other factors.

Failure to provide a report or presentation within the approved timeframe may result in the Elected Member being required to reimburse costs associated with attendance to the City.

3.7 Approval Process

Applications from Councillors for attendance at interstate courses and conferences etc will be considered by the Mayor and Deputy Mayor in consultation with the CEO with regard to applicability of the development opportunity to the Councillor’s role and budget availability.

The application can only be approved where the costs including registration fees, travel, accommodation and an estimation of other expenses in accordance with Council Policy 001 can be accommodated within the approved allowance allocated to the Councillor for this purpose in accordance with the annual budget provision. The annual training budget determined by the Council will be equally allocated to each Councillor on a pro-rata basis in accordance with election dates. An individual’s unspent funds can be carried forward for use within the biennial election cycle.

The CEO is to maintain a register of each Councillors’ training and professional development expenses.

Nothing in this policy provision prevents the Council from approving additional funds to be accessible or the Council from approving a specific application that is outside of the existing budget.

Policy Background

Policy Reference No. - 098
Owner Unit – Governance Services–
Policy approved by Council 10 May 2017
Review Frequency – As required
Related Documents – Council Policy 001

History

Council Resolution	Date	Information
C1705/103	10 May 2017	
C1606/135	8 June, 2016	Proposal to provide an equal allocation for use by each Councillor on approved training programs and some changes to Local Government Week attendance.

7. GENERAL DISCUSSION ITEMS

7.1 Leave of Absence and Policy and Legislation Committee Terms of Reference

8. NEXT MEETING DATE

9. CLOSURE