



City of Busselton
Geographe Bay

Policy and Legislation Committee Agenda

27 November 2018

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city@busselton.wa.gov.au

CITY OF BUSSELTON

MEETING NOTICE AND AGENDA – 27 NOVEMBER 2018


TO: THE MAYOR AND COUNCILLORS

NOTICE is given that a meeting of the Policy and Legislation Committee will be held in the Committee Room, Administration Building, Southern Drive, Busselton on Tuesday, 27 November 2018, commencing at 2.00pm.

The attendance of Committee Members is respectfully requested.

DISCLAIMER

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



MIKE ARCHER

CHIEF EXECUTIVE OFFICER

20 November 2018

CITY OF BUSSELTON

AGENDA FOR THE POLICY AND LEGISLATION COMMITTEE MEETING TO BE HELD ON 27 NOVEMBER 2018

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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 23 October 2018**

RECOMMENDATION

That the Minutes of the Policy and Legislation Committee Meeting held 23 October 2018 be confirmed as a true and correct record.

6. REPORTS

6.1 NAMING OF PLACES POLICY REVIEW

SUBJECT INDEX:	Policy Review
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 Development
ACTIVITY UNIT:	Community Development
REPORTING OFFICER:	Community Development Coordinator - Vicki James
AUTHORISING OFFICER:	Director, Community and Commercial Services - Cliff Frewing
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Proposed Naming of City Roads and Assets Policy ↓ Attachment B Current Naming of Parks, Gardens, Memorials, Sports Grounds Council Policy 237 ↓ Attachment C Current Street Names Policy 141 ↓

PRÉCIS

The purpose of this report is to present a revised Naming of City Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings Policy, with the current policy (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 new policy includes some minor updates to the current policy, as well as the inclusion of aspects of the Street Names Policy (Attachment C). It is considered that the Street Names Policy can be rescinded upon adoption of the proposed new policy; to be renamed Naming of City Roads and Assets (Attachment A) (the Policy).

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 Building" 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 this policy to include reference to the consideration of geographical and purpose driven names. The Council resolved (C1207/197) to adopt the updated policy.

On the 14 June 2017 a recommendation was made to Council to review the policy and specifically to delete a clause requiring a proposal be advertised for public comment for a 30 day period following its receipt. The Council resolved (C1706/126) to adopt the updated policy.

The Policy has now been amended with some minor updates as well as the inclusion of key aspects of the Street Names Policy, allowing that policy to be rescinded, and contributing to a more streamlined policy framework.

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

RELEVANT PLANS AND POLICIES

In August 2017 the CEO commissioned a high level independent review of the City's governance systems - the GSR. Included in the scope of the review was the City's policy and procedure framework with the following recommendations made:

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.*

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, and a Council policy template developed.

The Policy aligns with this framework and adopted template.

The Policies and Standards for Geographical Naming in Western Australia is a relevant policy. The Geographic Names Committee, an appointed advisory committee, utilises the Landgate Policies and Standards for Geographical Naming in Western Australia, (version 01:2017) in regards to geographical naming issues.

FINANCIAL IMPLICATIONS

Adoption of the Policy has no financial implications.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

Adoption of the Policy has no long term financial plan implications

STRATEGIC COMMUNITY OBJECTIVES

The 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

There are no risks identified of a medium or greater level associated with the Officers recommendation, with the Policy reiterating and maintaining Council's current direction for the naming of parks, gardens, reserves, memorials, sports grounds and buildings and naming of roads.

CONSULTATION

No external consultation is required in relation to this policy review.

OFFICER COMMENT

The Policy has been reviewed and the following minor changes have been incorporated:

1. Minor amendments to wording and reformatting of paragraphs throughout for the purposes of clarity;
2. The inclusion of aspects of the current Street Names Policy, which provides guidelines and criteria for the naming of City Roads; and
3. More detailed reference to the Geographic Names Committee (GNC) guidelines, including the provision that the naming guidelines as set out in Policies and Standards for Geographic Naming in Western Australia will be adhered to.

The proposed amendments align the Policy with the high level objectives and strategy of the GSR.

CONCLUSION

Officers consider that the current policy in relation to the naming of key infrastructure assets has been operating efficiently and effectively since adoption, with the recommended changes and inclusions contained in the Policy aimed at improving guidance and streamlining the policy framework.

With respect to the Street Names Policy, officers feel that by combining key aspects of this into the Policy, the Street Names Policy can be rescinded.

OPTIONS

The Council could choose not to endorse the Policy, or make additional changes to the Policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy would be effective immediately upon endorsement by Council.

OFFICER RECOMMENDATION

That the Council

1. Endorse the revised Council Policy – Naming of City Roads and Assets as shown in Attachment A to replace the Council Policy Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings (Attachment B).
2. Rescind the Street Names Policy (Attachment C) upon adoption of the Naming of City Roads and Assets Policy.

6.1 Attachment A Proposed Naming of City Roads and Assets Policy

COUNCIL POLICY

Council Policy Name: Naming of City Roads and Assets

Responsible Directorate: Community and Commercial Services Version: Proposed

City of Busselton
Geographic Bay

1. PURPOSE

- 1.1. The purpose of this Policy is to assist Council to appropriately assess proposals to name a City Road or City Asset.

2. SCOPE

- 2.1. This Policy applies to the naming of City Roads and City Assets, inclusive of the entire asset or specific portion/s of it, which require a determination for naming.

3. DEFINITIONS

Term	Meaning
City Asset	Any park, garden, reserve, memorial, sporting ground or building or other significant infrastructure asset owned or under the care, control or management of the City of Busselton
City Road	Any road or variation of road, including street, place, boulevard, etc.
Policy	This City of Busselton Council Policy entitled "Naming of City Roads and Assets"

4. STRATEGIC CONTEXT

- 4.1. This Policy links to Key Goal Area 2 – Places and Spaces of the City’s Strategic Community Plan 2017 and specifically the following Community Objective - 2.2, ‘Attractive parks and open spaces that create opportunity for people to come together, socialise and enjoy a range of activities’.

5. POLICY STATEMENT

Naming Considerations

- 5.1. Council 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 acknowledgment of events of historical, environmental or cultural significance or collective community action.
- 5.2. Where personal names are used, the person commemorated should preferably be recognised in memoriam.
- 5.3. To facilitate ease of geographical identification and identification of purpose, where possible a locality name and purpose should be associated with the naming of a City Asset, even when it is determined that an honorary name will be applied.
- 5.4. In general terms, naming should use the form, spelling and style of contemporary Australian English or a recognised Australian Indigenous language local to the area of the feature.

6.1 Attachment A Proposed Naming of City Roads and Assets Policy

- 5.5. Where applicable, naming guidelines as set out in Policies and Standards for Geographic Naming in Western Australia will be adhered to. The City must apply to Landgate for the naming of City Roads.
- 5.6. Renaming will only occur in an extraordinary case or where a name is no longer deemed appropriate.
- 5.7. The use of Aboriginal names and words for naming features are a way of recognising the different enduring cultural and language groups. Names originating from an Australian Aboriginal language local to the area must be written in a standard recognised format and their use shall be endorsed by the recognised local community. Evidence of this endorsement must be included with the naming proposal.
- 5.8. A proposal to name a City Asset can be put forward to Council for consideration by:
 - a. a Councillor by way of a notice of motion;
 - b. an employee by way of a report to Council;
 - c. a member of the public by making a submission to the CEO; or
 - d. users of a facility by making a submission to the CEO.
- 5.9. Any proposal to name a City Asset will include:
 - a. details of the proposed City Asset to be named;
 - b. proposed name; and
 - c. justification for the proposal.
- 5.10. Through its consideration Council may endorse the name or determine that the proposal requires further community consultation.

Criteria for Assessment for Personal Recognition

- 5.11. A request to name a City Asset after a person shall be assessed against the following criteria:
 - a. 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;
 - b. the views of the community with respect to honouring the person or event after which the City Asset is proposed to be named;
 - c. the length of 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;
 - d. the contribution made by the person to the local community through areas such as education, representation on Council or another level of government, volunteering, association with local sporting or service club or through business development. A significant contribution could include:
 - i. two (2) or more terms of office on the local government Council;
 - ii. twenty (20) or more years association with a local community, sporting or service club;
 - iii. action by an individual to protect, restore, enhance or maintain an area that produces substantial long-term improvements for the community of area; or
 - iv. evidence of works undertaken being of a pioneering nature for the benefit of the community.

Policies and Standards for Geographic Naming in Western Australia

- 5.12. The established guidelines provide, among other things, that:
 - a. names should not be a duplication (within 50km radius of each other);
 - b. inappropriate names should not be used including but not limited to:
 - i. obscene, derogatory, racist or discriminatory names;
 - ii. incongruous names; and
 - iii. company or commercial names.
 - c. preferred sources of names include:

6.1 Attachment A Proposed Naming of City Roads and Assets Policy

- i. Aboriginal names;
- ii. pioneers, early settlers, war casualty lists; and
- iii. thematic names, including flora, ships, etc.

- 5.13. In addition, the naming of City Roads or City Assets must:
- a. not risk public and operational safety for emergency responders, or cause confusion for transport, communication and mail services;
 - b. should be reasonably easy to read, spell and pronounce; and
 - c. avoid a duplication of names which are spelt or pronounced the same or similar within the Council area.
- 5.14. The City maintains an approved list of City Road names and any application for a name that does not appear on the approved list, must include supporting documentation / justification prior to the City forwarding complying proposals to the GNC.
- 5.15. The City may, in certain special circumstances, support an application for naming of a City Road that departs from the Policies and Standards for Geographic Naming in Western Australia. Such a proposal must:
- a. demonstrate exceptional circumstances warranting special consideration;
 - b. be considered to be particularly beneficial for the District;
 - c. have great significance which may be lost without the use of the proposed City Road name; and
 - d. have significant community support for the proposal.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Landgate Policies and Standards for Geographical Naming in Western Australia (V 01:2017)
- 6.2. Land Administration Act 1997
- 6.3. Land Information Authority Regulations 2007
- 6.4. Australian Standard AS/NZS 4819:2001 Rural and urban addressing

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	14 June 2017	Resolution #	C1706/126

6.1 Attachment B Current Naming of Parks, Gardens, Memorials, Sports Grounds
Council Policy 237

Last updated 14/06/2017

237	Naming of Parks, Gardens, Reserves, Memorials, Sports Grounds and Buildings	V3 Current
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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.

6.1 Attachment B Current Naming of Parks, Gardens, Memorials, Sports Grounds
Council Policy 237

Last updated 14/06/2017

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:

1. 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.
2. The views of the community with respect to honouring the person or event after which the City asset is proposed to be named.
3. 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

6.1 Attachment B Current Naming of Parks, Gardens, Memorials, Sports Grounds
Council Policy 237

Last updated 14/06/2017

- (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.
3. 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 14 June 2017
Review Frequency – As required

History

Council Resolution	Date	Information
C1706/126	14 June 2017	
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

Last updated 08/04/2015

141	Street Names	V3 Current
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1. PURPOSE

In naming new streets or renaming existing streets, the City must apply to the Geographic Names Committee (GNC) for approval. The GNC has established guidelines as to acceptable naming or renaming proposals. This policy sets out the special circumstances by which a non-complying naming or renaming proposal may be considered for application to the GNC.

2. SCOPE

The policy applies to all new streets or existing streets in the City of Busselton and includes all variations of street (such as road, place, boulevard etc).

3. POLICY CONTENT

The established GNC criteria provides that:

- Names should not be a duplication of an existing name.
- Names of living individuals are not normally suitable.
- Names characterised as follows are usually inappropriate:
 - Incongruous names
 - Christian names
 - Christian and surname combinations
 - Corrupted names
 - Unduly cumbersome or difficult to pronounce names
 - Obscene or derogatory names
 - Racist or discriminatory names
 - Company or commercialised names

Preferred sources of names include:

- Aboriginal names
- Pioneers, early settlers, war casualty lists
- Thematic names, e.g. flora, ships, etc.

The City maintains an approved list of names and any application for a street name that does not appear on the approved list is to include supporting explanation and history of the proposal. Complying proposals will be forwarded to the GNC.

In certain special circumstances, a departure from the criteria may be supported for application to the GNC for approval. In order for a proposal for a street name that does not comply with the criteria to be supported the proposal must display one or more of the following:

- The naming proposal demonstrates exceptional circumstances warranting special consideration;
- The proposal is considered to be particularly beneficial for the District;
- The proposed non-complying name has great significance, the significance of which would be lost without using the proposed name;
- There is significant community support for the proposal.

Council approval is required and non-complying name proposals, except those that are obscene or derogatory, racist or discriminatory, shall be referred to Council for consideration. Any approval provided by the Council must still be endorsed by the GNC to take effect.

Last updated 08/04/2015

Policy Background

Policy Reference No - 141
Owner Unit - Infrastructure Development
Originator - Manager, Governance Services
Policy approved by - Council
Date approved -
Review frequency - as required

History

Council Resolution	Date	Information
C1504/081	8 April, 2015	Version 3
C1012/414	8 December, 2010	Clarification as to circumstances when a non-complying proposal will be considered Version 2
		Version 1

6.2 REVISED COUNCIL POLICY: RANGER AND EMERGENCY SERVICES APPROACH TO REGULATORY FUNCTIONS

SUBJECT INDEX:	Policy, Procedures and Manuals
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Environmental Services
ACTIVITY UNIT:	Ranger and Emergency Services
REPORTING OFFICER:	Ranger & Emergency Services Coordinator - Ian McDowell
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Proposed Policy - Ranger and Emergency Services Approach to Regulatory Functions ↓ Attachment B Current Policy - Ranger & Emergency Services Approach to Regulatory Functions ↓

PRÉCIS

This report presents a revised Ranger and Emergency Services Approach to Regulatory Functions Policy (Attachment A) (the Policy) for Council approval, with the current policy (Attachment B) having been amended with 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 template and refined, is considered to be of continuing relevance and importance and is therefore recommended for Council approval.

BACKGROUND

The current policy was adopted by the Council in June 2013 and reviewed again in October 2017 (C1710/243) in line with the scheduled policy review.

Following a recent review of the Staff Management Practice (SMP) in dealing with the operational application of the policy, it was deemed appropriate by staff to again review the policy and to move it to the current policy template.

STATUTORY ENVIRONMENT

In accordance with section 27(2)(b) of the *Local Government Act 1996* (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, the Policy and Legislation Committee, in accordance with section 5.8 of the Act.

RELEVANT PLANS AND POLICIES

In August 2017 the CEO commissioned a high level independent review of the City's governance systems - the GSR. Included in the scope of the review was the City's policy and procedure framework with the following recommendations made:

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.*

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, and a Council policy template developed. The Policy adheres to this framework and template.

The Policy supplements and supports the Compliance Policy adopted by the Council in September 2018 (C1809/182).

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Officer Recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long-term financial plan implications associated with the Officer Recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The Policy links to Key Goal Area 6 of the City's Strategic Community Plan 2017 and specifically the Community Objective 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.

CONSULTATION

No specific consultation was undertaken in relation to the Policy.

OFFICER COMMENT

Following a review of the SMP in relation to the Ranger and Emergency Services Approach to Regulatory Functions, it was deemed appropriate by staff to carry out a review of the Council policy relating to the same matter.

The current policy contains a level of information considered more operational in nature and as such, has been revised. Specifically, the objectives and statements of intent relative to each individual piece of legislation have been removed from the Policy but retained in the SMP.

The Policy provides higher level objectives and strategies relating to the City's overall approach to its regulatory functions, regardless of the legislation that is being enforced.

CONCLUSION

The Policy updates the current Ranger and Emergency Services Approach to Regulatory Functions and in doing so, continues to provide for a transparent, consistent, accountable and respectful approach to the exercising of regulatory function by Ranger and Emergency Services. It is recommended that the Policy is approved by Council.

OPTIONS

The Council may choose not to adopt the Policy and instead choose to amend or reject the Policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy would be effective immediately upon approval by Council.

OFFICER RECOMMENDATION

That the Council adopts the revised Ranger and Emergency Services Approach to Regulatory Functions Policy as per Attachment A, to replace the current policy (Attachment B).

COUNCIL POLICY

Council Policy Name: Ranger and Emergency Services Approach to Regulatory Functions

Responsible Directorate: Planning and Development Services Version: Proposed

1. PURPOSE

1.1. This Policy outlines the City’s approach to the management and enforcement of legislation relevant to rangers and emergency services regulatory functions, with the aim of providing a transparent, consistent and accountable approach to those functions.

2. SCOPE

2.1. This Policy is applicable to the City’s enforcement approach in relation to the implementation of the regulatory functions associated with ranger and emergency services including parking control, the enforcement of dog, cat and other animal controls, fire management control, litter control and unauthorised camping.

2.2. The Policy supplements the requirements, direction and advice set out in the City’s Compliance Policy, relevant Acts and Regulations and Local Laws.

3. DEFINITIONS

Term	Meaning
Authorised Person	A person appointed under section 9.10 of the <i>Local Government Act 1995</i> (LGA) to issue an infringement, a person acting in the course of their duties as an employee of the City or a person authorised to commence prosecution under section 9.24 of the LGA, or otherwise authorised to commence a prosecution or issue an infringement under any other law the City administers
Policy	this City of Busselton Council policy entitled “Ranger and Emergency Services Approach to Regulatory Functions”

4. STRATEGIC CONTEXT

4.1. This policy links to Key Goal Areas 1 – Community and Key Goal Area 6 – Leadership of the City’s Strategic Community Plan 2017 and specifically the following Community Objective/s:

- a. 1.1: A friendly safe and inclusive community with a strong community spirit
- b. 6.1: Governance systems, processes and practices are responsible, ethical and transparent.

5. POLICY STATEMENT

5.1. The City will enforce the regulatory framework in a consistent, fair and objective manner, whilst promoting positive resident and customer relations, and providing a conscientious and respectful service.

6.2 Attachment A Proposed Policy - Ranger and Emergency Services Approach to Regulatory Functions

- 5.2. The City will engage in community education and the provision of information in relation to its regulatory framework as appropriate and as resources allow. The overall objective is to achieve voluntary compliance by the community and visitors to the City
- 5.3. Statutory compliance, organisational and community priorities, and the availability of organisational resources will guide the enforcement of regulatory frameworks and the operational focus of Authorised Persons, who are expected to use their reasonable judgement and discretion to achieve the objectives of this Policy and the relevant legislation.
- 5.4. The City will review and amend where appropriate, its regulatory framework on a periodic basis. This process of review will be inclusive of the appropriate consultation and applicable legal and administrative processes.
- 5.5. The City has developed, and will periodically review and update, a Staff Management Practice to guide the internal procedures/protocols associated with the application of this Policy.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. The relevant legislation associated with this Policy includes, but is not limited to, the following:
 - a. *Animal Welfare Act 2002 and associated Regulations*
 - b. *Bush Fires Act 1954 and associated Regulations*
 - c. *Caravan Parks and Camping Grounds Act 1995 and associated Regulation's*
 - d. *Cat Act 2011 and associated Regulations*
 - e. *Control of Vehicles (Off-road Areas) Act 1978 and associated Regulation*
 - f. *Dog Act 1976 and associated Regulation*
 - g. *Litter Act 1979 and associated Regulation*
 - h. *Local Government Act 1995 and associated Regulations*
 - i. *Activities in Thoroughfares and Public Places and Trading Local Law 2015*
 - j. *Dogs Local Law 2014*
 - k. *Jetties Local Law 2014*
 - l. *Keeping and Control of Cats Local Law 2014*
 - m. *Local Government Property Local Law 2010*
 - n. *Parking Local Law 2011*
 - o. *Waste Local Law 2016*
- 6.2. Council Compliance Policy
- 6.3. Staff Management Practice: Ranger and Emergency Services Approach to Enforcement, Reviews and Appeals.

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	11 October 2017	Resolution #	C1710/243

6.2 Attachment B Current Policy - Ranger & Emergency Services Approach to Regulatory Functions

016	Ranger & Emergency Services Approach to Regulatory Functions	V2 Current
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1.0 PURPOSE

The purpose of this policy is to –

- 1.1 Outline the City’s approach to the implementation of the regulatory framework controlling parking, dog/cats/animals, fire management, litter, unauthorised camping and related matters (all of which are primarily handled by the City’s Ranger and Emergency Services).
- 1.2 Supplement relevant requirements, direction and advice already set out in the City’s *Prosecutions Policy* and relevant Acts, Regulations, Local Laws and/or other relevant documents.
- 1.3 Support transparent, consistent, accountable and respectful guidance and processes associated with implementing the relevant regulatory framework, including decisions to issue work orders and infringements, pursue prosecution and respond to requests for withdrawal/cessation of work orders, infringements and prosecutions.

2.0 GENERAL PRINCIPLES

- 2.1 The CEO will prepare more detailed internal procedures/protocols to supplement this Policy and to guide operational staff in the exercise of these functions. The CEO will consult with Councillors as appropriate in the development of those procedures/protocols.
- 2.2 The City will enforce the regulatory framework relating to parking, dogs/cats/animals, fire management, litter, unauthorised camping and related matters in a consistent, fair and objective manner, whilst at the same time, promoting positive resident and customer relations, and providing a conscientious and respectful service.
- 2.3 Officers are expected to use their reasonable judgement and discretions whilst enforcing the regulatory framework relating to parking, dogs/cats/animals, fire management, litter, unauthorised camping and related matters.
- 2.4 Once there has been a decision to prosecute, or an infringement notice or work order has been issued, it will only be withdrawn following the submission and consideration of a written request for withdrawal as set out in more detailed protocols/procedures developed by the CEO.
- 2.5 ‘Mutual respect’ is one of the City’s values. That value is of particular importance to the exercising of regulatory functions and applies to both the City itself and the community. Respect is due to both a person who may have been issued an infringement or similar, as well as to the people who have complied with the relevant legislation, or may have been affected by the failure of someone else to do so. Behaviour disrespectful to the City, its employees or the community as a whole is inappropriate and will not be tolerated.

3.0 PARKING – OBJECTIVES/STATEMENT OF INTENT

The following sets out the key objectives/statement of intent in relation to the City’s enforcement of parking controls –

6.2 Attachment B Current Policy - Ranger & Emergency Services Approach to
Regulatory Functions

- 3.1 The aim of parking controls and their enforcement is to ensure the efficient and equitable use and management of parking in the City, especially in the Busselton City Centre and Dunsborough Town Centre.
- 3.2 The City will aim to provide consistent enforcement of parking controls, but available staffing resources and workload demands may affect the City's capacity to enforce parking controls from time-to-time. Notwithstanding this, residents and visitors are responsible for ensuring they are complying with parking controls at all times.
- 3.3 The City will review parking controls periodically and adjust parking controls as appropriate and following completion of appropriate consultation and applicable legal/administrative processes. The City will be conscious of available resources and the need to provide for consistent enforcement in determining when, where and what parking controls should be applied.
- 3.4 The City's parking local law provides for control of both public car parking (on-street and public car parks) and, where requested by the landowners, private car parking (e.g. some shopping centre car parks). The City encourages landowners to request that the City manage private car parking areas in and around the Busselton City Centre and Dunsborough Town Centre, and will generally support requests to manage private parking areas where the controls are to be applied are consistent with the approach to managing public parking and the City's capacity to consistently enforce those controls. If the landowner wishes to have parking controls that are not considered to be appropriate or enforceable by the City, then the City will not agree to manage the relevant parking area. The City also does not have the capacity to manage private car parking outside the Busselton City Centre and the Dunsborough Town Centre.
- 3.5 The City will engage in community education and provision of information as appropriate and as resources allow, assisting residents and visitors to determine what and where parking is available to meet their needs.

4.0 ANIMALS – OBJECTIVES/STATEMENT OF INTENT

The following sets out the key objectives/statement of intent in relation to the City's enforcement of dog, cat and other animal controls –

- 4.1 The City promotes responsible pet ownership and recognises that pets can substantially add to the wellbeing and quality of life of their owners.
- 4.2 The aim of dog, cat and other animal controls is to promote responsible pet ownership, avoid nuisance being created for members of the community and visitors, limit damage to and loss of wildlife, and protect the welfare and safety of dogs, cats and other animals.
- 4.3 The City will aim to provide consistent enforcement of dog, cat and other animal controls, but available staffing resources and workload demands may affect the City's capacity to enforce these controls from time-to-time. Notwithstanding that, residents and visitors are responsible for ensuring they are complying with relevant regulations at all times.
- 4.4 The City will review dog, cat and other animal controls periodically and adjust these controls as appropriate and following completion of appropriate consultation and applicable legal/administrative processes. The City will be conscious of available resources and the need to provide for consistent enforcement in determining when, where and what controls should be applied.
- 4.5 The City will respond to reasonable requests for assistance with protecting the welfare of dogs, cats and other animals by the public and other agencies and investigate as necessary. When the matter

6.2 Attachment B Current Policy - Ranger & Emergency Services Approach to
Regulatory Functions

is found to be of a serious nature it will be handed over to the RSPCA or Parks and Wildlife Services (Department of Biodiversity, Conservation and Attractions) for their further action.

- 4.6 The City will engage in community education as appropriate and as resources allow, promoting responsible pet ownership, whilst ensuring that the primary responsibility always rests with pet and other animal owners.

5.0 FIRE MANAGEMENT – OBJECTIVES/STATEMENT OF INTENT

The following sets out the key objectives/statement of intent in relation to the City's enforcement of fire management controls –

- 5.1 The City recognises that bush fire safety is a shared and collective responsibility involving the whole of the community. Bush fires do not respect property boundaries and an elevated bush fire risk on one property does not just affect the property in question, it increases risk for the whole of the community.
- 5.2 The City promotes individual, landowner and community management for the management of bush fire risk and, in particular, strongly encourages all residents in bush fire prone areas to have their own bush fire response plan, join their local Bushfire Ready Action Group (BRAG) and/or become an emergency services volunteer with a Fire & Rescue Service or Bush Fire Brigade.
- 5.3 The City supports and works with the Department of Fire and Emergency Services, Department of Biodiversity, Conservation and Attractions, Fire and Rescue Service and Bush Fire Brigades as well as many others, to ensure that our community is adequately resourced and prepared to fight fires, but recognises that a major component of protecting our community is through mitigation of bush fire risk, especially through the creation and maintenance of fire breaks and low fuel areas on both public and private land.
- 5.4 The aim of fire management controls and their enforcement is to reduce the risks of and from bush fires to both life and property, including the lives of emergency services volunteers and others involved in fire fighting.
- 5.5 The City will aim to provide consistent enforcement of fire management controls, but available staffing resources and workload demands may affect the City's capacity to enforce fire management controls from time-to-time. Notwithstanding this, residents and visitors are responsible for ensuring they are complying with fire management controls at all times.
- 5.6 During the 'bush fire season' (generally 1 December to 12 May), enforcement of fire management controls will be the highest priority for the City's Ranger and Emergency Services, other than responding to emergencies that may occur from time-to-time. The priority areas for enforcement of fire management controls are areas identified as being bush fire prone.
- 5.7 The City will review fire management controls periodically and adjust controls as appropriate and following completion of appropriate consultation and applicable legal/administrative processes. The City will be conscious of available resources and the need to provide for consistent enforcement in determining when, where and what controls should be applied. The City will consider cost implications for landowners and potential environmental impacts as and when it is deemed necessary to review fire management controls, but will always place the greatest weight on the protection of human life.

6.2 Attachment B Current Policy - Ranger & Emergency Services Approach to Regulatory Functions

5.8 The City will engage in community education as appropriate and as resources allow, promoting individual, and landowner and community responsibility for protecting our community from bush fire risk.

6.0 LITTER – OBJECTIVES/STATEMENT OF INTENT

The following sets out the key/objectives/statement of intent in relation to the City’s enforcement of litter controls –

- 6.1 The aim of the enforcement of litter controls is to control the unlawful disposal of litter and to maintain an attractive and healthy environment and protect the safety of the community.
- 6.2 The City will aim to provide consistent enforcement of litter controls, but available staffing resources and workloads may affect the City’s capacity to enforce controls from time-to-time. Notwithstanding this, residents and visitors are responsible for ensuring they comply with litter controls at all times.
- 6.3 The City will review litter controls periodically as appropriate and with appropriate consultation. The City will be conscious of available resources and the need to provide for consistent enforcement in determining when, where and what controls should be applied.

7.0 UNAUTHORISED CAMPING (OTHER THAN AT A LICENCED CARAVAN PARK AND/OR CAMPING GROUND) – OBJECTIVES/STATEMENT OF INTENT

The following sets out the key objectives/statement of intent in relation to the City’s enforcement of unauthorised camping (other than at a licenced caravan park and/or camping ground) –

- 7.1 The aim of the enforcement of unauthorised camping controls is to ensure that people sleeping/camping in moveable dwellings, tents or their vehicles within the City comply with the relevant legislation, and to protect the health, the environment and community amenity.
- 7.2 The City will aim to provide consistent enforcement of unauthorised camping controls, but available staffing resources and workloads may affect the City’s capacity to enforce controls from time-to-time. Notwithstanding this, residents and visitors are responsible for ensuring they comply with unauthorised camping controls at all times.
- 7.3 The City aims to promote responsible and sustainable caravanning and camping, reduce the impact on the natural environment and any nuisance to the community caused by irresponsible caravanning and camping.
- 7.4 The City will review relevant controls in relation to caravanning and camping periodically as appropriate and with appropriate consultation. The City will be conscious of available resources and the need to provide for consistent enforcement in determining when appropriate controls should be applied.

History

Council Resolution	Date	Information
C1710/243	11 October 2017	Scheduled review Version 2
C1306/160	26 June 2013	Date of Implementation Version 1

6.3 NEW DELEGATIONS OF AUTHORITY AND AMENDMENTS TO EXISTING DELEGATIONS OF AUTHORITY

SUBJECT INDEX:	Authorised Delegation of Power/Authority
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 Ranger & Emergency Services Coordinator - Ian McDowell
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Attachment A BF3 Institute a prosecution, or to issue an infringement ↓ Attachment B BF4 Variation of prohibited and restricted burning times ↓ Attachment C LG3Q Authority to destroy an impounded sick or injured animal ↓ Attachment D BF1 The performance of any of the functions of the local government ↓ Attachment E BF1 Firebreak Order, Variation to (C1106/199) - Current Version ↓ Attachment F BF2 Appointment of Bush Fire Control Officers ↓ Attachment G BF2 Appointment of Bush Fire Control Officers (C1505/116) - Current Version ↓ Attachment H LG3F Power to remove and impound; Abandoned vehicle wrecks ↓ Attachment I LG3F Power to Remove and impound goods or abandoned vehicle wrecks (C1808/150) - Current Version ↓

PRÉCIS

As part of an internal review of the City's delegations register, a number of new delegations and some minor amendments to existing delegations have been identified, all associated with functions carried out by the Ranger and Emergency Services area.

BACKGROUND

Under the *Local Government Act 1995*, and other Acts that provide for the powers and duties under which local government operate, Council has the ability to delegate some of those powers and discharge of duties to its Chief Executive Officer or other relevant officers.

The *Local Government Act 1995* requires these delegations to be reviewed by the delegator at least once every financial year, whilst other Acts, such as the *Bush Fires Act 1954* have no statutory requirement for review, but are typically reviewed on an annual basis.

A review has been undertaken of the various Acts enforced by Ranger and Emergency Services and the delegations register as it relates to these powers, with the aim of ensuring best practice governance structures and the maintenance of operational efficiencies.

As a result, a number of new delegations and some minor amendments to existing delegations are recommended. Commentary on the requests and the rationale for each is provided in the Officers comment section of this report.

STATUTORY ENVIRONMENT

Section 5.42 of the *Local Government Act 1995* provides the Council with the ability to delegate powers and duties to its CEO. Some powers and duties cannot be delegated in accordance with Section 5.43 of the Act, such as matters that require an Absolute Majority decision of the Council.

Section 48 of the *Bush Fires Act 1954* provides local government with the ability to delegate powers and duties to its CEO and other relevant officers. Some powers and duties cannot be further sub-delegated in accordance with Section 48 of the *Bush Fires Act 1954*.

Various sections and subsections of the *Bush Fires Act 1954* provide for powers to be directly delegated from Council to Officers, specifically powers under s.59 and s.59A of the Bush Fires Act 1954 can only be delegated directly from Council (no opportunity to sub delegate from CEO to Officers); and in some instances, powers cannot be delegated and the authority to discharge remains with the local government, specifically the power to appoint a Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer, which requires a resolution of Council.

RELEVANT PLANS AND POLICIES

There are no plans or other policies directly relevant to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the Officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

This delegation review 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

Following an assessment of the potential implications, there are no risks assessed as being medium or greater associated with the Officer recommendation.

CONSULTATION

There was no consultation undertaken or considered necessary in relation to the Officer recommendation.

OFFICER COMMENT

Many of the proposed new delegations and amendments to existing delegations are the result of gaps being identified in the current allocation of powers, as compared to best practice governance structures. The proposed changes are intended to provide officers with increased clarity and security in relation to decision making. The proposed new and amended delegations also aim to achieve and maintain organisational efficiencies.

The table below provides an overview of the new and amended delegations, as well as expanding on the rationale above where applicable. Proposed new delegations are BF3, BF4 and LG3Q and minor amendments are proposed to delegations BF1, BF2, and LG3F.

Relevant Act	Summary of proposal
<p><u>Bushfire Act</u></p> <p>Institute a prosecution, or to issue an infringement</p>	<p>Proposed new delegation (BF3) Council to CEO and listed Officers</p> <p>To enable Rangers and Senior Rangers to issue infringements for an offence against this Act.</p> <p>To enable the CEO, Bush Fire Control Officer, Director Planning & Development and Manager Environmental Services to commence a prosecution for an offence and institute legal proceedings for an offence against this Act.</p> <p>This delegation can only be made from Council to CEO and listed Officers, not Council to CEO and CEO sub-delegation to Officers</p>
<p><u>Bushfire Act</u></p> <p>Variation of prohibited and restricted burning times</p>	<p>Proposed new delegation (BF4) Council to Mayor and CBFO</p> <p>To enable the Mayor and Chief Bush Fire Officer to vary prohibited and restricted burning times. The Act only allows for the local government to specifically delegate this power to the Mayor and Chief Bush Fire Officer in joint.</p> <p><u>Additional Rationale:</u> To remove the need for a report to be presented to Council which can have an impact on timeliness of implementing restrictions and / or create the need for late / urgent items.</p>
<p><u>Local Government Act</u></p> <p>Authority to destroy an impounded sick or injured animal</p>	<p>Proposed new delegation (LG3Q) Council to CEO</p> <p>To delegate the power to CEO to ensure an immediate determination on the destruction of a sick or injured animal can be made.</p> <p>Note there is an argument that the reference to local government in this section of the Act does not preclude the administration from making what are often humanely necessary and time critical decisions however the proposed delegation is recommended by WALGA in their model delegation register as best practice.</p>
<p><u>Bushfire Act</u></p> <p>The performance of any of the functions of the local government under the Act</p>	<p>Proposed amendments to existing delegation (BF1) Council to CEO</p> <p>The wording in this existing delegation is proposed to be amended in general to strengthen and clarify the delegation to be “all functions of the local government” under the Bush Fires Act 1954.</p> <p><u>Additional Rationale:</u> This is aligned to the way in which other delegations have been prepared and allows the CEO to delegate to officers in relation to all functions (except where expressly disallowed).</p>

<p><u>Bushfire Act</u></p> <p>Appointment of Bush Fire Control Officers</p>	<p>Proposed amendments to existing delegation (BF2) Council to CEO</p> <p>The wording in this existing delegation is proposed to be amended:</p> <ul style="list-style-type: none"> • Inclusion of s.38 as the Power/Duty and Act Reference; • Additional wording in Condition (3), which outlines the conditions on which an appointment of a Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer can occur. <p><u>Additional Rationale:</u> This strengthens and clarifies the delegation. Section 38 is the specific section of the Act which enables a Bush Fire Control Officer to be appointed by a local government (this was previously missing from the delegation), whereas s.48 is the power to delegate (already included and will stay).</p> <p>Condition 3 is also clarified by including the requirement that a resolution by Council, on recommendation from the Bush Fire Advisory Committee, is needed to appoint the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.</p>
<p><u>Local Government Act</u></p> <p>Power to Remove and Impound; Abandoned Vehicle Wrecks</p>	<p>Proposed amendments to existing delegation (LG3F) Council to CEO</p> <p>The existing delegation essentially restricted the delegated powers to s.340A subsection (1) of the Act, thereby not allowing anyone to actually declare an abandoned vehicle as an “abandoned vehicle wreck” which is covered by s.340A subsection (5). The proposed delegation removes reference to subsection (1) and delegates all powers under s.340A.</p> <p>Addition of a condition that the disposal of the vehicle is to be undertaken in accordance with the Delegation LG3G Disposing of Uncollected Goods.</p> <p><u>Additional Rationale:</u> Because of the reference to subsection (1) of s.340A, Officers were unable to effectively take the first step of this delegation – declaring a vehicle abandoned.</p>

CONCLUSION

The proposed new or amended delegations serve to reduce risk, address identified gaps when compared to best practice and provide clarity and assurance to officers with regards to the powers and discharge of duties delegated to them.

In addition the proposed amendments aim to provide a sufficient level of authority to the CEO and/or relevant officers to ensure existing organisational efficiencies continue.

OPTIONS

Council may choose not to adopt the new or amended delegations or choose to place conditions on the delegations.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

Any determinations on the delegations will be effective immediately following the Council’s decision.

OFFICER RECOMMENDATION

That the Council:

1. Adopts delegation BF3 – Institute a prosecution, or to issue an infringement as shown at Attachment A;
2. Adopts delegation BF4 – Variation of prohibited and restricted burning times as shown at Attachment B;
3. Adopts delegation LG3Q – Authority to destroy an impounded sick or injured animal as shown at Attached C;
4. Adopts the amended delegation BF1 – The performance of any of the functions of the local government under the *Bushfires Act 1954* as shown at Attachment D;
5. Adopts the amended delegation BF2 – Appointment of Bush Fire Control Officers as shown at Attachment F;
6. Adopts the amended delegation LG3F – Power to remove and impound; Abandoned vehicle wrecks as shown at Attachment H



INSTRUMENT OF DELEGATION

Reference Number	Act Reference	Delegates	Delegation Subject
BF3	<i>Bush Fires Act 1954</i> s.59 s.59A	Chief Executive Officer Bush Fire Control Officer/s Director Planning and Development Manager Environmental Services Ranger and Emergency Services Coordinator Senior Rangers Rangers	To Institute a Prosecution, or to Issue an Infringement

Delegator

Council

Power/Duty

The power to institute and carry on proceedings, or to issue an infringement notice, for an offence against the *Bush Fires Act 1954*.

Conditions

1. Rangers and Senior Rangers are prohibited from commencing a prosecution for an offence against the *Bush Fire Act 1954* (s.59(3));
2. Rangers and Senior Rangers are prohibited from instituting legal proceedings pursuant to s.59A (3) of the *Bush Fire Act 1954*; and
3. A delegation as per s.48 of the *Bush Fire Act 1954* does not include the power to sub-delegate.

Statutory Framework

Council is exercising its power of delegation under Section 48 of the *Bush Fires Act 1954*.

Verification

Initial Council Resolution
<<insert council resolution number>>

Review Requirements

Council discretion (there is no statutory review period)

Related Documents

6.3 Attachment A BF3 Institute a prosecution, or to issue an infringement

Bush Fire (Infringement) Regulations 1978

Council Policy 016 – Ranger & Emergency Services Approach to Regulatory Functions

Annual Firebreak and Fuel Hazard Reduction Notice



INSTRUMENT OF DELEGATION

Reference Number	Act Reference	Delegates	Delegation Subject
BF4	<i>Bush Fires Act 1954</i> s.17 s.18	Mayor Chief Bush Fire Control Officer	Variation of Prohibited and Restricted Burning Times

Delegator

Council

Power/Duty

In accordance with the *Bush Fire Act 1954*, the Mayor and Chief Bush Fire Control Officer are jointly delegated authority to determine a variation of prohibited burning times (s.17) and a variation of restricted burning times (s.18).

Conditions

1. The powers and duties pursuant to sections 17 and 18 of the *Bush Fire Act 1954* are jointly delegated to the Mayor and Chief Bush Fire Control Officer; and
2. Decisions under s.17(7) must comply with the requirements of s.17(7B) and s.17(8).

Statutory Framework

Council is exercising its power of delegation under Section 48 of the *Bush Fires Act 1954*.

Verification

Initial Council Resolution
<<insert council resolution number>>

Review Requirements

Council discretion (there is no statutory review period)

Related Documents

Nil



INSTRUMENT OF DELEGATION

Reference Number	Local Government Act Reference	Delegates	Delegation Subject
LG3Q	3.47A	Chief Executive Officer	Authority to destroy an impounded sick or injured animal

Delegator

Council

Power/Duty

The authority to destroy an impounded sick or injured animal pursuant to Section 3.47A of the *Local Government Act 1995*.

Conditions

Nil

Statutory Framework

Council is exercising its power of delegation under Section 5.42 of the *Local Government Act 1995*.

Verification

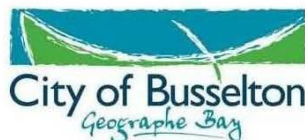
Initial Council Resolution
<<insert council resolution number>>

Review Requirements

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

Related Documents

Cat Act 2011
Keeping and Control of Cats Local Law 2014
Dog Act 1976
Dogs Local Law 2014



INSTRUMENT OF DELEGATION

Reference Number	Act Reference	Delegates	Delegation Subject
BF1	Bush Fires Act 1954	Chief Executive Officer	The performance of any of the functions of the local government under the Act

Delegator

Council

Power/Duty

All the functions of the local government under Section 48 of the *Bush Fires Act 1954*.

Conditions

1. Excludes the powers and duties that are subject to separate delegated authority within this Register as set out below:
 - (a) BF2 – Appointment of Bush Fire Control Officers;
 - (b) BF3 – Prosecutions and Infringements
 - (c) BF4 – Variation of Prohibited and Restricted Burning Times
2. A delegation as per s.48 does not include the power to sub-delegate.

Statutory Framework

Council is exercising its power of delegation under Section 48 of the *Bush Fires Act 1954*.

Verification

Recent Council Resolution

<<insert council resolution number>>

Initial Council Resolution

C969/0425

Review Requirements

Council discretion (there is no statutory review period)

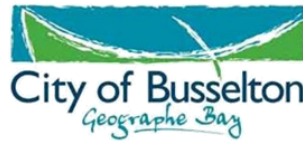
Related Documents

Annual Firebreak and Fuel Hazard Reduction Notice

6.3 Attachment D

BF1 The performance of any of the functions of the local government

Notes of Alteration
Council Resolution C969/0425 on 25 September 1996 gave power to the Coordinator, Ranger and Fire Services (or equivalent position) to undertake these duties, however, Council Resolution C0706/145 on 27 June 2007 revoked this power as Section 48 of the <i>Bush Fires Act 1954</i> only provides for the ability for delegation to the CEO, with no opportunity for sub-delegation (27 June 2007)
Improved wording to strengthen and clarify the delegation to be for all functions (subject to conditions) of the local government under the <i>Bush Fires Act 1954</i> (insert date)



Instrument of Delegation

Reference Number	Act Reference	Delegate	Delegation Subject
BF1	S48 Bush Fires	Chief Executive Officer	Firebreak Order, Variation to

Delegator

Council.

Power/Duty

To determine applications to provide firebreaks in alternative positions and to determine applications to provide alternative fire protection measures on the land, in accordance with the provisions of Clause 8 of Council's Firebreak Order.

Conditions

Nil.

Statutory Framework

Section 48 *Bush Fires Act 1954*.

Verification

Recent Council Resolution
C1106/199

Initial Council Resolution
C969/0425

Review Requirements

At Council's discretion as necessary (no statutory requirement).

Related Documents

Firebreak Order.

Notes of Alteration

Council Resolution C969/0425 on 25 September 1996 gave power to the Coordinator, Ranger and Fire Services (or equivalent position) to undertake these duties, however, Council Resolution C0706/145 on 27 June 2007 revoked this power as Section 48 of the Bush Fires Act 1954 only provides for the ability for delegation to the CEO, with no opportunity for sub-delegation (27 June 2007)



INSTRUMENT OF DELEGATION

Reference Number	Act Reference	Delegates	Delegation Subject
BF2	Bush Fires Act 1954 s.38 s.48	Chief Executive Officer	Appointment of Bush Fire Control Officers

Delegator

Council

Power/Duty

To appoint person/s to act as Bush Fire Control Officer/s pursuant to Section 38 of the *Bush Fire Act 1954*.

Conditions

1. This delegation is limited to the appointment of members of volunteer bush fire brigades and City Ranger and Emergency Services Staff;
2. In the case of appointment of members of volunteer bush fire brigades, the delegation shall only be exercised where there is a recommendation to appoint from the Bush Fire Advisory Committee; and
3. This delegation does not apply to the appointment of the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer, which requires a resolution by Council, on recommendation to appoint from the Bush Fire Advisory Committee.

Statutory Framework

Council is exercising its power of delegation under Section 48 of the *Bush Fires Act 1954*.

Verification

Recent Council Resolution

<<insert council resolution number>>

Initial Council Resolution

C969/0425

Review Requirements

Council discretion (there is no statutory review period)

Related Documents

Annual Firebreak and Fuel Hazard Reduction Notice

Notes of Alteration
Council Resolution C969/0425 on 25 September 1996 gave power to the Coordinator, Ranger and Fire Services (or equivalent position) to undertake these duties, however, Council Resolution C0706/145 on

27 June 2007 revoked this power as Section 48 of the *Bush Fires Act 1954* only provides for the ability for delegation to the CEO, with no opportunity for sub-delegation (27 June 2007)

Improved wording to strengthen and clarify the delegation and the Act reference and condition 3 outlining that the delegation does not apply to the appointment of the Chief Bush Fire Control and the Deputy Chief Bush Fire Control Officer (*insert date*)



Instrument of Delegation

Reference Number	Act Reference	Delegate	Delegation Subject
BF2	S48 Bush Fires	Chief Executive Officer	Appointment of Bush Fire Control Officers

Delegator

Council.

Power/Duty

To appoint a person to act as a Bush Fire Control Officer pursuant to Section 48 of the *Bush Fires Act 1954*.

Conditions

1. The delegation is limited to the appointment of members of volunteer bush fire brigades and City Ranger and Emergency Services staff;
2. In the case of appointment of members of volunteer bush fire brigades, the delegation shall only be exercised where there is a recommendation to appoint from the Bush Fire Advisory Committee; and
3. The delegation does not extend to the appointment of Chief or Deputy Chief Bush Fire Control Officers.

Statutory Framework

Section 48 *Bush Fires Act 1954*.

Verification

Initial Council Resolution
C1505/116

Review Requirements

At Council's discretion as necessary (no statutory requirement).



INSTRUMENT OF DELEGATION

Reference Number	Act Reference	Delegates	Delegation Subject
LG3F	<i>Local Government Act 1995</i> s.3.39 s.340A	Chief Executive Officer	Power to Remove and Impound Abandoned Vehicle Wrecks may be taken

Delegator

Council

Power/Duty

The powers to remove and impound goods or abandoned vehicle wrecks and the power to declare an abandoned vehicle wreck, pursuant to Sections 3.39 and 3.40A of the *Local Government Act 1995*.

Conditions

Disposal of a declared abandoned vehicle wreck is to be undertaken in accordance with Delegation LG3G Disposing of Uncollected Goods.

Statutory Framework

Council is exercising its power of delegation under Section 5.42 of the *Local Government Act 1995*.

Verification

Recent Council Resolution
<<insert council resolution number>>

Initial Council Resolution
C1806/188

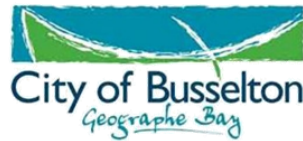
Review Requirements

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

Related Documents

Nil

Notes of Alteration
Delegation strengthened to include the power of a local government to declare that an impounded vehicle is an abandoned vehicle wreck under s.3.40A of the Act. Improved wording to strengthen and clarify the specific power/duty (<i>insert date</i>)



Instrument of Delegation

Reference Number	Local Government Act Reference	Delegate	Delegation Subject
LG3F	3.39 3.40A(1)	Chief Executive Officer	Power to Remove and Impound Goods or Abandoned Vehicle Wrecks

Delegator

Council

Power/Duty

To authorise employees on behalf of the local government for the purposes of discharging the duties under Section 3.39 and 3.40A(1) of the *Local Government Act 1995*.

Conditions

Nil.

Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

Section 3.39

- (1) An employee authorised by a local government for the purpose may remove and impound any goods that are involved in a contravention that can lead to impounding.
- (2) A person may use reasonable force to exercise the power given by subsection (1).

Section 3.40A(1)

An employee authorised by a local government for the purpose may remove and impound a vehicle that, in the opinion of the local government, is an abandoned vehicle wreck.

Verification

Recent Council Resolution
C1808/150

Initial Council Resolution
C0806/188

Review Requirements

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

6.4 AL FRESCO TRADING IN THE BUSSELTON CITY CENTRE - CONSIDERATION OF DRAFT POLICY FOLLOWING CONSULTATION (AS WELL AS INFORMATION ON OUTCOMES OF RELATED CONSULTATION)

SUBJECT INDEX:	Activity Centre Plan - Busselton
STRATEGIC OBJECTIVE:	Creative urban design that produces vibrant, mixed-use town centres and public spaces.
BUSINESS UNIT:	Planning and Development Services
ACTIVITY UNIT:	Strategic Planning & Development
REPORTING OFFICER:	Director, Planning and Development Services - Paul Needham
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Proposed Al Fresco Trading in Busselton City Centre Policy ↓ Attachment B Project Detailed Report Busselton CBD Activation ↓ Attachment C Published Under Separate Cover Confidential Valuation Advice

PRÉCIS

Following a period of consultation, this report presents a draft Council Policy for Al Fresco Trading in the Busselton City Centre (the Policy). It is recommended that the Policy be formally adopted without modification.

BACKGROUND

At its ordinary meeting of 25 July 2018, the Council adopted, for consultation purposes, a draft 'Council Policy on Al Fresco Trading in the Busselton City Centre'. A copy of the Policy is included as Attachment A.

The Council also resolved that, in parallel with the consultation process, further assessment should be undertaken to identify what, if any, level an annual licence fee (for on street al fresco areas) would typically be set at, so that the Council could consider that information in considering the Policy after consultation.

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.

Key statutory environment is set out in the City's *Activities in Thoroughfares and Public Places and Trading Local Law 2015* ('Thoroughfares Local Law') and town planning scheme, as well as in the *Land Administration Act 1997*. Those documents have been considered in the preparation of the Policy and this report.

RELEVANT PLANS AND POLICIES

Relevant plans and policies include the City's *Economic Development Strategy 2016-2026* ('ED Strategy'), and *Local Planning Policy 4C: Busselton Town Centre Urban Design Provisions* (LPP4C). The ED Strategy identifies 'Place Making and Activation' as a key focus area, and sets out a number of related strategies, including 'Partner with business owners and managers to focus positive activity into streets and public spaces'. LPP4C identifies Queen Street as a 'Primary Street', and sets out that development on such streets should be 'highly activated' and that 'al fresco uses also encouraged'.

FINANCIAL IMPLICATIONS

There are no direct financial implications of the recommendations of this report. Depending on the direction that the Council chooses to take on these issues, there may be some financial implications, such as those associated with streetscape works that may be required to allow al fresco use of space currently allocated for car parking and/or with fees required to be paid by proprietors for use of road reserve (which is City land, although a very particular kind of City land) for al fresco trading.

Note that the Council has recently amended the guidelines of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme to include infrastructure associated with al fresco areas as eligible works. Under that programme, funding of up to \$20,000 per project is available, up to maximum of 50% of the project cost above \$5,000 (for instance, the maximum funding available for a \$10,000 project is \$2,500, and the maximum funding available for a \$35,000 project is \$15,000). \$50,000 is allocated to that project in the City's current budget, and on an ongoing, annual basis as per the Long-Term Financial Plan.

It should be noted that the City's current schedule of fees and charges does not involve an ongoing fee for al fresco trading, with such fees having been removed in the adoption of last financial year's fees and charges. Where the City is contemplating allowing landowners or proprietors to undertake streetscape works to convert car bays and/or place structures in existing car bays, there would be a capacity to require the costs of the work to be met by the proponent and/or charge ongoing licence fees.

On the basis of recent assessments of the market value of a licence for al fresco space, a value of around \$25-\$50/m²/annum is considered an indicative range for al fresco space on Queen Street. Given a parallel parking bay is around 15m² in area, that would equate to a licence fee of \$375-\$750 per annum for an al fresco area occupying the equivalent of one car parking bay. It should be noted that, as required by Council's 25 July resolution, further assessment has been undertaken to determine what level an annual licence fee may be set at, and it confirms that the indicative range above is supported by market assessment and is similar to the rates charged by other local governments in similar contexts.

It is worthwhile first understanding the nature of the tenure that would be provided. What is proposed is a licence form of tenure, and not a lease, and so it is a more limited form of tenure, and the rights that would ordinarily accrue to a leasehold tenant would not be present. Further, what is proposed is a licence for the use of the land, not for the use of a building. The licensee will be required to provide their own infrastructure, and will have only a relatively short licence period in which to recover that investment, should the City decide not to renew the licence.

More detailed advice on this matter has been provided as Attachment C (which is confidential because it contains commercially sensitive information).

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long-term financial plan implications of the recommendations of this report.

STRATEGIC COMMUNITY OBJECTIVES

The Policy links to Key Goal Area 2 of the City's Strategic Community Plan 2017 and specifically the Community Objective 2.1: Creative urban design that produces vibrant, mixed-use town centres and public spaces.

RISK ASSESSMENT

An assessment of the risks associated with implementation of the officer recommendation has been undertaken using the City's risk assessment framework. Risks are only identified where the residual risk, once controls are identified, is 'medium' or greater. No such risks have been identified, although it should be noted that individual proposals for al fresco dining on City land would themselves need to be subject of appropriate risk assessment and management.

CONSULTATION

Using the *Your Say* platform, the City ran an online survey seeking community views and information on a range of questions related to the Policy, as well as some other questions related to the planning and management of the Busselton City Centre. A summary of the outcomes of the consultation is provided as Attachment B.

A total of 295 people viewed the survey, of whom 125 provided responses. On questions directly related to the Policy, some of the key things to note from the responses are considered to be –

- To the question 'What would bring you into the Busselton City Centre more often on the weekend or evening (choose all that apply)?', the most common responses were - 'more al fresco options' (86 respondents), 'more café, bar and restaurant options' (85 respondents) and 'if there were events taking place in the City Centre' (70 respondents); and
- Between 67% and 80% were supportive of the key elements of the Policy, between 6% and 15% were not supportive, with the balance being unsure – in short, there was substantial net support for all of the key elements of the Policy.

OFFICER COMMENT

The rationale for the Policy was set out in some detail in the report considered by the Council in July and, as such, there is not seen to be a need to do so in full again in this report. The key elements of the rationale then as now, however, are seen as being -

- It is generally not possible to provide additional and high usability al fresco space on Queen Street especially without occupying space currently used for on-street car parking bays;
- A successful Busselton City Centre into the future will require an increase in the number and proportion of cafes, restaurants and/or bars, including and especially on the 'main street' (i.e. Queen Street);
- Providing more al fresco space will help to facilitate that increase, in fact it is highly likely to be critical to that occurring;
- Even then, that increase will only occur gradually and incrementally, and to avoid unnecessarily removing on-street car parking bays ahead of demand, it is best to also facilitate al fresco conversion of car parking bays in an incremental/demand-driven fashion; and
- Given that not all café, restaurant or bar businesses will continue indefinitely, it makes sense to consider al fresco options that are reversible and non-permanent.

The consultation process is not considered to have raised any concerns with the Policy. It is therefore recommended that the Policy be formally adopted, without modification. That would then allow proposals for al fresco trading on City land to be submitted and assessed, pursuant to the Policy, and subsequently implemented.

CONCLUSION

It is seen as important that the Council establish its direction on this issue, such that landowners, proprietors and officers can develop and consider proposals with some confidence. For the reasons set out in the report considered by the Council in July, it is considered that the Council should adopt a policy to support more al fresco space on Queen Street especially, but mainly in a reversible and in an incremental/demand-driven fashion.

OPTIONS

The options available to the Council are fundamentally as follows –

- Not adopt the Policy, and assess al fresco proposals on a case-by-case basis; or
- Adopt the Policy, subject to modifications.

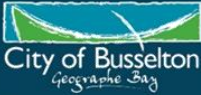
TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation is for the formal adoption of the Policy without modification. Implementation would involve publication of the adopted policy. That would occur within two weeks of the Council making a resolution consistent with the officer recommendation.

OFFICER RECOMMENDATION

That the Council adopts the Al fresco Trading in the Busselton City Centre Policy, as per Attachment A.

COUNCIL POLICY



Council Policy Name: Al Fresco Trading in the Busselton City Centre

Responsible Directorate: Planning and Development Services Version: Proposed

1. PURPOSE

1.1. This Policy supports the activation and sustainability of the Busselton City Centre through facilitating an expansion in the number and scale of al fresco areas associated with cafes, bars and restaurants.

2. SCOPE

2.1. This Policy is applicable to proposals for al fresco trading in the Busselton City Centre, on the road reserve (i.e. it does not relate to private property or other local government land).

2.2. The Policy guides the exercise of the City’s property functions, and guides how City land will be managed; this Policy is not a local planning policy or policy that guides the City’s other regulatory functions. In exercising those other functions, however, the City will be conscious of this Policy and its purpose.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy entitled “Al Fresco Trading in the Busselton City Centre”

4. STRATEGIC CONTEXT

4.1. This Policy links to Key Goal Area 2 - Places and Spaces of the City’s Strategic Community Plan 2017 and specifically the following Community Objective 2.3: Creative urban design that produces, vibrant, mixed-use town centres and public spaces.

5. POLICY STATEMENT

5.1 The Council generally supports removal of car parking to accommodate more al fresco space on Queen Street, but mainly in a reversible and in an incremental/demand-driven fashion.

5.2 Al fresco areas should generally be provided ‘out the front’ of the associated premises, and shall generally be at a scale proportional to the floor area of the premises.

5.3 The preferred form of al fresco is decking placed over car bays, or a custom designed and built ‘drop-in’ structure, with bollards installed separating the al fresco area from the traffic lane, but not in the form of converted or adapted sea containers.

5.4 The costs of providing al fresco space will be met by the proponent (proprietor and/or landowner); proposals can be subject of applications for funding under the City’s façade upgrade subsidy programme.

5.5 The land on which the al fresco space is to be provided is at no cost for up to two years, but a licence fee shall apply thereafter.

6.4 Attachment A Proposed Alfresco Trading in Busselton City Centre Policy

- 5.6 A licence agreement will be subject to conditions requiring minimum trading periods, which are to include two or more of Saturdays 3pm-6pm, Sundays 9am-2pm, or three weeknights until 8.30pm, for a minimum of six months of the year (and existing alfresco permits shall be transitioned to these arrangements).
- 5.7 The proponent shall be responsible for removal and decommissioning of alfresco infrastructure that is no longer required or supported.
- 5.8 Prior to the commencement of works, the proponent shall enter into a licence agreement with the City, for an initial two to five year term (with the term to be reflective of the level of up-front investment), with further licences generally for five year terms, if a further term is considered appropriate by the City.

6. RELATED DOCUMENTATION / LEGISLATION

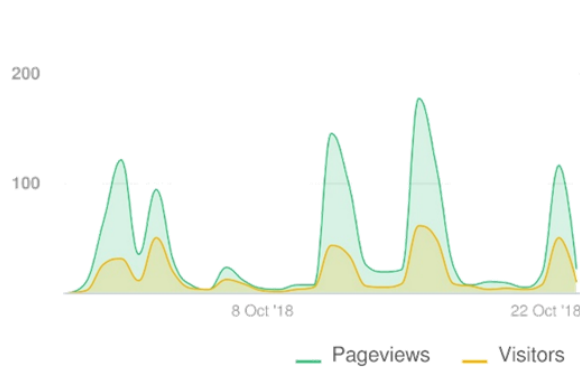
- 6.1. Town planning scheme and related legislation, regulations and policy.
- 6.2. Building Act and related regulations.
- 6.3. Public Health Act and related regulations.
- 6.4. Local Government Act and related regulations, notably the City's Property Local Law and Thoroughfares Local Law.
- 6.5. Busselton City Centre Conceptual Plan.
- 6.6. City of Busselton Economic Development Strategy.

7. REVIEW DETAILS

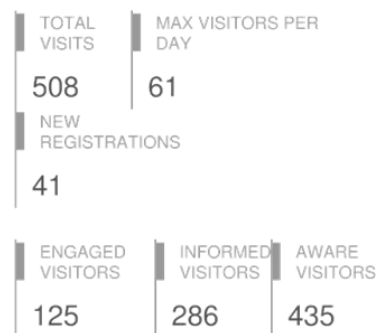
Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	N/A	Resolution #	N/A



Visitors Summary



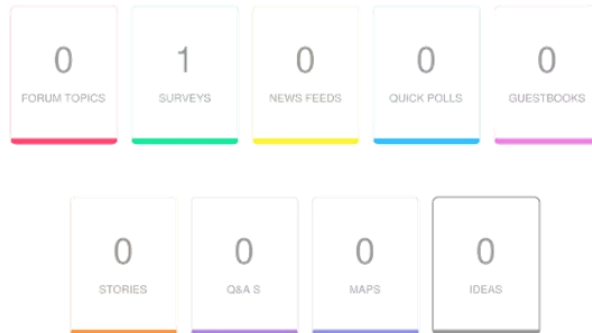
Highlights



Aware Participants		Engaged Participants	
435		125	
Aware Actions Performed	Participants	Engaged Actions Performed	
Visited a Project or Tool Page	435	Registered	Unverified
Informed Participants	286	Anonymous	
Informed Actions Performed	Participants	Contributed on Forums	0
Viewed a video	0	Participated in Surveys	125
Viewed a photo	0	Contributed to Newsfeeds	0
Downloaded a document	0	Participated in Quick Polls	0
Visited the Key Dates page	6	Posted on Guestbooks	0
Visited an FAQ list Page	0	Contributed to Stories	0
Visited Instagram Page	0	Asked Questions	0
Visited Multiple Project Pages	168	Placed Pins on Places	0
Contributed to a tool (engaged)	125	Contributed to Ideas	0

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

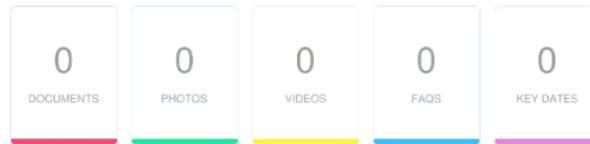
ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	CBD Activation Survey	Published	295	125	0	0

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Key Dates	Key Date	6	6

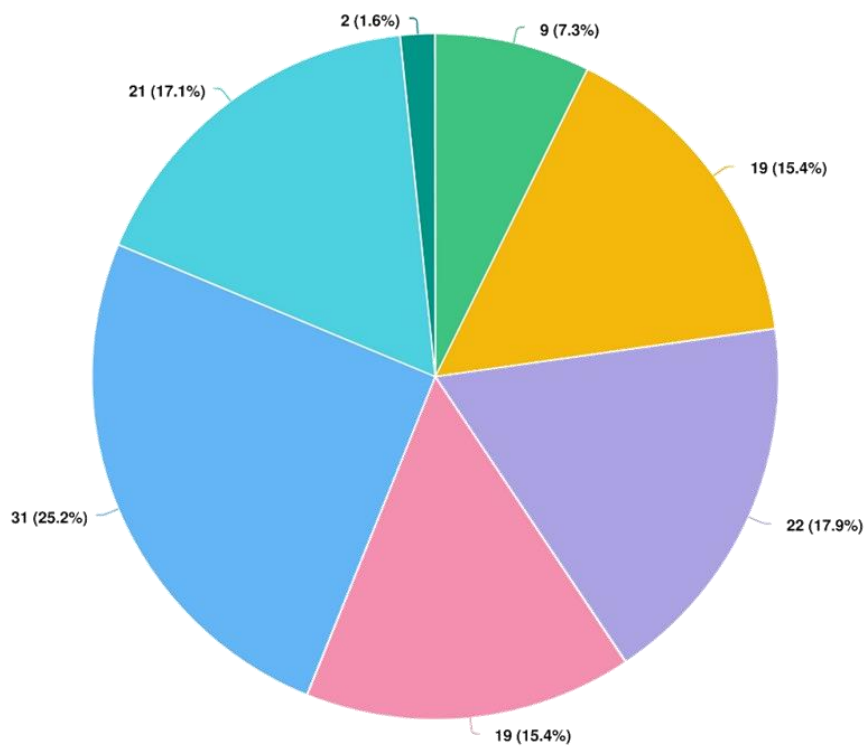
Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

ENGAGEMENT TOOL: SURVEY TOOL

CBD Activation Survey

VISITORS	295	CONTRIBUTORS	125	CONTRIBUTIONS	125
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What is your age?



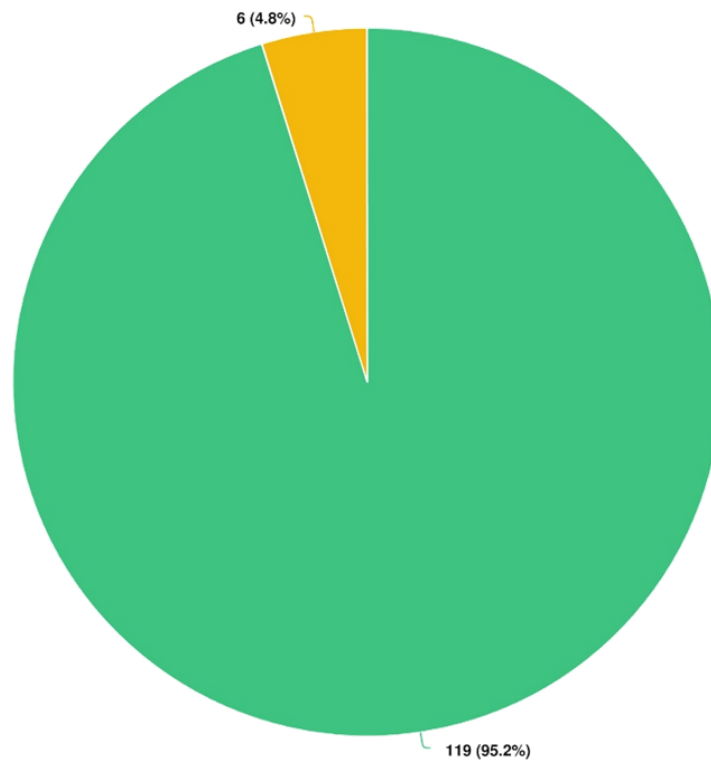
Question options

15 - 24 years 25 - 34 years 35 - 44 years 45 - 54 years 55 - 64 years 65 - 74 years 75+

Optional question (123 responses, 2 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

I identify myself as:



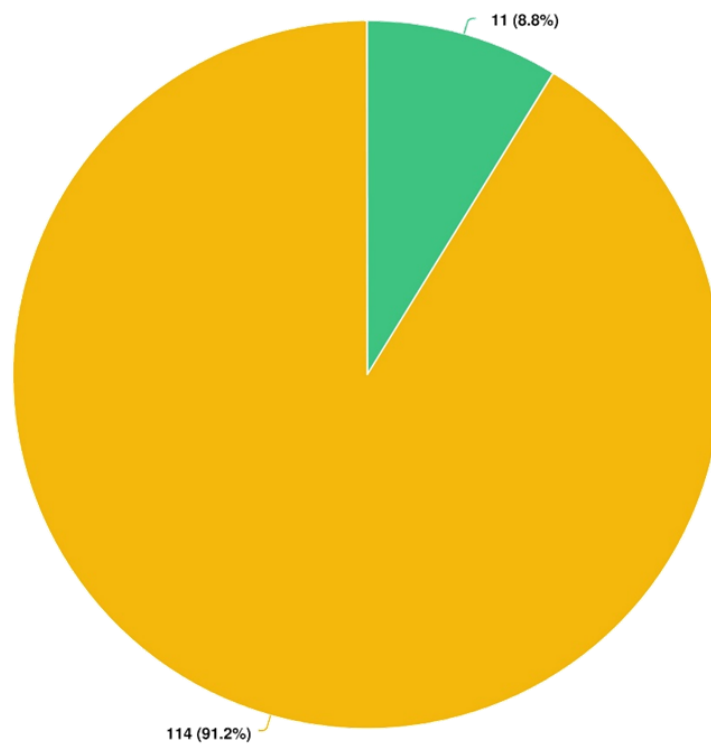
Question options

- A full-time resident of the City of Busselton
- A part-time resident to the City of Busselton

Optional question (125 responses, 0 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

Are you a business or commercial property owner in the Busselton City Centre (City Centre is identified in the map above)?



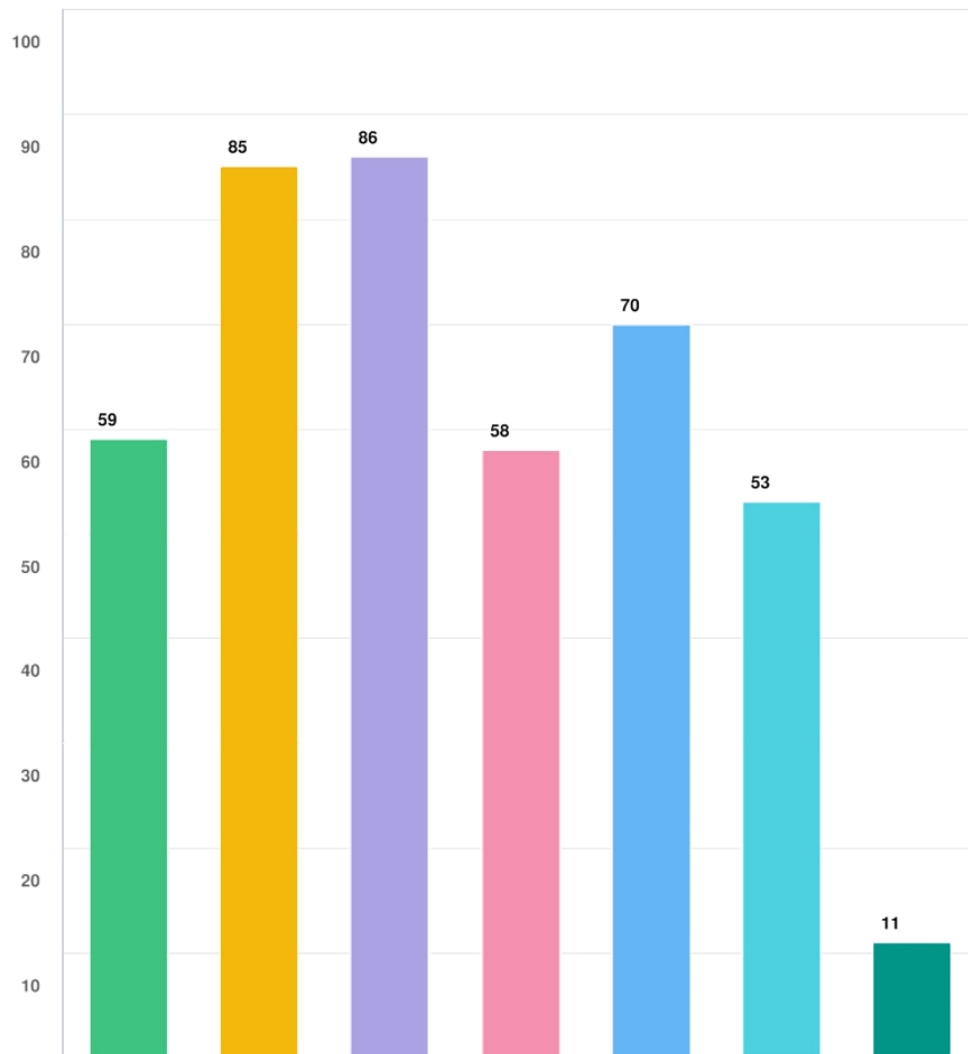
Question options

- Yes
- No

Optional question (125 responses, 0 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

What would bring you into the Busselton City Centre more often on the weekend or evening (choose all that apply)?



Question options

- If businesses had longer trading hours
- More cafe, bar and restaurant options
- If there were markets on in the City Centre
- Recreational or community activities
- More al fresco options
- If there were more events taking place in the City Centre
- Other

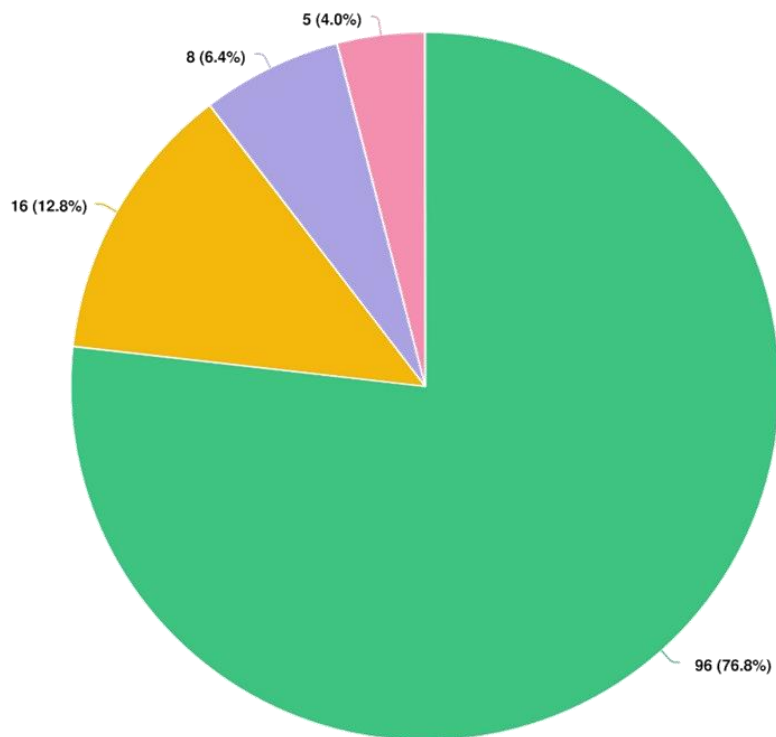
Optional question (125 responses, 0 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

New Busselton Entertainment Arts and Cultural Hub (BEACH). The City is investigating the viability of a new performing arts and entertainment centre in the current vacant block in the ArtGeo Cultural Complex.



How supportive of this development are you?



Question options

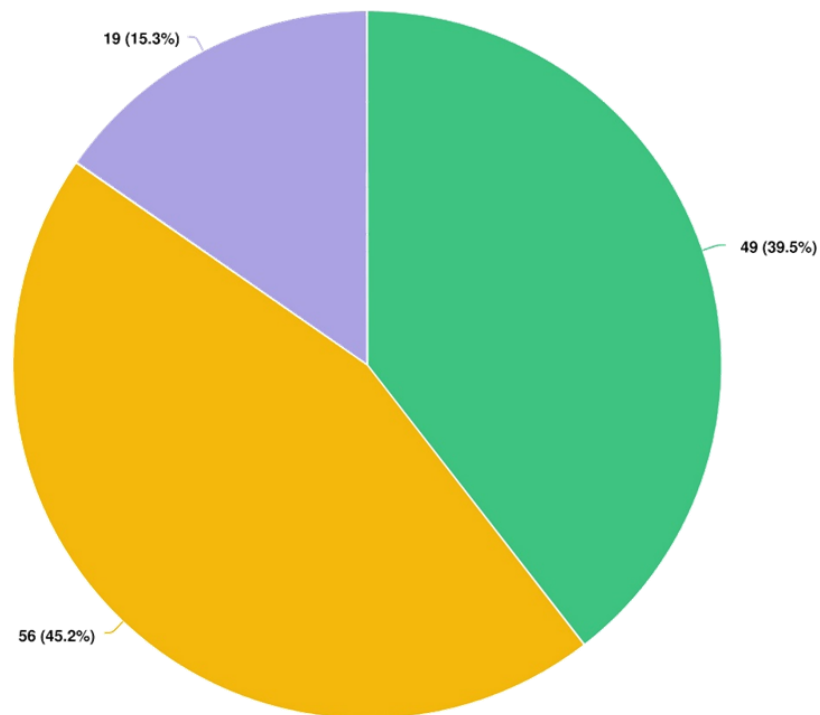
- Supportive
- Neutral
- Opposed
- Unsure

(125 responses, 0 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

Al fresco Dining Following on from initial consultations, the City Council (25 July 2018) supported a draft policy on 'Alfresco Dining in the City Centre' subject to further public consultation. To that end, public feedback is sought on the draft policy.

Did you take part in the previous survey relating to al fresco options on Queen Street?



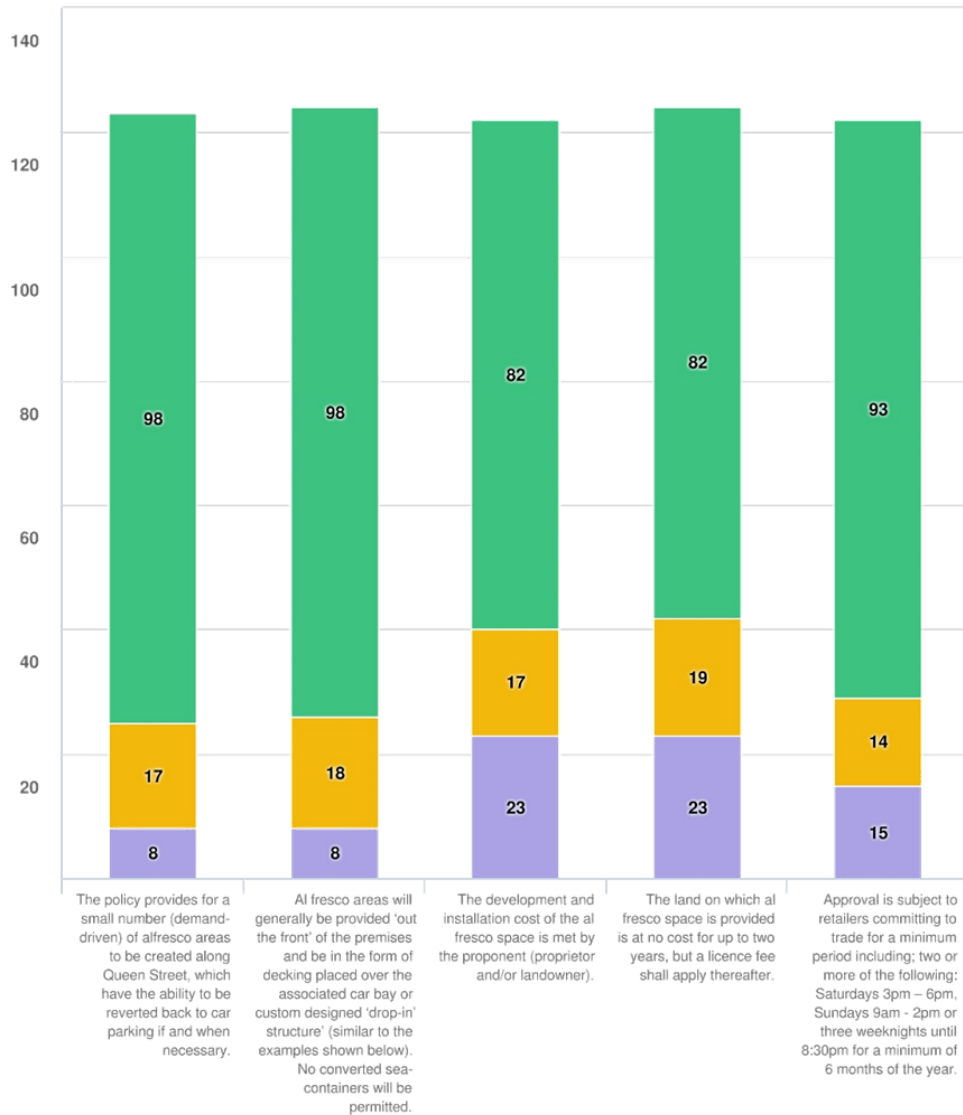
Question options

Yes No Unsure

Optional question (124 responses, 1 skipped)

Your Say Busselton : Summary Report for 01 July 2018 to 25 October 2018

Please indicate whether you support or do not support the following Draft Policy statements:



Question options

Support Do not support Unsure

Optional question (125 responses, 0 skipped)

6.5 RECISSION OF FLAG PROTOCOL POLICY

SUBJECT INDEX:	Policy Review
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:	Manager Governance and Corporate Services - Sarah Pierson
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Council Policy 120 Flag Protocol ↓ Attachment B Customer Service Procedure - Flag Protocols ↓

PRÉCIS

The purpose of this report is to recommend rescission of Council Policy 120 Flag Protocol (Attachment A) (the Policy), which outlines the Council's authority for flags that can be flown at the City of Busselton Administration Offices.

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, it is recommended that the Policy be rescinded.

BACKGROUND

The Policy outlines the City's authority for flags that can be flown at the City of Busselton Administration Offices. It was adopted in June 2012 and updated again in December 2016 (C1612/148) to include reference to the Department of Prime Minister and Cabinet Publication: Australian Flags – Part 2 – The protocols for the appropriate use and the flying of the flag, Commonwealth of Australia 2006.

The GSR was undertaken over a 3 month period by Mr John Woodhouse LLB Juris and made the following recommendations, including, but not limited 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.*

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.

For the reasons outlined in the Officer Comment section of this report, it is considered appropriate for the Policy to be rescinded.

STATUTORY ENVIRONMENT

In accordance with Section 2.7(2) 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 recommendation of a Committee it has established in accordance with Section 5.8 of that Act.

The Department of Prime Minister and Cabinet Publication: Australian Flags – Part 2 – The protocols for the appropriate use and the flying of the flag, Commonwealth of Australia 2006 provides for the protocols and precedence of flying the Australian National Flag. This is a comprehensive guideline document.

The Department of the Premier and Cabinet provides guidelines for flag protocols and flag precedence for the flying of the Western Australia State Flag and other flags as prescribed by the *Flags Act 1953*.

RELEVANT PLANS AND POLICIES

There are no plans or other policies directly relevant to this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no long term financial plan implications associated with the Officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

The Officer recommendation will not impact adversely on the achievement of any of the community objectives contained within the Strategic Community Plan 2017 and will instead serve to meet the objectives of Key Goal Area 6, specifically community objective 6.1 – Governance systems, processes and practices are responsible, ethical and transparent, by streamlining the City's policy framework.

RISK ASSESSMENT

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

CONSULTATION

No external consultation is required in relation to this policy review.

OFFICER COMMENT

The Policy scope sets out the authority for flags that can be flown at the City of Busselton Administration Offices, with reference to the precedence of flying flags.

The Policy content further details the authority of the Chief Executive Officer to allow for other flags to be flown on other appropriate occasions, and for alternative flags to be flown in recognition of occasions, events, visits or the like for periods of time, but does not specify which occasions are appropriate or how they are to be determined, instead leaving it to the discretion of the CEO as an operational matter.

Upon review, the Policy is no longer considered necessary noting the recommendations of the GSR that Council policies should deal with high level objectives and strategies, while matters of an operational nature can be dealt with in Staff Management Practices. The Policy is not considered to set a strategic direction and is predominately operational in nature. Additionally the City has at an operational level a well-established procedural document in place in relation to flag protocols (Attachment B).

Through the review of other comparable Council's policies, only one was found to concern any type of flag protocol, relating to the treatment of applications to fly representative or special flags outside of the protocols already covered by the commonwealth and state guidelines. It is felt that this is a matter which can be appropriately dealt with by the CEO.

CONCLUSION

It is recommended that Council Policy 120 Flag Protocol be rescinded, as the City has an established operating procedure in place and there are federal and state guidelines which provide sufficient direction in relation to flag precedence and protocol.

OPTIONS

Council could instead require that the Policy is maintained and updated to the new template and / or further reviewed.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be rescinded immediately upon adoption of the Officers Recommendation.

OFFICER RECOMMENDATION

That the Council rescinds Council Policy 120 – Flag Protocol effective immediately.

Last updated 14 December 2016

120	Flag Protocol	V3 Current
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1. PURPOSE

This policy is to provide guidance for the flying of flags at the Offices of the City of Busselton.

2. SCOPE

The policy sets out the authority for flags that can be flown at the City of Busselton Administration Offices. On all occasions, the Australian National Flag is to be flown and is to take precedence on the most prominent flagpole.

3. POLICY CONTENT

The Chief Executive Officer is authorised to fly the Western Australian State flag, Aboriginal and Torres Strait Islander flags, City of Busselton flag, Town of Sugito flag and Japanese flag, together with the Australian flag, in the City of Busselton on occasions as determined.

There may be however situations where it may be appropriate on occasion for other flags to be flown for a short period of time (such as to recognise visiting dignitaries etc).

On occasions where it is appropriate, an alternative flag may be flown to recognise an occasion, event, visit or the like for a temporary period of time.

Regard shall be given to all permanent and interim Commonwealth flag protocols.

4. APPLICATION OF THE POLICY

The policy shall be applied by customer service staff in consultation with Governance Services as necessary.

Policy Background

Policy Reference No. - 120

Owner Unit – Governance Services

Originator – Historical

Policy approved by – Council

Date Approved – 13 June, 2012

Review Frequency – As required

Related Documents – Department of the Prime Minister and Cabinet Publication: Australian Flags – Part 2 – The Protocols for the appropriate use and the flying of the flag, Commonwealth of Australia 2006.

Last updated 14 December 2016

History

Council Resolution	Date	Information
C1612/148	14 December 2016	Update to Policy to include reference to the Department of the Prime Minister and Cabinet Publication: Australian Flags – Part 2 – The Protocols for the appropriate use and the flying of the flag, Commonwealth of Australia 2006. Version 3
C1206/137	13 June, 2012	Update to policy format Version 2
		Version 1

CUSTOMER SERVICE PROCEDURE DOCUMENT

DIRECTORATE:	Financial and Corporate Services		
BUSINESS UNIT:	Customer Service		
TASK:	FLAG PROTOCOLS		
DESCRIPTION:	Federal, Aboriginal and Local flag protocols		
AUTHOR:	Diane Hamilton	DATE:	09 June 2011
HEADS OF POWER:	Department of Prime Minister and Cabinet: Booklet <i>Australian Flags – Part 2</i>	NUMBER/ SET ID	CSO001 / 1630729

Source Documents

The protocols outlined in this document were obtained from the Commonwealth Flag Officer, Awards and Culture Branch, Department of the Prime Minister and Cabinet. They have been tailored to suit the City of Busselton requirements including the implementation of flag flying requirements over weekends and holidays.

Please note that these protocols are also informed by the City of Busselton's Governance and Administration Policy – Flying of Flags (120/2).

Protocols

As the nation's foremost symbol, the Australian National Flag should be used with respect and dignity. These protocols are to assist you when flying or using the flag.

- [Flying the flag](#)
- [Order of precedence](#)
- [Flying flags at half-mast](#)
- [Funerals](#)
- [Flag Raising Ceremonies](#)

Flying the Australian National Flag

- The flag should be raised briskly and lowered ceremoniously.
- The flag should be raised no earlier than first light and lowered no later than dusk.

- When the flag is raised or lowered, or when it is carried in a parade or review, everyone present should be silent and face the flag. People in uniform should salute.
- The flag should always be flown freely and as close as possible to the top of the flagpole with the rope tightly secured.
- Unless all flags are raised and lowered simultaneously, the Australian National Flag should be raised first and lowered last.
- When flying with other flags, the Australian National Flag should fly on the left of a person facing the flags.
- Two flags should not be flown from the same flagpole.
- The flag should never be flown if it is damaged, faded or dilapidated. When the material of a flag deteriorates it should be destroyed privately and in a dignified way. I.e. it may be cut into small, unrecognisable pieces then disposed of with the normal rubbish collection.
- The flag should not be flown upside down, even as a signal of distress.
- The flag should not fall or lie on the ground or be used as a cover (although it can be used to cover a coffin at a funeral).
- Information on the protocols for displaying and folding the flag can be found in [Part 2 of the booklet *Australian flags* \(PDF 928KB\)](#)¹, which is available from your Federal Member of Parliament or Senator.

Order of precedence

The Australian National Flag takes precedence over all other flags when it is flown in Australia or Australian territory.

The standard order of precedence for the **City of Busselton** from east to west is:

- Australian National Flag
- The WA State Flag
- The Aboriginal Flag
- City of Busselton Flag

CEO approval is required to fly the state, aboriginal or Torres Strait Islander flags or the flags of any visiting nation. The order of precedence is:

- Australian National Flag
- Additional Flag
- Aboriginal Flag

¹ http://www.itsanhonour.gov.au/symbols/docs/australian_flags_excerpt.pdf

- City of Busselton Flag

With the direction of the CEO, when a representative is visiting from the City of Busselton's sister city Sugito in Japan the order of precedence should be:

- Australian National Flag
- Japanese National Flag
- City of Busselton Flag
- Sugito City Flag

The Australian National Flag should not normally be flown in a position inferior to any other flag or ensign and should not be smaller than any other flag or ensign.

Flying flags at half-mast

Flags are flown at half-mast as a sign of mourning.

The half-mast position will depend on the size of the flag and the length of the flagpole. The flag must be lowered to a position recognisably half-mast to avoid the appearance of a flag which has accidentally fallen away from the top of the flagpole. An acceptable position would be when the top of the flag is a third of the distance down from the top of the flagpole.

There are times when direction will be given by the Australian Government for all flags to be flown at half-mast. [The Commonwealth Flag Network](#)² will notify the City of these occasions by email. These emails must be registered in ECM and then tasked to the responsible officer.

Flags in any locality can be flown at half-mast upon the death of a local citizen or on the day, or part of the day, of their funeral. Decisions to half-mast the Australian National Flag displayed at the City of Busselton administration offices rests with the Council and the CEO only.

When lowering the flag from a half-mast position it should be briefly raised to the peak and then lowered ceremoniously.

The flag should never be flown at half-mast at night even if it is illuminated.

When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast. The Australian National Flag should be raised first and lowered last.

Funerals

The flag can be used to cover the coffin of any Australian citizen at their funeral.

The upper left quarter or canton should be draped over the 'left shoulder' of the coffin to represent the heart.

The flag should be removed before the coffin is lowered into the ground or after the service at a crematorium.

² <http://www.itsanhonour.gov.au/symbols/flag.cfm#network#network>

Flag Raising Ceremonies

Schools or organisations wishing to hold a flag raising ceremony should follow the protocols outlined under the [flying the flag](#)³ section.

Commonwealth Flag Network

For up to date advice on how to fly the Australian National Flag on special occasions, the Customer Service Coordinator and / or SCIO should [register for the Commonwealth Flag Network](#)⁴.

You will receive an email at the same time as flag marshals around the country when special flag protocols (for special occasions such as ANZAC Day and NAIDOC Week or occasions when flags should be half-mast) are in affect. Note that this communication is usually three weeks in advance of The Commonwealth Flag Network email.

Commercial use

The Australian National Flag may be used for commercial purposes, including advertising, without formal permission but subject to guidelines:

- The flag should be used in a dignified manner and reproduced completely and accurately.
- It should not be defaced by overprinting with words or illustrations.
- Other objects in displays should not cover the flag.
- All symbolic parts of the flag should be identifiable.

The Aboriginal Flag is copyright controlled. Official permission must be obtained prior to commercial use.

In regard to the importation of items bearing an image of the Australian National Flag, importers consult the Department of the Prime Minister and Cabinet for approval of the item before applying for an import permit through the Australian Customs Service.

If you have any questions about the appropriate use or representation of the Australian National Flag, please contact the Commonwealth Flag Officer by post or email.

Commonwealth Flag Officer
Awards and Culture Branch
Department of the Prime Minister and Cabinet
PO Box 6500
CANBERRA ACT 2600
Australia

Authorised:

Diane Hamilton – Customer Service Coordinator
Date 05/07/2011

³ <http://www.itsanhonour.gov.au/symbols/flag.cfm#network#network>

⁴ <http://www.itsanhonour.gov.au/newsletter/subscriptionStart.cfm>

ECM Document ID:

Version	Changes	Author/Date
1	Initial	Diane Hamilton 10 Feb. 2009
2	Update format and information	Diane Hamilton 09 June 2011
3	Final Edit and Authorisation	Diane Hamilton 05 July 2011
4	City of Busselton Flag Policy Inserted	Diane Hamilton 20 June 2012
5	Update information	Hannah Chandler

6.6 REVIEW OF COUNCIL POLICY 234 - RISK MANAGEMENT

SUBJECT INDEX:	Risk Management
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Governance Services
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 Council Policy - Risk Management ↓ Attachment B Current Council Policy - Organisation Wide Risk Management ↓

PRÉCIS

This report presents a revised Risk Management policy (Attachment A) (the Policy) for Council approval, with the current policy 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 template and updated to reference the current Australian Standard, is considered to be of continuing relevance and importance and is therefore recommended for Council approval. It is recommended that the Policy be renamed also to simply Risk Management.

BACKGROUND

A policy in relation to risk management was originally adopted in May 2006, in order to demonstrate the City's commitment to the development of a culture of risk based decision making aimed at the effective management of potential opportunities, and reduction of potential impacts of risk. Since then the current policy has been reviewed four times, most recently in 2016, with only minor changes made such as updating Shire to City.

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.

In accordance with regulation 17 of the *Local Government (Audit) Regulations 1996* (Regulation 17) the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, as well as internal control and legislative compliance. The CEO is to report to the audit committee the results of that review at least once every three financial years. A report in this respect was last provided in October 2016.

RELEVANT PLANS AND POLICIES

In August 2017 the CEO commissioned a high level independent review of the City's governance systems - the GSR. Included in the scope of the review was the City's policy and procedure framework with the following recommendations made:

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.*

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. The Policy adheres to this framework.

As per the requirements of the Policy, the City has developed a risk management framework which was endorsed by the Senior Management Group in December 2017. The framework outlines the City's formal risk management system and processes for the management of risks. Specifically it outlines:

- The definition of risk and risk management
- The City's risk reference tables
- The risk tolerance levels
- The risk management processes and procedures

FINANCIAL IMPLICATIONS

Adoption of the Policy has no additional financial implications.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

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

STRATEGIC COMMUNITY OBJECTIVES

The Policy links to Key Goal Area 6 of the City's Strategic Community Plan 2017 and specifically the Community Objective 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 reiterating and maintaining Council's strategic direction in relation to the management of risk.

CONSULTATION

No specific consultation was undertaken in relation to the review of the Policy.

OFFICER COMMENT

The purpose of the Policy is to recognise the importance of risk management and Council's commitment to a culture of positive and pro-active risk management through the development and maintenance of appropriate and effective risk systems, frameworks and processes.

While Regulation 17 requires that the CEO provide a report in relation to its risk management systems (inclusive of systems relating to internal control and legislative compliance), this Policy serves to strengthen that outlining a commitment to the development of a risk management framework based on the ISO 3100 Standard (current as of 2018) and for communicating and establishing risk management processes.

The Policy also outlines the role of the Audit Committee in relation to risk management.

Due to the Policy being transferred into the new policy template a tracked changes version is not provided. The current policy is provided at Attachment B for reference. The key changes relate to removing operational aspects such as responsibilities of the Senior Management Group, the Risk Management Committee, management and employees, and updating reference to the applicable Standard.

CONCLUSION

The Policy updates the current Organisation Wide Risk Management Policy and in doing so maintains Council's strategic direction in relation to the development of a culture of risk based decision making directed towards the effective management of potential opportunities and reduction of potential impacts of risk.

OPTIONS

Council could decide not to adopt the Policy and instead choose to take a different position / approach in relation to risk management. Council could also require further amendments to the Policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy will be effective as of its adoption by Council.

OFFICER RECOMMENDATION

That the Council adopts the revised Risk Management Policy as per Attachment A, to replace the current policy (Attachment B).

COUNCIL POLICY



Council Policy Name: Risk Management

Responsible Directorate: Finance and Corporate Services Version: Proposed

1. PURPOSE

- 1.1. The purpose of this Policy is to demonstrate the City of Busselton’s commitment to the development of a culture of risk based decision making directed towards the effective management of potential opportunities and reduction of potential impacts of risk.

2. SCOPE

- 2.1. This Policy is applicable to the City of Busselton and its operations.

3. DEFINITIONS

Term	Meaning
Policy	This City of Busselton Council policy entitled “Risk Management”

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, process and practices are responsible, ethical and transparent.

5. POLICY STATEMENT

- 5.1. Risk management is defined in the ISO 31000 Standard as the coordinated activities to direct and control an organisation with regard to risk.
- 5.2. The City of Busselton is committed to the effective management of risk and will implement a risk management framework based on the ISO 31000 Standard to achieve this. The Council recognises that adequate resources are needed to effectively manage risks.
- 5.3. The Council is responsible for:
 - a. Ensuring that a Risk Management Policy has been developed and adopted;
 - b. Ensuring the Chief Executive Officer has implemented the risk management framework; and
 - c. Establishment of an Audit Committee to assist the Council in fulfilling its corporate governance, stewardship, leadership and control responsibilities in relation to risk management.
- 5.4. The Chief Executive Officer is responsible for:
 - a. Communicating the Risk Management Policy throughout the City;
 - b. Establishing risk management processes across the City’s operations;
 - c. Reviewing “...the appropriateness and effectiveness of a local government’s systems and procedures in relation to –

- i. risk management; and...
 - ii. internal control; and
 - iii. legislative compliance
- not less than once in every 3 financial years..." (*Local Government (Audit) Regulations 1996 r.17*); and
- d. Reporting "...to the audit committee the result of that review." (*Local Government (Audit) Regulations 1996 r.17*)

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. International Standard ISO 31000:2018 - Risk Management Guidelines
- 6.2. Risk Management Framework
- 6.3. *Local Government (Audit) Regulations 1996*

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	12 October 2016	Resolution #	C1610/096

Last updated 12 October 2016

234	Organisation Wide Risk Management	V4 Current
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PURPOSE

The purpose of this policy is to demonstrate the City of Busselton’s commitment to the development of a culture of risk based decision making directed towards the effective management of potential opportunities and reduction of potential impacts of risk.

SCOPE

This policy applies to all Councillors and employees of the City of Busselton and covers all City operations.

POLICY STATEMENT

Risk Management is the systematic application of management policies, practices and procedures in order to identify, analyse, evaluate, treat and monitor risk.

The City of Busselton is committed to the effective management of risk and will implement a Risk Management Framework based on the AS/NZS ISO 31000:2009 Standard to achieve this. The Council recognises that adequate resources are needed to effectively manage risks. The Risk Management Committee has been established to assist in developing, maintaining and implementing the City’s Risk Management Framework and is responsible for championing risk management processes throughout the organisation.

Responsibilities

The Council is responsible for:

- * Ensuring that a Risk Management Policy has been developed, adopted and communicated throughout the City.
- * Ensuring that the CEO has implemented the Risk Management Framework using Standard AS/NZS ISO 31000:2009.
- * Communicating with the community about the City’s approach to risk
- * Establishment of an Audit Committee

The Audit Committee is responsible for:

- * Assisting the Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to risk management.
- * Providing guidance and assistance in relation to risk management initiatives and the effective conduct of risk management activities.

CEO and the Senior Management Group are responsible for:

- * As part of the Risk Management Framework establishing the risk tolerance level of the City.
- * Conducting risk assessments as part of decision making & future planning.

Risk Management Committee is responsible for:

- * Communicating the policy and framework to all employees.
- * Developing and managing the risk management plan for the City.
- * Development of Risk Management skills through training and education.
- * Establishing and maintaining an appropriate risk register or risk registers for the City.

Last updated 12 October 2016

Management are responsible for:

- * Identifying and assessing all the risks in their area of responsibility as part of business planning reporting, project management and daily decision making.
- * Collating, assessing, treating and reporting to the Risk Management Committee in relation to areas and tasks under their responsibility.

All Employees are to:

- * Comply with the City's risk management policy and procedures.
- * Attend relevant risk management training.
- * Actively participate in the risk management programme.

Policy Background

Policy Reference No. - 234
Owner Unit – Corporate Services
Originator – Risk and OHS Officer
Policy approved by – Council
Date Approved – 12 August, 2015
Review Frequency – As required

Related Documents –

Australian and New Zealand Standard AS/NZS ISO 31000:2009 - Risk Management Principles and Guidelines.

History

Council Resolution	Date	Information
C1610/096	12 October, 2016	Minor improvements aimed at ensuring a clear policy statement and a clear set of responsibilities at all levels. Version 4
C1508/217	12 August, 2015	Version 3
C1107/229	27 July, 2011	Version 2
C0605/146	10 May, 2006	Date of implementation. Version 1

6.7 REVIEW OF CORPORATE ATTIRE ENTITLEMENTS

SUBJECT INDEX:	Governance
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Corporate Services
ACTIVITY UNIT:	Governance Services
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 Tracked Changes ↓

PRÉCIS

This report presents and seeks Council's adoption of revised entitlements in relation to Elected Member corporate attire, with the proposed entitlements to be incorporated into the Council Policy - Fees Allowances and Expenses for Elected Members (the Policy), replacing clauses 5.25, 5.26, 5.27 and 5.28 of the Policy.

BACKGROUND

The Policy was updated in October 2018 to provide for improved clarity in relation to childcare reimbursements, travel reimbursements and reimbursements while Elected Members are away from home on sanctioned activities.

Officers additionally recommended some changes to corporate attire entitlements however Council resolved not to adopt those changes and to instead refer the relevant paragraphs of the Policy (5.25, 5.26, 5.27 and 5.28 of Attachment A) back to the Policy and Legislation Committee for further discussion.

At its meeting on 23 October 2018 the committee further discussed corporate attire expenses and it was agreed that Officers would table for consideration the outcomes of that discussion at the next Policy and Legislation Committee meeting.

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.

Section 5.98(2)(b) of the Act and Regulation 32 of the *Local Government (Administration) Regulations 1996* provides that a Council member may be reimbursed for an expense of a kind prescribed where it has been approved by the local government and where it is incurred in performing a function in his or her capacity as a council member with the express authority of the local government.

RELEVANT PLANS AND POLICIES

There are no plans or other policies relevant to this matter.

FINANCIAL IMPLICATIONS

Adoption of the Officer recommendation is expected to result in some minor cost savings and hence have a favourable (albeit small) impact on the City's annual budget.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

Adoption of the Officer recommendation will have a minor, favourable impact on the long term financial plan.

STRATEGIC COMMUNITY OBJECTIVES

The proposed amendments to the Policy further support achievement of Key Goal Area 6 – Leadership of the City’s Strategic Community Plan 2017 and specifically Community Objective 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 providing improved clarity in relation to a number of reimbursements.

CONSULTATION

Officers reviewed the policies of the City of Stirling, City of Joondalup, City of Bunbury, Shire of Capel and Shire of Augusta-Margaret River in relation to Elected Member entitlements and, with the exception of the City of Joondalup, found no entitlement to the provision or reimbursement of corporate / business attire or expenses.

The City of Joondalup provides Elected Members with an optional Elected Member uniform (one jacket, two trousers/skirts and three shirts/blouses) and a Driz-a-bone jacket or similar. Additionally Elected Members are entitled to an annual reimbursement limit of **\$1,170 (as at July 2018)** for reimbursement of costs (outside of child care and travel costs) incurred as a result of performing their duties as an Elected Member. Specified expenses include:

- business attire including footwear
- dry-cleaning
- stationery
- paid tickets to social functions, meetings or events where the Elected Member has been invited by a written invitation and the organiser is a civic / cultural organisation or a stakeholder of the City of Joondalup.

OFFICER COMMENT

The Policy provides Elected Members with a range of branded corporate attire (with City logo) on being elected and an additional amount of \$750pa for the purchase of business attire for each year of the election term.

Branded corporate attire consists of:

- a. corporate suit (male – Trousers and Jacket);
- b. corporate suit (female – Skirt, Dress, Pants and Jacket);
- c. corporate shirts/blouses etc.;
- d. casual/Light weight Fleecy Jacket;
- e. polo top;
- f. City tie/scarf.

Business attire is outlined as:

- a. business attire (which may consist of a suit, jacket and shirts/blouses);
- b. one pair of shoes (up to \$150);
- c. dry cleaning and maintenance of corporate and business attire.

After discussion with the committee it is recommended that the Policy be amended to provide each Elected Member upon election or re-election with business attire as outlined below; with all items to be purchased from a City approved provider:

- a. 1 x business suit (male – 2 x Trousers and 1 x Jacket; female – 2 x skirt, dress or pants and 1 x jacket)
- b. 3 x corporate shirt / blouse
- c. 1 x corporate casual / fleecy jacket (branded)
- d. 1 x corporate polo shirt (branded)
- e. 1 x corporate tie / scarf (branded)
- f. 1 x pair of business shoes up to a value of \$150

Additionally it is proposed that the cost of reasonable dry cleaning and maintenance costs be reimbursed. Provided at Attachment A is a copy of the Policy with the proposed amendments shown in track changes.

The proposed amendments to the Policy aim to provide Elected Members with access to suitable attire to perform their functions, while ensuring a financially responsible approach. It is recommended that the proposed amendments are effective as of 1 July 2019 to align with the budget cycle and to provide Elected Members with a period of transition.

CONCLUSION

Following discussion at the October Policy and Legislation Committee meeting, amendments are proposed in relation to Elected Member corporate attire expenses, with clauses 5.25, 5.26, 5.27 and 5.28 of the Policy being replaced as proposed in the Officer recommendation.

OPTIONS

Council could decide not to adopt the proposed amendments and leave the Policy unchanged or they could seek to make additional or different amendments.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

If adopted the Policy would be amended effective 1 July 2019.

OFFICER RECOMMENDATION

That the Council adopt the following to replace clauses 5.25, 5.26, 5.27 and 5.28 of the Council Policy Fees Allowances and Expenses for Elected Members, effective 1 July 2019:

- 5.25 Upon election or re-election, Elected Members will be entitled to the following business attire:
 - a. Business suit (male – 2 x Trousers and 1 x Jacket)
 - b. Business suit (female – 2 x Skirt/Dress/Pant and 1 x Jacket)
 - c. Business shirt / blouse – x 3
 - d. Corporate (City branded) casual / light weight fleecy jacket – x 1

- e. Corporate (City branded) polo top – x 1
 - f. Corporate (City branded) tie / scarf – x 1
 - g. Business shoes – x 1 pair (up to a value of \$150)
- 5.26 Elected Members will be reimbursed reasonable costs associated with the dry cleaning and maintenance of issued business attire.
- 5.27 With the exception of business shoes, all items of business attire must be purchased from the City's approved provider.
- 5.28 All items of business attire which are branded with the City of Busselton's logo should be returned to the City on expiry of office.

COUNCIL POLICY


Council Policy Name: Fees, Allowances and Expenses for Elected Members

Responsible Directorate: Finance and Corporate Services **Version:** Proposed

1. PURPOSE

- 1.1. The purpose of this Policy is to set out the fees, allowances, reimbursements and equipment that Elected Members are entitled to, to enable them to carry out their role effectively and efficiently.

2. SCOPE

- 2.1. This Policy is applicable to the purchase of all City of Busselton owned equipment for the specific and individual use of an Elected Member, the reimbursement of any expenses incurred by an Elected Member in the performance of their functions and duties, and fees and allowances provided to all Elected Members.
- 2.2. All matters approved in this Policy are in accordance with the relevant legislation, being the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* and the Local Government Chief Executive Officers and Elected Members Determination made under the *Salaries and Allowances Act 1975*.

3. DEFINITIONS

Term	Meaning
Act	Local Government Act 1995
Determination	The determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members as current from time to time
Elected Member	Any person who holds the office of Councillor on the Council of the City of Busselton, including the Mayor and Deputy Mayor.
Policy	This City of Busselton Council policy entitled "Fees, Allowances and Expenses for Elected Members"
Regulations	Local Government (Administration) Regulations 1996

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.

5. POLICY STATEMENT

Elected Members

- 5.1. In accordance with Division 8 of Part 5 of the Act Elected Members are entitled to receive a fee for meeting attendance, to be reimbursed for expenses and/or be paid an allowance for certain types of expenses. Certain payments are an entitlement in accordance with the Act, while others require specific local government approval.
- 5.2. Reimbursements under this Policy must be submitted within three months of the expenses being incurred.

Elected Member fee

- 5.3. As per Section 5.99 of the Act, Elected Members will be paid an annual attendance fee in lieu of fees for attending meetings referred to in Section 5.98(1) of the Act. In accordance with the Determination Elected Members shall be paid an annual fee within the Band established as set by Council when the annual budget is adopted.
- 5.4. The annual fee will be payable monthly or quarterly in arrears and will be calculated on a pro-rata basis for any Elected Member who commences or ceases office during the month or quarter. Upon commencement of office, and Elected Member, for the purposes of budget development, will be requested to indicate their preferred payment method.

Provision of equipment

- 5.5. Without limiting the application of any other clause in this Policy, the local government will provide to Elected Members access to resources to enable them to carry out their duties efficiently and effectively.
- 5.6. In accordance with Section 3.1 of the Act, in order to provide for the good government of persons in the District, any new Elected Member will be provided upon request with the following equipment:
 - a. brief case up to the value of \$150;
 - b. standard-issue mobile telephone;
 - c. standard issue portable device that will be upgraded from time to time, inclusive of standard equipment associated with the day-to-day use of the device.
- 5.7. Any equipment provided in accordance with this Policy can be retained by the Elected Member at the completion of their term of office or if they serve a minimum of 24 months as an Elected Member.

Information and communication technology allowance

- 5.8. In accordance with the Determination, Elected Members are eligible to claim an annual information and communications technology allowance.
- 5.9. This allowance is to cover an Elected Member's costs in relation to expenses that relate to information and communications technology, for example telephone rental and call charges and internet service provider fees, and are of a kind prescribed by Regulation 32(1) of the Regulations.

- 5.10. The information and communications technology allowance will be paid monthly or quarterly in arrears. The allowance will be calculated on a pro-rata basis for any Elected Member who commences or ceases office during the month or quarter. Upon commencement of office, Elected Members, for the purposes of budget development, will be requested to indicate whether it is their intention to claim the information and communications technology allowance and their preferred payment method.

Reimbursement of childcare expenses

- 5.11. In accordance with the 5.98(2)(a) of the Act an Elected Member who incurs childcare expenses due to their attendance at a Council meeting or a meeting of a formally constituted Council committee of which they are a member is entitled to be reimbursed.
- 5.12. In addition, pursuant to 5.98(2)(b) of the Act, an Elected Member who incurs childcare expenses due to their attendance as an Elected Member at arranged briefing sessions and workshops within the City of Busselton district is entitled to be reimbursed.
- 5.13. The extent to which childcare expenses incurred will be reimbursed will be in accordance with the Determination, with the number of hours claimed limited to the actual length of the meeting plus a nominal time allowance for travel to and from the place of care.
- 5.14. Notwithstanding 5.13, reimbursement will be for the lowest minimum set rate of payment which provides coverage of the time calculated under paragraph 5.13.

Reimbursement of travel expenses

- 5.15. In accordance with the Act an Elected Member who incurs expenses to travel to a Council meeting or a meeting of a formally constituted Council committee of which they are a member is entitled to be reimbursed. Elected Members can also be reimbursed for other types of travel in accordance with Regulation 32 of the Regulations.
- 5.16. The following list represents the meetings and other events for which Elected Members will be able to claim reimbursement in accordance with the Determination for incurring travel expenses:
- a. Council meetings - ordinary and special;
 - b. Committee meetings of a formally constituted Council committee of which they are a member or a deputy member acting in the capacity of a member;
 - c. Electors' meetings - annual and special;
 - d. civic receptions hosted by the City of Busselton;
 - e. visits by Ministers of the Crown or other distinguished visitors of similar status;
 - f. City organised inspection tours of matters arising before the Council or as a JDAP member;
 - g. any City-convened meeting by the Mayor or CEO requiring Elected Member attendance, including briefing sessions, workshops and other forums;
 - h. Elected Member training courses;
 - i. City organised meetings with ratepayers;
 - j. attendance at functions and events sponsored to a value of \$10,000 or more by the City of Busselton through the Marketing and Events Reference Group funding, held within the boundaries of the City, and where a specific invitation has been issued by the City's administration. Additionally other events may be approved from time to time by the Mayor and the CEO;
 - k. where the Mayor is unable to attend a function or event and has requested another elected member to attend on his behalf. This includes attendance at functions within the district for the purposes of presenting awards / gifts;
 - l. attendance at functions and events for the purposes of receiving awards on behalf of the City;

- m. seminars and conferences attended in the capacity of an Elected Member as approved by the City in accordance with Policy 08 "Councillors Induction, Training and Professional Development";
- n. meetings of community groups or other external organisations of which the Elected Member has been appointed the Council's representative / delegate by Council resolution (except where the other body pays the elected member for meeting attendance and/or travel e.g. ministerial appointment to State Advisory Boards).

- 5.17. Where large distances are involved and when practicable, Elected Members are encouraged to use a City-owned motor vehicle in the first instance.
- 5.18. Reimbursement will be made available to Elected Members on the receipt of a certified claim form, in accordance with the Determination.
- 5.19. Where a City vehicle is utilised, the travel reimbursement or travel allowance cannot be claimed.
- 5.20. Subject to the approval of the Chief Executive Officer or delegate, Elected Members are entitled to use a City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use is of a minor incidental nature only.

Reimbursement of expenses while away from home on sanctioned activities

- 5.21. Expenses incurred for conferences, training, seminars, attendance at intrastate functions for the purposes of receiving awards and similar occasions requiring an Elected Member to stay overnight away from their place of residence will be reimbursed to the Elected Member or paid directly by the City subject to and in accordance with paragraphs 5.22 and 5.23.
- 5.22. Air travel (where applicable) and accommodation will be arranged and paid for by the City in consultation with the Elected Member, with the key consideration being cost effectiveness and, in relation to accommodation, proximity to the location at which the conference, training, seminar or similar occasion is being held.
- 5.23. While staying in accommodation provided by the City, the City will also meet the following expenses:
 - a. cost of laundry for Elected Member and spouse or partner for greater than 2 nights;
 - b. taxi fares or other public transport where these directly relate to the activity and no other transport is provided. Reimbursement for an Elected Member's spouse or partner is subject to them being accompanied by the Elected Member;
 - c. daily sustenance allowance per day, in accordance with the Public Service Award 1992 for Elected Member only;
 - d. specific conference / event related meals for Elected Member and spouse or partner.

Reimbursement of hospitality expenses

- 5.24. Elected Members may, subject to the provision of receipts and approval by the Mayor, seek reimbursement of the reasonable costs of beverages or snack items provided during any meeting or function for which they are entitled to reimbursement of travel under paragraph 5.15 and 5.16.

Corporate attire expenses

~~5.25. Each Elected Member is eligible to be provided with a range of corporate attire (with City logo) on being elected and is entitled to an additional amount of \$750pa for business attire for each year of the election term.~~

~~5.26.~~ 5.25. Upon election or re-election, Elected Members will be entitled to ~~be issued with~~ the following ~~business attire items:~~

- a. Business suit (male - 2 x Trousers and 1 x Jacket);
- b. Business suit (female – 2 x Skirt/Dress/Pant and 1 x Jacket);
- c. Business shirt / blouse – x 3
- d. Corporate (City branded) casual / light weight fleecy jacket – x 1;
- e. Corporate (City branded) polo top – x 1
- f. Corporate (City branded) tie / scarf – x 1
- g. Business shoes – x 1 pair (up to a value of \$150)

- ~~a. Corporate attire with City logo (and not charged against the allowance);~~
- ~~b. corporate suit (male – Trousers and Jacket);~~
- ~~c. corporate suit (female – Skirt, Dress, Pants and Jacket);~~
- ~~d. corporate shirts/blouses etc.;~~
- ~~e. casual/Light weight Fleecy Jacket;~~
- ~~f. polo top;~~
- ~~g. City tie/scarf.~~

- ~~h. Other (charged against the allowance):~~
 - ~~i. business attire (which may consist of a suit, jacket and shirts/blouses);~~
 - ~~ii. shoes (up to the value of \$150);~~
 - ~~iii. dry cleaning and maintenance of corporate and business attire.~~

5.26. Elected Members will be reimbursed reasonable costs associated with the dry cleaning and maintenance of issued business attire.

5.27. With the exception of business shoes, all items of ~~All of the corporate business~~ attire ~~acquisitions should be acquired~~ must be purchased through the City's approved ~~uniform supplier~~ provider.

5.28. All items of ~~corporate business~~ attire which are branded with the City of Busselton's logo should be returned to the City on expiry of office.

Mayor

Mayoral allowance

5.29. In addition to their entitlements as an Elected Member under this Policy, the Mayor is eligible for a Mayoral allowance in accordance with the Act. In accordance with the Determination the Mayor shall be paid an allowance within the Band established as set by Council when the annual budget is adopted.

5.30. The allowance will be payable monthly or quarterly in arrears and will be calculated on a pro-rata basis for any Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Mayor, for the purposes of budget development, will be requested to indicate whether it is their intention to claim a Mayoral allowance and their preferred payment method.

Provision of a Mayoral vehicle

- 5.31. The Mayor shall be provided with a City-owned motor vehicle for use in his or her official capacity. The Mayor is entitled to use the City-owned motor vehicle for travel for personal reasons during the time when the vehicle is being used for City purposes, provided such use is of a minor incidental nature only. Nothing in this section prevents the vehicle from being utilised in accordance with City fleet guidelines by other Elected Members with the agreement of the Mayor.

- 5.32. The Mayor may also use the vehicle for private use for convenience or necessity on a cost recovery basis. Details of private use shall be recorded in a log book which shall be provided to the City on a quarterly basis with reimbursement made to the City in one of the following ways:
 - a. by deduction from the quarterly members allowance payment;
 - b. an invoice provided to the Mayor.

- 5.33. The mileage rate will be determined by the State Salaries and Allowances Tribunal.

- 5.34. Unless Council approves otherwise, the Mayoral vehicle may only be used for private purposes for travel within the State of WA.

Deputy Mayor

Deputy Mayor's allowance

- 5.35. In addition to their entitlements as an Elected Member under this Policy, the Deputy Mayor may be paid a Deputy Mayor's allowance in accordance with the Act. In accordance with the Determination the Deputy Mayor shall be paid 25% of the Mayoral allowance.

- 5.36. The allowance will be payable monthly or quarterly in arrears and will be calculated on a pro-rata basis for any Deputy Mayor who commences or ceases office during the month or quarter. Upon commencement of office, the Deputy Mayor, for the purposes of budget development, will be requested to indicate whether it is their intention to claim a Deputy Mayor's allowance and their preferred payment schedule.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Local Government (Administration) Regulations 1996*
- 6.3. Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members (as current from time to time)
- 6.4. Local Government Department Circular 9-2011

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	10 October 2018	Resolution #	C1810/207
Previous Adoption	DATE	11 October 2017	Resolution #	C1710/249

6.8 PROPOSED COMMITTEE MEETING DATES 2019

SUBJECT INDEX:	Meeting Dates
STRATEGIC OBJECTIVE:	Governance systems, process and practices are responsible, ethical and transparent.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Governance Services
REPORTING OFFICER:	Administration Officer - Governance - Kate Dudley
AUTHORISING OFFICER:	Director Finance and Corporate Services - Tony Nottle
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Nil

PRÉCIS

This report is presented to enable the Policy and Legislation Committee to determine their meeting dates for the 2019 calendar year.

BACKGROUND

The Council of the City of Busselton establishes a standing committee known as the Policy and Legislation Committee (the Committee), under the powers given in Section 5.8 of the *Local Government Act 1995* (the Act).

The Committee is established for the purpose of assisting the Council to undertake its role under Section 2.7(2)(b) of the Act, to determine the local government's policies, and its legislative function in accordance with Division 2 of Part 3 of the Act.

The Terms of Reference (TOR) for the Committee determines that the Committee must meet at least four times per year and report to Council once a quarter as a minimum. In October 2015 the Committee resolved to meet monthly and a monthly meeting schedule was established. In February 2018 the Committee indicated a preference to meet on the third Tuesday of the month at 2.00pm.

STATUTORY ENVIRONMENT

The *Local Government (Administration) Regulation 12* requires a committee that is to be open to members of the public or is proposed to be open to members of the public, to give local public notice of the dates, time and place at which the committee meetings are to be held in the next 12 months. Committee meeting dates are made available on the City's website.

RELEVANT PLANS AND POLICIES

There are no relevant plans and policies associated with this matter.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the Officer recommendation.

LONG-TERM FINANCIAL PLAN IMPLICATIONS

There are no Long Term Financial Plan implications associated with the Officer recommendation.

STRATEGIC COMMUNITY OBJECTIVES

This matter principally aligns with Key Goal Area 6 – ‘Open and Collaborative Leadership’ and more specifically Community Objective 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

Following the Committee’s adoption of a meeting cycle for the 2019 calendar year, and in accordance with the Regulation 12 of the *Local Government (Administration) Regulations*, the meeting dates for the next 12 months will be advertised for public information.

OFFICER COMMENT

In October 2015 the Committee resolved that the Committee would meet monthly. In February 2018 the Committee decided that they would meet on the third Tuesday of the month at 2.00pm. After reviewing the proposed Finance Committee 2019 meeting schedule and the adopted Council meeting dates for 2019, it is recommended that the Policy and Legislation Committee meet on the second Tuesday of the month at 2.00pm. This will enable reports from the two committees to alternate (in the main) on the Council agenda. If the Policy and Legislation Committee meeting dates are scheduled for the third Tuesday of the month, both sets of reports will go to the same Council meeting.

Due to the Councillors break in January and July it is proposed that the Policy and Legislation Committee meet on the fourth Tuesday of those months.

The proposed meeting dates are:

Tuesday, 22 January
Tuesday, 12 February
Tuesday, 12 March
Tuesday, 9 April
Tuesday, 14 May
Tuesday, 11 June
Tuesday, 23 July
Tuesday, 13 August
Tuesday, 10 September
Tuesday, 8 October
Tuesday, 12 November

CONCLUSION

It is considered appropriate to schedule the Policy and Legislation Committee meetings once a month on the second Tuesday of the month at 2.00pm and the proposed 2019 dates are reflective of this.

OPTIONS

The meeting date and time is determined by the Committee. The Committee may recommend a different day or time for the meetings to be held.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Policy and Legislation Committee meeting schedule for the 2019 calendar year will be advertised prior to the end of 2018.

OFFICER RECOMMENDATION

That the Committee adopts the following Policy and Legislation Committee meeting dates for 2019, to be held at 2.00pm in the Wonerup Committee Room:

Tuesday, 22 January

Tuesday, 12 February

Tuesday, 12 March

Tuesday, 9 April

Tuesday, 14 May

Tuesday, 11 June

Tuesday, 23 July

Tuesday, 13 August

Tuesday, 10 September

Tuesday, 8 October

Tuesday, 12 November

7. **GENERAL DISCUSSION ITEMS**

8. **NEXT MEETING DATE**

Tuesday, 22 January (TBC)

9. **CLOSURE**