



**City of Busselton**  
*Geographe Bay*

**Policy and Legislation Committee  
Agenda**

***25 January 2022***

ALL INFORMATION AVAILABLE IN VARIOUS FORMATS ON REQUEST

[city@busselton.wa.gov.au](mailto:city@busselton.wa.gov.au)

**CITY OF BUSSELTON**

**MEETING NOTICE AND AGENDA – 25 JANUARY 2022**

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**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, 25 January 2022, commencing at 10.00am.

The attendance of Committee Members is respectfully requested.

**DISCLAIMER**

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



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**MIKE ARCHER**

**CHIEF EXECUTIVE OFFICER**

21 January 2022

CITY OF BUSSELTON

AGENDA FOR THE POLICY AND LEGISLATION COMMITTEE MEETING TO BE HELD ON 25 JANUARY 2022

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1. **DECLARATION OF OPENING, ACKNOWLEDGEMENT OF COUNTRY 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 8 December 2021**

**RECOMMENDATION**

That the Minutes of the Policy and Legislation Committee Meeting held 8 December 2021 be confirmed as a true and correct record.

**6. REPORTS**

Nil

## **7. GENERAL DISCUSSION ITEMS**

### **7.1 COMMUNITY ACCESS SESSIONS**

#### **OFFICER RECOMMENDATION**

That the Committee request the CEO to develop a policy in accordance with the outcomes of the discussion item.

#### **BACKGROUND**

With recent requests received from members of the public Councillors had indicated a preference for Community Access Session to be recorded (audio only) and a link to the recording added to the City's website.

Accordingly officers presented an amended Council policy: Recording and Livestreaming of Council Meetings and Community Access Sessions to the Policy and Legislation Committee at the meeting of 8 December 2021. The amendment incorporated suggested provisions around the audio recording of Community Access Sessions and the time that recordings of Council Meetings were to be made publicly available.

The Committee resolved not to adopt the proposed amended policy and instead to further consider the parameters and guidelines for Community Access Sessions prior to deciding on the recording; and for the CEO bring information forward as a general discussion item at a future Policy and Legislation Committee meeting.

#### **OFFICER COMMENT**

The City utilises a range of mechanisms to ensure Councillors can make informed decisions including workshops, agenda briefing sessions, briefing sessions, and Community Access Sessions (CAS), in addition to its formal Council and committee meetings.

The purpose of CAS specifically is to provide an informal opportunity for the public to present to, or ask questions of Council. It is not a forum for debate and decisions are not made at CAS. Statements made at CAS should also not be relied upon as being a position of Council. Councillors and officers do not generally have notice of the matters to be raised and the public need to be aware that information given at CAS should not be relied upon without verification.

With Council's strategic direction to facilitate increased community engagement, interest in attending CAS and Ordinary Meetings of Council, particularly for Public Question Time, has increased in recent months. Officers recommend that prior to considering whether the recording of CAS is appropriate, Council should adopt a policy position that outlines the purpose, principles and management of CAS.

CAS currently provides opportunity for general exchange of information and new ideas between Council and members of the public. CAS also provides an opportunity for community members with an interest in a matter before Council and who do not qualify as a party with an interest under the City's Standing Orders to present to Council.

Officers suggest that further clarity could be provided around the differences between Ordinary Meetings of Council and CAS in this respect and an order of priority provided at CAS between general matters and matters before Council.

While CAS do not involve debate or decision, it is important that they are conducted in a way that is consistent with the intent of the Local Government Act in relation to the conduct of business. A policy should also set out the framework for the conduct of CAS.

A policy could include the following:

- *The City's Standing Orders will be followed, with all matters directed through the Presiding Member.*
- *There will be no debate on any matter;*
- *No decisions will be made at a CAS and no reliance on statements made as a decision;*
- *Community members wishing to speak to items that are listed on a Council Agenda are encouraged to use Public Question Time or Presentations by Parties with an Interest, if applicable, during an Ordinary Meeting of Council and will be heard after general matters at CAS;*
- *A record of issues raised at CAS will be kept by the City for a period of 12 months;*
- *When addressing Council at a Community Access Session, speakers must comply with relevant provisions of the City of Busselton Standing Orders Local Law and the City's Behaviour Protocols.*
- *Speakers must show respect at all times to Councillors and employees and must not make adverse reflections on the character or conduct of a Councillors or employee;*
- *The Presiding Member may request a speaker to refrain from any inappropriate behaviour and to withdraw inappropriate comments. Where a speaker fails to comply, the Presiding Member may immediately require the person to stop speaking and further to leave the CAS.*
- *The Presiding Member may refuse further requests from that person to speak at Community Access Session for such a period as the Presiding Member considers appropriate.*

Officers have reviewed several example policies from other local governments, and along with the Department Guideline and WALGA policies, these will be provided to Committee members under separate cover.

**8. NEXT MEETING DATE**

**9. CLOSURE**