



Policy Review and Development Committee

Notice of Meeting & Minutes 30 November 2017

Committee Terms of Reference

- 1** *To review all existing Bunbury City Council policies within a two year period, in line with the local government election cycle and facilitate the development of new policies for consideration by Council on an ongoing basis.*
- 2** *To make recommendations to Council on matters of policy, policy review and policy development.*
- 3** *To explore opportunities that promote policy development in all areas that are within Council's jurisdiction.*
- 4** *To allow any draft policy developed and fully considered by another Advisory Committee of Council to be referred directly to Council for consideration.*
- 5** *To provide Bunbury City Councillors with assistance and support to develop new Council policies.*

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Policy Review and Development Committee

Minutes

30 November 2017

Members of the public to note that recommendations made by this committee are not final and will be subject to adoption (or otherwise) at a future meeting of the Bunbury City Council.

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1. Declaration of Opening

The Chief Executive Officer declared the meeting open at 10.33am.

As this is the first meeting of the Policy Review and Development Committee since the 2017 local government elections, the committee is required to elect a Presiding Member from amongst themselves in accordance with Section 5.12 of the *Local Government Act 1995*.

The Mayor nominated Cr Brown who accepted the nomination. With there being no further nominations, Cr Brown was elected unopposed and assumed the role of Presiding Member.

2. Disclaimer

Not applicable to this committee.

3. Announcements from the Presiding Member

Nil

4. Attendances

Committee Members:

Member Name	Representing
Mayor Gary Brennan	City of Bunbury
Cr Jaysen Miguel (from 10.38am)	City of Bunbury
Cr Todd Brown	City of Bunbury

Ex-officio Members (non-voting):

Member Name	Representing
Mr Mal Osborne	Acting Chief Executive Officer

Support Staff:

Name	Title
Mr Greg Golinski	Manager Governance
Mrs Leanne French	Senior Governance and Risk Officer
Ms Alisa Blakeney	Exhibition Curator
Mr David Ransom	Manager Finance
Mr Matthew Young	Team Leader Planning and Development
Mr Kelvin Storey	Team Leader Strategic Planning
Ms Jana Joubert	Strategic Planning Officer

4.1 Apologies

Cr Hayward was an apology.

4.2 Approved Leave of Absence

5. Declaration of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member <u>before</u> the meeting commences. After the meeting, the form is to be forwarded to the Administration Services Section for inclusion in the Corporate Financial Disclosures Register.
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Nil

6. Public Question Time

Not applicable

7. Confirmation of Minutes

Committee Decision:

Moved: Mayor Brennan

Seconded: Cr Brown

The minutes of the Policy Review and Development Committee Meeting held on 17 August 2017 are confirmed as a true and accurate record.

CARRIED

8. Petitions, Presentations and Deputations

8.1 Petitions

Nil

8.2 Presentations

Nil

8.3 Deputations

Nil

9. Method of Dealing with Agenda Business

Items were dealt with in the order they appeared in the agenda.

10. Reports

10.1 Future Meeting Dates – Policy Review and Development Committee

Applicant/Proponent:	Internal
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Mal Osborne, Acting Chief Executive Officer
Attachments:	Nil

Summary

The purpose of this report is for the committee to consider a program of future meeting dates for the Policy Review and Development Committee (PRDC).

Strategic Relevance

Key Priority Area 5 Corporate
Objective 5.2 Maintain a high standard of corporate governance and improve access to information.

Executive Recommendation

That the following meeting dates for 2018 and 2019 for the Policy Review and Development Committee be adopted:

1. 10.30am, Thursday 30 November 2017 (this meeting)
2. 10.30am, Thursday 25 January 2018
3. 10.30am, Thursday 29 March 2018
4. 10.30am, Thursday 31 May 2018
5. 10.30am, Thursday 26 July 2018
6. 10.30am, Thursday 27 September 2018
7. 10.30am, Thursday 29 November 2018
8. 10.30am, Thursday 31 January 2019
9. 10.30am, Thursday 28 March 2019
10. 10.30am, Thursday 30 May 2019
11. 10.30am, Thursday 25 July 2019
12. 10.30am, Thursday 26 September 2019

Background

Part of the PRDC terms of reference requires the committee to review all Council policies within a two-year period, in line with Council elections. To facilitate this, it is suggested that the PRDC meet every two months.

Council Policy Compliance

Not applicable.

Legislative Compliance

Not applicable.

Officer Comments

As foreshadowed above, it is suggested that this committee meet every two months from 30 November 2017.

In keeping with the timing of this meeting, it is proposed to hold meetings at 10.30am on the last Thursday of each January, March, May, July, September and November of each year. The schedule would therefore be:

1. 10.30am, Thursday 30 November 2017 (this meeting)
2. 10.30am, Thursday 25 January 2018
3. 10.30am, Thursday 29 March 2018
4. 10.30am, Thursday 31 May 2018
5. 10.30am, Thursday 26 July 2018
6. 10.30am, Thursday 27 September 2018
7. 10.30am, Thursday 29 November 2018
8. 10.30am, Thursday 31 January 2019
9. 10.30am, Thursday 28 March 2019
10. 10.30am, Thursday 30 May 2019
11. 10.30am, Thursday 25 July 2019
12. 10.30am, Thursday 26 September 2019

Analysis of Financial and Budget Implications

There are no financial or budgetary implications arising from the recommendations of this report.

Community Consultation

Not applicable.

Councillor/Officer Consultation

This report seeks to consult with members of the Policy Review and Development Committee to establish a suitable meeting schedule for that committee.

Outcome of Meeting – 30 November 2017

The Executive Recommendation (as printed) was moved by Mayor Brennan and seconded by Cr Brown and was carried unanimously as follows:

That the following meeting dates for 2018 and 2019 for the Policy Review and Development Committee be adopted:

- 1. 10.30am, Thursday 30 November 2017 (this meeting)***
- 2. 10.30am, Thursday 25 January 2018***

- 3. 10.30am, Thursday 29 March 2018**
- 4. 10.30am, Thursday 31 May 2018**
- 5. 10.30am, Thursday 26 July 2018**
- 6. 10.30am, Thursday 27 September 2018**
- 7. 10.30am, Thursday 29 November 2018**
- 8. 10.30am, Thursday 31 January 2019**
- 9. 10.30am, Thursday 28 March 2019**
- 10. 10.30am, Thursday 30 May 2019**
- 11. 10.30am, Thursday 25 July 2019**
- 12. 10.30am, Thursday 26 September 2019**

10.2 Policy Review and Development Committee – Review Terms of Reference

Applicant/Proponent:	Internal
Responsible Officer:	Greg Golinski, Manager Governance
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Mal Osborne, Acting Chief Executive Officer
Attachments:	Nil

Summary

The purpose of this report is for the committee to consider a slight amendment to its terms of reference to incorporate reviewing local laws.

Strategic Relevance

Key Priority Area 5 Corporate
Objective 5.2 Maintain a high standard of corporate governance and improve access to information.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt a revised terms of reference for this committee as follows:

1. To review all existing Bunbury City Council policies within a two year period, in line with the local government election cycle and facilitate the development of new policies for consideration by Council on an ongoing basis.
2. To make recommendations to Council on matters of policy, policy and local law review, and policy and local law development.
3. To explore opportunities that promote policy development in all areas that are within Council's jurisdiction.
4. To allow any draft policy developed and fully considered by another Advisory Committee of Council to be referred directly to Council for consideration.
5. To provide Bunbury City Councillors with assistance and support to develop new Council policies.

Background

The majority City's local laws have been identified for review during 2018. Rather than having proposed amendments presented directly to Council for consideration, it is suggested there is merit in a committee of Council undertaking this review in the first instance, where discussion/dialogue can be had more informally.

To this extent, it is considered that the existing terms of reference (ToR) of Policy Review and Development Committee are closely aligned with reviewing local laws, which are, in effect policies that have been more formally implemented (gazetted).

A minor change to the ToR is therefore proposed to formalise this arrangement into the future.

Council Policy Compliance

Not applicable.

Legislative Compliance

Not applicable.

Officer Comments

To help formalise the role of the PRDC in reviewing the City's local laws, the following amendment is proposed to the ToR for the committee (additions are in red):

1. To review all existing Bunbury City Council policies within a two year period, in line with the local government election cycle and facilitate the development of new policies for consideration by Council on an ongoing basis.
2. To make recommendations to Council on matters of policy, policy and local law review, and policy and local law development.
3. To explore opportunities that promote policy development in all areas that are within Council's jurisdiction.
4. To allow any draft policy developed and fully considered by another Advisory Committee of Council to be referred directly to Council for consideration.
5. To provide Bunbury City Councillors with assistance and support to develop new Council policies.

Analysis of Financial and Budget Implications

There are no financial or budgetary implications arising from the recommendations of this report.

Community Consultation

Not applicable.

Councillor/Officer Consultation

This matter is presented to the Policy Review and Development Committee for consideration.

Outcome of Meeting – 30 November 2017

General discussion took place in relation to this item, with Mayor Brennan suggesting further expansion of the terms of reference to ensure that where appropriate, relevant external stakeholders are consulted on policy development and review.

It was also suggested that the membership composition of the committee be expanded to include an external community representative from the Bunbury Geographe Chamber of Commerce and Industry.

Accordingly, the following motion was moved by Mayor Brennan and seconded by Cr Miguel and was carried unanimously as follows:

That the Policy Review and Development Committee recommend that Council:

- 1. Adopt a revised terms of reference for this committee as follows:***
 - a. To review all existing Bunbury City Council policies within a two year period, in line with the local government election cycle and facilitate the development of new policies for consideration by Council on an ongoing basis.***
 - b. To make recommendations to Council on matters of policy, policy and local law review, and policy and local law development.***
 - c. To explore opportunities that promote policy development in all areas that are within Council's jurisdiction, and where considered appropriate, in consultation with relevant stakeholders.***
 - d. To allow any draft policy developed and fully considered by another Advisory Committee of Council to be referred directly to Council for consideration.***
 - e. To provide Bunbury City Councillors with assistance and support to develop new Council policies.***
- 2. Pursuant to section 5.9(2)(d) of the Local Government Act 1995, establish the membership composition of the Policy Review and Development Committee as 4 Elected Members plus 1 representative from the Bunbury Geographe Chamber of Commerce and Industry.***
- 3. Request the Chief Executive Officer contact the Bunbury Geographe Chamber of Commerce and Industry to facilitate the participation of a nominated representative on the Policy Review and Development Committee.***

10.3 Review of Code of Conduct

Applicant/Proponent:	Internal
Responsible Officer:	Leanne French, Senior Governance and Risk Officer
Responsible Manager:	Greg Golinski, Manager Governance
Executive:	Mal Osborne, Acting Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 1: Revised Code of Conduct

Summary

Under the provisions of section 5.103 of the *Local Government Act 1995*, every Local Government is to prepare and adopt a code of conduct to be observed by council members, committee members and employees.

The City's current Code of Conduct was adopted by Council on 19 September 2017, Council Decision 349/17.

At its meeting of the same date, Council requested the Chief Executive Officer include a report facilitating a subsequent review of the Code of Conduct in the agenda of the first meeting of the Policy Review and Development Committee following the 2017 City of Bunbury Election.

Executive Recommendation

That the Policy Review and Development Committee recommended that Council, pursuant to section 5.106 of the *Local Government Act 1995*, adopted the revised Code of Conduct as presented at Appendix 1.

Strategic Relevance

Key Priority Area 5	Corporate
Objective 5.2	Maintain a high standard of corporate governance and improve access to information

Background

The City's Code of Conduct communicates expected standards of conduct and integrity to all those who represent or are employed by the City of Bunbury. The Code contributes to building and sustaining a culture of integrity, and creates a robust and transparent framework in which we operate, which is fundamental to good organisational performance and public confidence.

The Code includes provisions in relation to conflicts of interest and acceptance of notifications of gifts, as required by the *Local Government (Administration) Regulations 1996* and refers to the statutory *Local Government (Codes of Conduct) Regulations 2007*.

A revised and updated Code of Conduct was presented to the Policy Review and Development Committee at its meeting of 17 August 2017, and on the recommendation of the Committee, was adopted by Council on 19 September 2017, refer Council Decision 349/17.

At the same meeting, Council also adopted the committee's recommendation to request the Chief Executive Officer to facilitate a review of the Code in the agenda of the first meeting of the Policy Review and Development Committee following the 2017 City of Bunbury election, and prepare a clause governing land dealings and personal development applications by Elected Members and senior staff for inclusion in the revised Code.

Council Policy Compliance

There is no policy compliance consideration impacting on this report; however the Code of Conduct does refer to underpinning Council Policies and Corporate Guidelines.

Legislative Compliance

Consideration of this matter is a requirement under the provision of section 5.103 of the *Local Government Act 1995*.

Part 9 of the *Local Government (Administration) Regulations 1996* details requirements to be included in a Code of Conduct.

Officer Comments

In accordance with Council's resolution, a clause governing land dealings and personal development applications has been prepared by Officers and is included below:

Land Dealings and Personal Development Applications

Elected Members, Committee Members and employees shall lodge written notice with the Chief Executive Officer, or in the case of the Chief Executive Officer, to the Mayor, describing any intention to undertake a dealing in land within the City or which may otherwise be in conflict with the Council's functions (other than purchasing their principal place of residence, or a site for such a purpose).

Elected Members, Committee Members and employees who have lodged a development application with the City shall only discuss the matter with employees in staff-only areas of the City, or on the site that the application refers to.

It is suggested that the clause be included in the current Code of Conduct under the heading Working Ethically: Professional Behaviour as presented at Appendix 1.

This clause enhances a framework which is intended to reinforce ethical and accountable standards of conduct and decision making, whilst addressing integrity topics that elected members, committee members and employees will likely encounter.

The framework is supported by electronic links to enabling legislation and regulations, whole-of-sector governance instruments, supporting Council Policies and Corporate Guidelines and includes relevant procedures for reporting and breach management.

Analysis of Financial and Budget Implications

There are no budget implications resulting from the recommendations in this item.

Community Consultation

Not applicable.

Councillor/Officer Consultation

This report is presented to the Policy Review and Development Committee for consideration.

Outcome of Meeting – 30 November 2017

General discussion took place in relation to this item. Officer's had suggested the insertion of 2 paragraphs into the Code of Conduct to cover Land Dealings and Personal Development Applications, and it was suggested that the first of those paragraphs be deleted and only the second one included, such that the addition would now read:

Development Applications

Elected Members, Committee Members and employees who have lodged a development application with the City shall only discuss the matter with employees in staff-only areas of the City, or on the site that the application refers to.

With this change, the Executive Recommendation was moved by Mayor Brennan and seconded by Cr Miguel and was carried unanimously as follows:

That the Policy Review and Development Committee recommended that Council, pursuant to section 5.106 of the Local Government Act 1995, adopt the revised Code of Conduct as presented at Appendix 1 and amended.

10.4 Review of Council Policy: Corporate Revenue Debt Collection

Applicant/Proponent:	Internal
Responsible Officer:	David Ransom, Manager Finance
Responsible Manager:	David Ransom, Manager Finance
Executive:	Mal Osborne, Acting Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 2A: Revised Council Policy Debt Collection Appendix 2B: Revised Corporate Guideline Debt Collection

Summary

The purpose of this report is for Policy Review and Development Committee (PRDC) to review its current policy – Corporate Revenue Debt Collection.

Executive Recommendation

The Policy Review and Development Committee recommend that Council adopt the revised Council Policy – Corporate Revenue Debt Collection as presented.

Strategic Relevance

Key Priority Area 5 Corporate
Objective 5.2 Maintain a high standard of corporate governance and improve access to information.

Background

This policy was last reviewed by the PRDC in September 2015, and is now due for its biennial review in accordance with the policy review schedule.

Council Policy Compliance

This report proposes the revision of an existing Council policy.

Legislative Compliance

Nil

Officer Comments

Officers have undertaken review of the current policy as attached at Appendix 2A. The following amendments are recommended:

- Change the date a final notice is issued to 14 days (currently 30 days);

- Minor wording changes to the associated Corporate Guideline as highlighted in Appendix 2B.

Ratepayers are issued an annual rate notice and are given 35 days to pay in full or the first instalment. Before any debt collection can commence, this policy currently requires staff to give an extra 30 days. Note that the date a Final Notice could be issued was changed during the last review of this policy from 14 days to 30 days.

The recommendation to reduce the number of days before a Final Notice is issued from 30 days to 14 days will assist staff in ensuring all outstanding rates are collected in a timely manner and improve collection rates. With the current policy, ratepayers have 79 days (from the issue of the annual rates notice to the due date of the Final Notice) before staff can commence debt collection and contacting ratepayers to discuss payment arrangements should the ratepayer fail to make payment.

Analysis of Financial and Budget Implications

There are no budget implications from this item.

Community Consultation

Not applicable

Councillor/Officer Consultation

This report is presented to the PRDC for consideration.

Applicant Consultation

Not applicable

Outcome of Meeting – 30 November 2017

The Executive Recommendation was moved by Cr Miguel and seconded by Mayor Brennan and was carried unanimously as follows:

The Policy Review and Development Committee recommend that Council adopt the revised Council Policy – Corporate Revenue Debt Collection as presented.

10.5 Review of Council Policy: Employee Wellbeing

Applicant/Proponent:	Internal
Responsible Officer:	Odetta Robertson, Manager HR and Organisational Development
Responsible Manager:	Odetta Robertson, Manager HR and Organisational Development
Executive:	Mal Osborne, Acting Chief Executive Officer
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 3A: Revised Council Policy Employee Wellbeing

Summary

The purpose of this report is for Policy Review and Development Committee (PRDC) to review Council's current policy relating to employee wellbeing.

Executive Recommendation

The Policy Review and Development Committee recommend that Council adopt the revised Council Policy – Employee Wellbeing as presented.

Strategic Relevance

Key Priority Area 5	Corporate
Objective 5.2	Maintain a high standard of corporate governance and improve access to information.

Background

This policy was last reviewed by the PRDC in September 2015, and is now due for its biennial review in accordance with the policy review schedule.

Council Policy Compliance

This report proposes the revision of an existing Council policy.

Legislative Compliance

Nil

Officer Comments

The purpose of this policy is to ensure that staff have the opportunity to access health and wellbeing initiatives and choices in the workplace as identified in the City's Enterprise agreement, as well as demonstrate Council's commitment to staff health and well-being. Officers have undertaken a review of the current policy as attached at Appendix 3A, and propose some amendments such that the policy reflects the provisions within the current Enterprise Agreement.

This policy was developed to support the City's Healthy Workers, Healthy Futures Corporate Guideline, covering current staff initiatives under the City of Bunbury Employees 2015 Enterprise Agreement.

An accompanying Corporate Guideline is currently being developed to activate the operational aspects of the policy.

Analysis of Financial and Budget Implications

There are no additional financial or budgetary implications impacting from the recommendations of this report per se, as any activities will be funded using annual budgeted funds.

Community Consultation

Not applicable

Councillor/Officer Consultation

This report is presented to the PRDC for consideration.

Applicant Consultation

Not applicable

Outcome of Meeting – 30 November 2017

The Executive Recommendation was moved by Mayor Brennan and seconded by Cr Miguel and was carried unanimously as follows:

The Policy Review and Development Committee recommend that Council adopt the revised Council Policy – Employee Wellbeing as presented.

10.6 New Council Policy –Bunbury Regional Art Galleries Exhibitions

Applicant/Proponent:	Internal
Responsible Officer:	Alisa Blakeney BRAG Exhibitions Curator
Responsible Manager:	Julian Bowron Manager Arts & Culture
Executive:	Stephanie Addison-Brown, Director Corporate & Community Services
Attachments:	Appendix 4A: Draft BRAG Exhibitions Policy Appendix 4B: BRAG Exhibitions Corporate Guideline

Summary

The purpose of this report is for the Policy Review and Development Committee to consider a new policy relating to the Bunbury Regional Galleries exhibitions program. The Policy and Corporate Guideline are attached at Appendices 4A and 4B respectively.

Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopt the new Council Policy Bunbury Regional Art Galleries Exhibitions as presented.

Strategic Relevance

Key Priority Area 5: Corporate
Objective 5.2: Maintain a high standard of corporate governance and improve access to information.

Key Priority Area 1: Community and Culture
Objective 1.5: Celebrate and recognise the richness of our arts, culture and heritage

Background

The City of Bunbury has not previously had a Bunbury Regional Art Galleries Exhibitions Policy.

Council Policy Compliance

This policy aligns with the City of Bunbury Art Collection Policy

Legislative Compliance

There is no legislative compliance relevant to this report

Officer Comments

Bunbury Regional Art Galleries came under City of Bunbury management in 2014 and for reasons of good governance, to assist with budget planning and to provide transparency and consistency around galleries programming decisions it is appropriate to have an exhibitions policy.

Preparation of the policy has enabled alignment and consistency with the City's current processes and procedures as well as professional art museum standards.

Analysis of Financial and Budget Implications

There are no financial or budgetary implications resulting from the recommendations of this report.

Community Consultation

The draft policy has been circulated to selected artists and galleries patrons for comment and issues raised have been incorporated into the policy.

Councillor/Officer Consultation

The Manager Corporate and Community Services has been consulted.

Outcome of Meeting – 30 November 2017

The Executive Recommendation was moved by Cr Miguel and seconded by Mayor Brennan and was carried unanimously as follows:

That the Policy Review and Development Committee recommend that Council adopt the new Council Policy Bunbury Regional Art Galleries Exhibitions as presented.

10.7 Draft Local Planning Policy: Zone Development Requirements

File Ref:	A04151
Applicant/Proponent:	City of Bunbury
Responsible Officer:	Jana Joubert, Strategic Planning Officer
Responsible Manager:	Thor Farnworth, Manager Sustainability, Planning and Development
Executive:	Felicity Anderson, Acting Director Planning and Development Services
Authority/Discretion	<input type="checkbox"/> Advocacy <input type="checkbox"/> Review <input type="checkbox"/> Executive/Strategic <input type="checkbox"/> Quasi-Judicial <input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Information Purposes
Attachments:	Appendix 5A: Draft Local Planning Policy: Zone Development Requirements Appendix 5B: Local Planning Policy Review Manual

Summary

The City of Bunbury's inaugural Local Planning Strategy and new Local Planning Scheme No.8 (LPS8) have now been conditionally approved by the Minister for Planning, and the new Scheme is expected to be gazetted in early 2018.

Draft Local Planning Policy: Zone Development Requirements (**attached** at Appendix 6A) is intended to support and complement LPS8 upon its gazettal and is required to be advertised for public comments prior to its adoption.

Executive Recommendation

That the Committee recommend that Council:

1. In accordance with clause 4 of 'Division 2 – Local Planning Policies' under 'Part 2 – Local Planning Framework' of 'Schedule 2 – Deemed provisions for local planning schemes' of the *Planning and Development (Local Planning Schemes) Regulations 2015*, proceed to advertise the draft Local Planning Policy: Zone Development Requirements for public comment for a period of not less than 21 days.
2. Following public advertising, the draft Local Planning Policy 3: Zone Development Requirements, along with any submissions lodged with the City of Bunbury during the public advertising period, be returned to Council for further consideration.
3. Note the updated Local Planning Policy Review Manual (2017) **attached** at Appendix 6B.

Strategic Relevance

Key Priority Area 4: Regional Economy
Objective 4.3: Promote Bunbury as a place that supports commercial, residential and social development.

Key Priority Area 5: Corporate
Objective 5.5: Ensure organisational capability.

Background

The *Planning and Development (Local Planning Schemes) Regulations 2015* sets out procedures for local governments to prepare and amend Local Planning Policies. Local planning policies are a fundamental part of the City's Local Planning Framework (LPF) and are required as a normal part of regulating land use and development. Local planning policies are used to assist the local government in making decisions on a range of issues that require more detailed guidance.

The draft Local Planning Policy: Zone Development Requirements (or Zone Codes) contain the urban design controls such as building heights which were initially included as Part 4 and Schedule 5 of the draft Scheme but which were subsequently removed in the adopted version of LPS8. This decision was made following extensive consultation with the Department of Planning, Lands and Heritage and in response to feedback received in workshops and by a number of submitters during the public advertising period.

The newly elevated status afforded to local planning policies by the *Planning and Development (Local Planning Schemes) Regulations 2015* means that it is appropriate to transfer the performance based elements of the zoning requirements into a local planning policy. Decision makers will be required to have regard to local planning policies when making a determination in respect of a development proposal.

Council Policy and Legislative Compliance

This draft local planning policy has been prepared in accordance with the provisions of 'Division 2 – Local Planning Policies' under 'Part 2 – Local Planning Framework' of 'Schedule 2 – Deemed Provisions for Local Planning Schemes' of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Officer Comments

The proposed local planning policy as drafted complements the new zones that form part of LPS8 and seeks to provide adequate flexibility in both the designing and assessment of development proposals within the new zones.

Following public advertising and subsequent adoption of the local planning policy by Council, the City of Bunbury will be in a position to revoke a number of existing local planning policies which will consequently have become either outdated or been made redundant. These include:

1. Mixed Business Zone Special Development Area (Residential/Mixed Use Development) (No. 2.5); and
2. Office Use Within the Mixed Business Zone (No. 54).

Analysis of Financial and Budget Implications

There are no known financial or budget implications.

Officer Consultation

Officers from across the Sustainability, Planning and Development department have contributed to the preparation of draft Local Planning Policy: Zone Development Requirements and it has also been trialled in development assessment by the Development Assessment and Compliance Team.

Outcome of Meeting – 30 November 2017

General discussion took place in relation to this matter. It was suggested that a fourth point be added to the Executive Recommendation to ensure that relevant stakeholders are personally engaged as part of the consultation regarding this policy.

The Executive Recommendation, with the addition of a point 4 was moved by Mayor Brennan and seconded by Cr Miguel and was carried unanimously as follows:

That the Committee recommend that Council:

- 1. In accordance with clause 4 of 'Division 2 – Local Planning Policies' under 'Part 2 – Local Planning Framework' of 'Schedule 2 – Deemed provisions for local planning schemes' of the Planning and Development (Local Planning Schemes) Regulations 2015, proceed to advertise the draft Local Planning Policy: Zone Development Requirements for public comment for a period of not less than 21 days.***
- 2. Following public advertising, the draft Local Planning Policy 3: Zone Development Requirements, along with any submissions lodged with the City of Bunbury during the public advertising period, be returned to Council for further consideration.***
- 3. Note the updated Local Planning Policy Review Manual (2017) attached at Appendix 6B.***
- 4. Request the CEO to personally engage with all relevant City stakeholders regarding this policy during the advertised consultation period.***

11. Applications for Leave of Absence

Not applicable to this committee.

12. Questions from Members

12.1 Response to Previous Questions from Members taken on Notice

Nil

12.2 Questions from Members

Nil

13. Urgent Business

Nil

14. Date of Next Meeting

25 January 2018

15. Close of Meeting

The Presiding Member closed the meeting at 11.45am.