

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

CITY OF BUSSELTON

MINUTES FOR THE POLICY AND LEGISLATION COMMITTEE MEETING HELD ON 21 JULY 2016

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MINUTES

MINUTES OF A MEETING OF THE POLICY AND LEGISLATION COMMITTEE HELD IN MEETING ROOM A, CITY ADMINISTRATION SITE, HARRIS ROAD, BUSSELTON, ON 21 JULY 2016 AT 2.00PM.

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 2.01pm.

2. ATTENDANCE

Presiding Member:

Cr Rob Bennett (Deputy)

Members:

Cr Grant Henley
Cr Robert Reekie
Cr Ross Paine

Officers:

Mr Matthew Smith, Acting, Chief Executive Officer
Mr Paul Needham, Director, Planning and Development Services (until 2.58pm)
Mrs Stephanie Izzard, Planning Officer (until 2.20pm)
Miss Lynley Rich, Manager, Governance Services
Miss Hayley Barge, Administration Officer, Governance

Apologies

Cr Coralie Tarbotton

Approved Leave of Absence

Nil

3. PUBLIC QUESTION TIME

Nil

4. DISCLOSURE OF INTERESTS

Nil

5. CONFIRMATION OF MINUTES

5.1 Minutes of the Policy and Legislation Committee Meeting held 21 June 2016

Committee Decision

PL1607/077 Moved Councillor R Reekie, seconded Councillor G Henley

That the Minutes of the Policy and Legislation Committee Meeting held 21 June 2016 be confirmed as a true and correct record.

CARRIED 4/0

6. REPORTS

6.1 BUSSELTON & DUNSBOROUGH CENTRES FACADE REFURBISHMENT SUBSIDY PROGRAMME APPLICATION: DEPEL PTY LTD, IVAN NASH & BARRY WALSH

SUBJECT INDEX:	City Centre Façade Refurbishment Subsidy Programme
STRATEGIC OBJECTIVE:	A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections.
BUSINESS UNIT:	Development Services and Policy
ACTIVITY UNIT:	Statutory Planning
REPORTING OFFICER:	Planning Officer - Stephanie Izzard
AUTHORISING OFFICER:	Director, Planning and Development Services - Paul Needham
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Location Plans Attachment B Depel Pty Ltd Proposal Attachment C Ivan Nash Proposal Attachment D Al Forno/Barry Walsh Proposal Attachment E Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme

PRÉCIS

The Council is asked to consider three applications received for the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme in accordance with the programme guidelines adopted.

BACKGROUND

Council resolved on 13 March 2013 to trial a programme for the 2013/14 and 2014/15 financial years by allocating \$20,000 in the 2013/14 financial year and \$50,000 in the 2014/15 financial year towards a façade refurbishment subsidy programme. On 29 January 2014 Council adopted the Busselton City Centre Façade Refurbishment Subsidy Programme and on 10 December 2014 resolved to add a portion of the Dunsborough Town Centre to the 'eligible area.' The amended programme, now called the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme, is provided at **Attachment E**.

The City undertook a round of invitation for expressions of interest for the 2016/2017 round of funding, which closed on 9 July 2016. Three applications were received which are the subject of this report, one in the Dunsborough Town Centre and two in the Busselton City Centre. Location Plans of the applications received is provided at **Attachment A**.

The applications received are as follows:

1. **Depel Pty Ltd - Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough**

The application proposes to upgrade the shop front windows of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough. The façade extends across three stores currently used for retail purposes. The application is to replace the narrow paneled windows of all three shops with single pane windows. **Attachment B** shows a picture of the existing façade and proposed new windows applied for as part of the subsidy application. This application was previously not supported by the Council as part of the second funding round in early 2015. The applicant is requesting that the Council reconsider the same proposal as part of this year's funding round.

2. Ivan Nash - Lots 1 – 4 (20 -26) Queen Street, Busselton

This application is for an awning addition which will extend along the frontages of Lots 1 – 4 (20 -26) Queen Street, Busselton. The front facade of the building is setback 2.4m from the front property boundary. Currently, there is an existing awning which extends from the front of the building to the front property boundary. The proposed awning will replace this structure and will extend an additional 2.6m beyond the front property boundary over the footpath in front of the property. The development has been designed to allow for the future expansion of the building to bring it in line with the front property boundary. This expansion will form part of future works on the site and does not form part of this proposal. **Attachment C** shows a picture of the existing façade and proposed new awning applied for as part of the subsidy application

3. Al Forno/Barry Walsh - Lot 131 (49) Queen Street, Busselton

This application proposes to replace the existing fixed windows of Lot 131 (49) Queen Street, Busselton with bi-fold doors, fixed panels as well as replace the existing door. **Attachment D** shows a picture of the existing façade and proposed new bi-fold doors and fixed panels applied for as part of the subsidy application. The modifications to the tenancy are to accommodate a new café which is to be a subsidiary of Al Forno on Bussell Highway. It is proposed that this site will operate in addition to the existing premise. The modifications to the front façade will allow for the portion of the tenancy along the front boundary to open on to a possible future alfresco dining area. The City is currently working with the operator of the business to discuss option regarding alfresco dining at the premise.

STATUTORY ENVIRONMENT

The Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and application for subsidy funding is consistent with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

RELEVANT PLANS AND POLICIES

The Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme is a document for the City and Council to consider when assessing applications received for the subsidy funding. It provides clarification and transparency to the public on what will be considered acceptable for an application.

The programme specifies an 'eligible area' and 'eligible' works which will be considered for subsidy funding.

In determining applications for inclusion within the Programme the following criteria are to be taken into consideration:

- Consistency with the adopted Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme (including whether the works are 'eligible' for funding);
- Compliance with the City's Local Planning Scheme and Building Code of Australia;
- Consistency with the objectives and recommendations of the Busselton City Centre Urban Design Policy;
- The degree to which the applicant is financially contributing to the project;
- The extent to which the project contributes to the visual improvement of the façade and is visible from the public domain;
- Integration of the proposed works with the streetscape, adjoining buildings and degree to which the project contributes to the established character of the street; and

- The degree to which the proposed works promote interaction with the streetscape, including the provision of frontages which are inviting, provide points of interest for pedestrians and allow for an efficient use of space, are functional, attractive and pedestrian friendly.

FINANCIAL IMPLICATIONS

A budget of \$50,000 for the subsidy programme is provided for in the draft City budget for the 2016/2017 financial year.

STRATEGIC COMMUNITY OBJECTIVES

The recommendations of this report reflect Community Objective 2.2 of the City's Strategic Community Plan 2013 – 'A City of shared, vibrant and well planned places that provide for diverse activity and strengthen our social connections'.

RISK ASSESSMENT

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk assessment framework, and no risks identified where the residual risk, once controls are considered, is medium or greater.

CONSULTATION

Expressions of interest were sought from 9 May 2016 to 9 July 2016. Three applications were received.

OFFICER COMMENT

The applications are to be assessed against the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme. All applications are within the eligible areas of the programme which the City has identified as a priority for upgrades. The programme identifies works which will be considered as eligible for funding and excludes works such as general maintenance, which should be occurring regularly without the programme as 'ineligible' for subsidy funding.

The following provides an assessment of the works and consistency with the programme guidelines.

1. Depel Pty Ltd - Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
1. Replace shop front windows, doors and glazing to all three shops	\$13,828.55	Eligible – The modification or creation of windows to provide interaction with the streetscape is considered eligible works.	\$13,828.55
Total Expenditure (ex GST)			\$13,828.55
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$4,141.30

The works proposed meet the assessment criteria of the programme as they will:

- Comply with the City of Busselton Local Planning Scheme No. 21 and will bring the site into compliance with the disable access requirements of the Building Code of Australia;
- The works proposed as part of the façade upgrade will visually improve the façade and view of the building from the streetscape; will promote interaction with the streetscape by improving the visibility into the shop fronts and create a shop front which is functional.

It is noted that the application was previously not supported by the Council on the basis that the works were not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme. However, it is considered that the proposed façade works are functional, will ensure compliance with disabled access for older buildings and are consistent with the façade subsidy programme guidelines and assessment criteria.

It is recommended that subsidy funding of up to \$4,141.30 be provided.

2. Ivan Nash - Lots 1 – 4 (20 -26) Queen Street, Busselton

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
Install awning	\$10,000	Eligible – The installation of an awning is considered eligible works.	\$40,000.00
Total Expenditure (ex GST)			\$40,000.00
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$17,500.00

A development application for the proposal has been approved by the City under Delegated Authority. It was considered that the proposal met the applicable requirements of the City of Busselton Local Planning Policy 4C – Busselton Town Centre Urban Design Centre Provision in that it provides a pedestrian shelter for the full width of the lot frontage. Despite being consistent with the relevant planning requirements, it is considered that the design of the development will not adequately contribute to the streetscape or provide enough visual interest to be funded by this programme.

It is recommended that the subsidy funding of up to \$17,500.00 not be provided.

3. Al Forno/Barry Walsh - Lot 131 (49) Queen Street, Busselton

The applicant has applied for a subsidy contribution for the works summarised below:

Works Proposed	Quotation (ex GST)	Eligible or Ineligible works	Amount (ex GST)
Materials and construction of bi-fold doors, fixed panels as well as replace the existing door	\$15,856.00	Eligible – Materials and construction of bi-fold doors, fixed panels as well as replace the existing door	\$15,856.00
Installation of shop front	\$1,560.00	Eligible – Installation of shop front	\$1,560.00
Total Expenditure (ex GST)			\$17,416.00
Potential subsidy contribution (50% of total expenditure (ex GST) above \$5,000)			\$6,208.00

The works proposed meet the assessment criteria of the programme as they will:

- Comply with the City of Busselton Local Planning Scheme No. 21;
- The works proposed as part of the façade upgrade will visually improve the façade and view of the building from the streetscape; will promote interaction with the streetscape.

It is recommended that subsidy funding of up to \$6,208.00 be provided.

CONCLUSION

It is considered by Officers that proposals 1 and 3 comply with the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and it is recommended that the subsidy funding of \$4,141.30 and \$6,208.00, respectively, be supported. It is considered by Officers that proposal 2 does not comply with the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and it is recommended that the funding to the amount of \$17,500.00 not be provided.

OPTIONS

Should the Council consider that proposal 1 and/or 3 is not consistent with the programme guidelines objectives and assessment criteria, it may resolve to:

1. Recommend not to provide subsidy funding for the works.

Should the Council consider that proposal 2 is consistent with the programme guidelines objectives and assessment criteria, it may resolve to:

2. Recommend to provide subsidy funding for the works.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation if supported will require the applicant to enter into a legal agreement with the City to complete the works and arrange for the subsidy funding to be paid prior to the end of the 2016/17 financial year.

OFFICER RECOMMENDATION

That the Council resolve:

1. That the application to upgrade the façade of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$4,141.30 towards the works.
2. That the application for an awning addition at Lots 1 – 4 (20 – 26) Queen Street, Busselton is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and is therefore not supported.
3. That the application to upgrade the façade of Lot 131 (49) Queen Street, Busselton, is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$6,208.00 towards the works.

4. To enter into a legal agreement with the owners of the property in the successful application in Resolution 1 and 3 to provide for the payment of funds once the works are completed to the City's satisfaction and final costs substantiated. The legal agreement shall include the requirements for appropriate recognition of the City's contribution to the City's satisfaction.

Note: The Committee was of the opinion that proposal 1 for Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough was not consistent with programme and would therefore not be supported.

Committee Recommendation

PL1607/078 Moved Councillor G Henley, seconded Councillor R Paine

That the Council resolve:

1. That the application to upgrade the façade of Lots 1, 2 and 3 (245) Naturaliste Terrace, Dunsborough is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and therefore is not supported.
2. That the application for an awning addition at Lots 1 – 4 (20 – 26) Queen Street, Busselton is not consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and is therefore not supported.
3. That the application to upgrade the façade of Lot 131 (49) Queen Street, Busselton, is consistent with the objectives and assessment criteria of the Busselton and Dunsborough Centres Façade Refurbishment Subsidy Programme and to contribute \$6,208.00 towards the works.
4. To enter into a legal agreement with the owners of the property in the successful application in Resolution 3 to provide for the payment of funds once the works are completed to the City's satisfaction and final costs substantiated. The legal agreement shall include the requirements for appropriate recognition of the City's contribution to the City's satisfaction.

CARRIED 4/0

2.20pm At this time the Planning Officer left the meeting and did not return.

7. GENERAL DISCUSSION ITEMS

7.1 PLANNING DELEGATIONS

SUBJECT INDEX:	Authorised Delegation of Power / Authority
STRATEGIC OBJECTIVE:	Governance systems that deliver responsible, ethical and accountable decision-making.
BUSINESS UNIT:	Planning and Development Services
ACTIVITY UNIT:	Planning
REPORTING OFFICER:	Director, Planning and Development Services - Paul Needham
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Matthew Smith
VOTING REQUIREMENT:	Simple Majority
ATTACHMENTS:	Attachment A Development Control Delegation

The Director, Planning and Development Services addressed the Committee in relation to the Planning Delegations as listed below.

The delegation to the CEO relating to planning and development matters is attached for discussion purposes to lead into a forthcoming review. The Council has delegated a range of powers to the CEO, however, there are also mechanisms in place for matters to be determined by the Council.

Additionally, planning matters may also be determined by a Joint Development Assessment Panel.

- **Mandatory DAP Applications**

An application for development where the estimated cost of the development is \$10 million or more, and which is not an excluded development application.

- **Optional DAP Applications**

An application for development of a total more than \$2 million but less than \$10 million which is not an excluded development application and has not been delegated to the DAP by the relevant local government.

- **Excluded development application**

Means a development application for approval of –

(a) construction of –

- (i) a single house and any associated carport, patio, outbuilding and incidental development;
- (ii) less than 10 grouped dwellings and any associated carport, patio, outbuilding and incidental development;
- (iii) less than 10 multiple dwellings and any associated carport, patio, outbuilding and incidental development;

or

(b) development in an improvement scheme area; or

(c) development by a local government or the Commission;

or

- (d) development in a district for which –
 - (i) a DAP is not established at the time the application is made; or
 - (ii) a DAP has been established for less than 60 days at the time the application is made.

Councillor Grant Henley suggested that the 'Call In Powers' for the City of Busselton be amended to include two Councillors or the Mayor. This will enable Council to undertake the approvals process for development applications if Councillors wish this to occur.

The Committee was of the general consensus that they supported the outcomes of the discussion and the Councillor Henley's proposal relating to Call In Powers. These changes will be incorporated into an Officer report proposed to come to the Policy and Legislation Committee in September.

2.58pm The Director, Planning and Development Services left the meeting and did not return.

6.2 REVIEW OF FEES, ALLOWANCES AND EXPENSES FOR ELECTED MEMBERS POLICY

SUBJECT INDEX:	Councillors
STRATEGIC OBJECTIVE:	Governance systems that deliver responsible, ethical and accountable decision-making.
BUSINESS UNIT:	Governance Services
ACTIVITY UNIT:	Council and Councillor Services
REPORTING OFFICER:	Manager, Governance Services - Lynley Rich
AUTHORISING OFFICER:	Director, Finance and Corporate Services - Matthew Smith
VOTING REQUIREMENT:	Absolute Majority
ATTACHMENTS:	Attachment A Existing Fees, Allowances and Expenses Policy

PRÉCIS

The City of Busselton was recently increased to a Band 1 local government by the Salaries and Allowances Tribunal (SAT), requiring the updating of the policy in relation to fees, allowances and expenses. All Councillors are entitled to a fee for attending Council and Committee meetings and a range of other reimbursements, while the Mayor and Deputy Mayor are also eligible for an allowance for the performance of those duties.

BACKGROUND

The policy was last reviewed in 2014 as no adjustments were made by the Salaries and Allowances Tribunal in 2015.

STATUTORY ENVIRONMENT

Division 8 of Part 5 of the *Local Government Act 1995* establishes the entitlement of elected members to receive allowances and to be reimbursed for costs incurred in the performance of their duties. The actual allowances, or range of allowances, is established by the SAT in Local Government Elected Council Members Determinations.

In accordance with the Act, any decision to pay elected members an annual allowance instead of a fee per meeting and any decision to pay an allowance to a Deputy Mayor, requires an absolute majority.

RELEVANT PLANS AND POLICIES

The information relating to the banding and the amounts of the allowances has been removed from the policy and it is proposed that this will be included in a schedule after the adoption of the City's annual budget.

FINANCIAL IMPLICATIONS

The draft budget was developed with the capacity to increase allowances into the Band 1 range.

Long-term Financial Plan Implications

The Long-term Financial Plan provides for the payments to which elected members are entitled.

STRATEGIC COMMUNITY OBJECTIVES

The Strategic Community Plan includes the community objective of having an effectively managed organisation that achieves positive outcomes for the community. One of the key ways for this to

occur is to provide financial recognition of the extensive responsibilities performed by elected members.

RISK ASSESSMENT

Not required for this policy review.

CONSULTATION

The actual levels of fees and allowances within the relevant band are established through the annual budget development process.

OFFICER COMMENT

The City of Busselton was recently increased to Band 1 by the Salaries and Allowances Tribunal. Meeting fees made available to elected members need to be set within the Band established by the tribunal. Other allowances are also provided for in order to enable elected members to perform their role effectively. These are all described in the policy.

CONCLUSION

The policy is presented for updating, noting that the Absolute Majority is required in order to pay an annual allowance and to establish the percentage of the Mayor's allowance to which the Deputy Mayor will be entitled.

OPTIONS

Other changes to the policy can be considered, however, the budget has been developed in accordance with the allowances described, such as clothing and travel reimbursement.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The Band 1 determination requires fees to be available within that band from 1 July, 2016. As elected members are paid in arrears, payments will be adjusted accordingly from that time.

Committee Recommendation and Officer Recommendation

PL1607/079

Moved Councillor G Henley, seconded Councillor R Paine

ABSOLUTE MAJORITY DECISION OF COUNCIL REQUIRED

That the Council adopts the updated Fees, Allowances and Expenses policy:

001	Fees, Allowances and Expenses for Elected Members	V8 Draft
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1. PURPOSE

In accordance with Division 8 of Part 5 of the *Local Government Act 1995* elected members are entitled to receive a fee for meeting attendance, be reimbursed for expenses and/or be paid an allowance for certain types of expenses. Certain payments are an automatic entitlement in accordance with the Act, while others require specific local government approval. The Fees, Allowances and Expenses for Elected Members policy provides the approval framework under which all fees, allowances and reimbursements to elected members will be made.

2. SCOPE

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

"Schedule" – Information describing the current Local Government Band Allocation and fees and allowances established within that Band in accordance with any *Local Government Elected Council Members Determination* under the *Salaries and Allowances Act 1975*.

The Fees, Allowances and Expenses for Elected Members policy is to apply to the purchase of all local government-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.

This policy provides the approval framework to enable the provision of equipment and certain payments to be made to elected members to enable them to carry out their role as an elected member effectively. All matters approved in this policy are in accordance with the relevant legislation and determinations, being the *Local Government Act 1995* and *Local Government Elected Council Members Determinations* in accordance with the *Salaries and Allowances Act 1975*.

3. POLICY CONTENT

3.1 Elected members

3.1.1 Provision of equipment

Without limiting the application of any other clause in this policy, the local government will provide to elected members of the City of Busselton access to resources to enable them to carry out their duties efficiently and effectively. In accordance with Section 3.1 of the *Local Government Act 1995*, in order to provide for the good government of persons in the District, any newly elected member will have the opportunity to be furnished with the following equipment:

- A standard-issue mobile telephone;
- A standard City-owned laptop computer or tablet that will be upgraded from time to time, inclusive of standard equipment associated with the day-to-day use of the laptop computer or tablet.

The laptop computer or tablet provided remains at all times the property of the City of Busselton. Any mobile telephone purchased in accordance with this policy can be retained by the elected member at the completion of their term of office if they serve a minimum of 12 months as an elected member.

3.1.2 Meeting attendance fees

An elected member is entitled to receive an annual fee for attending Council and Committee meetings in accordance with the *Local Government Act 1995*. This payment is in lieu of any entitlement established for a fee per meeting under that Act.

The annual fee will be established during the annual budget process within the Band established in the relevant *Local Government Elected Council Members Determination*.

The annual meeting attendance fee is full and final satisfaction of an elected member's meeting entitlements and no other claims can be made for attendance at meetings, with the exception that an elected member's expenses incurred for travelling to and from the meeting can be reimbursed in accordance with clause 3.1.5 of this policy or childcare expenses incurred can be reimbursed in

accordance with clause 3.1.4 of this policy.

Meeting attendance fees will be paid monthly or quarterly in arrears. The fee 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 meeting attendance fees and their preferred payment method. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.3 Information and Communications Technology allowance

In accordance with the relevant *Local Government Elected Council Members Determination*, all elected members are eligible to claim an annual information and communications technology allowance the amount of which will be included in the Schedule. This allowance is to cover an elected member's costs in relation to the following equipment and services:

- Telephone rental charges;
- Any other expenses that relate to information and communications technology, for example telephone call charges and internet service provider fees, and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

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. Nothing in the relevant legislation or this policy prevents an elected member from changing their intention at any time.

3.1.4 Reimbursement of childcare expenses

In accordance with the *Local Government Act 1995* 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. The extent to which the childcare expenses incurred will be reimbursed will be in accordance with the relevant *Local Government Elected Council Members Determination*. For the purposes of this section, the number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for partaking in refreshments and travel to and from the place of care.

3.1.5 Reimbursement of travel expenses

In accordance with the *Local Government Act 1995* 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 *Local Government (Administration) Regulations 1996*. The extent to which travel expenses can be reimbursed is in accordance with the *Public Service Award 1992*. The following list represents the meetings and events at which the attendance of an elected member is required for which the elected member will be able to claim reimbursement in accordance with the *Public Service Award 1992* for incurring travel expenses.

- Council meetings - ordinary and special;
- 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;
- Electors' meetings - annual general and special;
- Civic receptions hosted by the City of Busselton;
- Visits by Ministers of the Crown;

- Inspection tours of matters arising before the Council;
- Any City-convened meeting requiring elected member attendance, including briefing sessions, workshops and other forums;
- Elected member training courses;
- Officially convened meetings with ratepayers;
- Attendance at community functions with a formal invitation as an elected member;
- Seminars and conferences attended in the capacity of an elected member;
- Meetings of community groups or other external organisations of which the elected member has been appointed the Council's representative by Council resolution (except where the other body pays the elected member for meeting attendance and/or travel eg ministerial appointment to State Advisory Boards).

The reimbursement will be made available to the elected member on the receipt of a certified claim form and in accordance with the rates set out in the *Public Service Award 1992*. Nothing in this section prevents an elected member from utilising a City-owned motor vehicle for the types of travel approved under this section and this is encouraged where practical for the elected member's purposes. Subject to the approval of the Chief Executive Officer, the elected member 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 does not go beyond use of a minor incidental nature. Where a City vehicle is utilised, the travel reimbursement or travel allowance cannot be claimed.

3.1.6 Reimbursement of expenses while away from home on sanctioned activities

Expenses incurred for conferences, training, seminars 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 in accordance with the following guidelines.

Air travel and accommodation will be arranged and paid for by the City in consultation with the elected member and the key considerations will be cost effectiveness and for accommodation also proximity to the location at which the conference, training, seminar or similar occasion is being held.

While staying in the accommodation provided by the City for the purpose of enabling attendance at the approved conference, training or seminar, the expenses to be met by the City will be:

Expenses and Restrictions	Elected Member	Spouse
Laundry > 2 nights	Y	Y
Taxi fares or other public transport - only where these directly relate to the activity and no other transport is provided	Y	Y
Daily sustenance per day allowance in accordance with the <i>Public Service Award 1992</i> (1)	Y	N
Specific conference related dinners/meals	Y	Y
(1) Limited authority exists (refer to Mayor for prior approval) to purchase alcohol for networking purposes in a similar manner to the way the Council offers community members an invitation to share a drink after a Council meeting.		

3.1.7 Reimbursement of other expenses

3.1.7.1 Reimbursement of hospitality expenses

Elected members may seek reimbursement of the reasonable costs of beverages or snack items provided during any meeting or networking opportunity that relates to City activities, subject to the provision of receipts to the CEO.

3.1.7.2 Corporate attire reimbursement

Each elected member is eligible to claim up to \$1,000 reimbursement for the purchase of corporate attire, which may include a brief case or travel case. Payment will be made on the production of receipts for clothing, shoes or a case, but will be limited to \$500 for the period November to April and a further \$500 for the period May to October.

3.2 Mayor

3.2.1 Mayoral allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Mayor is eligible for a Mayoral allowance in accordance with the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Mayor of the City of Busselton shall be paid an allowance within the Band established, payable monthly or quarterly in arrears.

The allowance 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. Nothing in the relevant legislation or this policy prevents the Mayor from changing their intention at any time.

3.2.2 Provision of a City-owned vehicle

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 does not go beyond use of a minor incidental nature. Nothing in this section prevents the vehicle from being utilised in accordance with City fleet guidelines by other elected members or officers with the agreement of the Mayor.

3.3 Deputy Mayor

3.3.1 Deputy Mayor's allowance

In addition to their entitlements as an elected member under Section 3.1 of this policy, the Deputy Mayor may be paid a Deputy Mayor's allowance in accordance the *Local Government Act 1995*. In accordance with the relevant *Local Government Elected Council Members Determination* the Deputy Mayor can be paid up to 25% of the Mayoral allowance. The Deputy Mayor of the City of Busselton shall be paid the maximum percentage of the Mayoral allowance of 25%, payable monthly or quarterly in arrears.

The allowance 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. Nothing in the relevant legislation or this policy prevents the Deputy Mayor from changing their intention at any time.

4. APPLICATION OF THE POLICY

Any request for reimbursement in accordance with the relevant clauses of this policy must be accompanied by an original supplier receipt.

Policy Background

Policy Reference No. - 001

Owner Unit – Governance

Originator – Manager, Governance Services

Policy approved by – Council

Date Approved – For consideration

Review Frequency – As required following determinations

Related Documents –

Local Government Act 1995

Local Government (Administration) Regulations 1996

Local Government Elected Council Members Determinations

Background/History - Initiated June 2008 to replace former policies:

054/1 - Councillors' Travelling Expenses;

055/1 - Attendance at Conferences, Training and Seminars;

193 - Communications Allowances - Councillors;

212/1 - Vehicle for Use by Shire President and Councillors;

226 - Laptop Computers - Councillors and Officers;

227 - Printer Consumables.

History

Council Resolution	Date	Information
		Adjustments to schedulise fees and allowances determined in accordance with any <i>Local Government Elected Council Members Determination</i> Version 8
C1411/292	12 November, 2014	Adjustments to recognise increases made in determinations of the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2014</i> Version 7
C1307/182	10 July, 2013	Adjustments to recognise the determinations made by the Salaries and Allowances Tribunal via the <i>Local Government Elected Council Members Determination No. 1 of 2013</i> Version 6
C1206/168	27 June, 2012	Increase to the Mayor and Deputy Mayor's allowances to maximums available under the Act; change of terminology to City / Mayor / Deputy Mayor; and removal of outdated reimbursement proposals for mobiles and internet connections Version 5
C1111/362	23 November, 2011	Ability provided for Councillors to be remunerated monthly Version 4
C1007/238	14 July, 2010	Clarification regarding use of the vehicle assigned to the Shire President Version 3

C1005/157	12 May, 2010	Increase to the allowance payable to the Shire President (and therefore Deputy) to be effective from 1 July, 2010 Version 2
C0808/267	27 August, 2008	New policy to replace former policies 054/1; 055/1; 193; 212/1; 226 and 227 Version 1

CARRIED 4/0

BY ABSOLUTE MAJORITY

8. NEXT MEETING DATE

Thursday, 18 August 2016

9. CLOSURE

The meeting closed at 3.12pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 19 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON THURSDAY, 18 AUGUST 2016.

DATE: _____ PRESIDING MEMBER: _____