



## Policy Review and Development Committee

### Notice of Meeting and Agenda 28 February 2024

#### 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 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.*

**City of Bunbury**  
4 Stephen Street  
Bunbury WA 6230  
Western Australia  
  
*Correspondence to:*  
Post Office Box 21  
Bunbury WA 6231

## Policy Review and Development Committee Notice of Meeting

Dear Committee Members

An ordinary meeting of the Policy Review and Development Committee will be held in the Ocean Room, 2-4 Stephen Street, Bunbury on 28 February 2024 at 10.00am.

Signed:

**Greg Golinski**  
**Manager Governance**

### Agenda 28 February 2024

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.

#### *Committee Members:*

Member Name	Representing
Cr Gabi Ghasseb	City of Bunbury
Cr Karen Steele	City of Bunbury
Cr Marina Quain (Presiding Member)	City of Bunbury
Cr Cheryl Kozisek	City of Bunbury
Cr Tresslyn Smith	City of Bunbury

#### *Ex-officio Members (non-voting):*

Member Name	Representing
Mr Alan Ferris	Chief Executive Officer
Mrs Karin Strachan	Director Strategy and Organisational Performance

#### *Support Staff:*

Name	Title
Mr Greg Golinski	Manager Governance
Mrs Maureen Keegan	Senior Governance Officer

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**1. Declaration of Opening**

**2. Disclaimer**

Not applicable to this committee.

**3. Announcements from the Presiding Member**

**4. Attendances**

**4.1 Apologies**

**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 before 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.

**6. Confirmation of Minutes**

Committee Decision:                      Moved \_\_\_\_\_                      Seconded \_\_\_\_\_

The minutes of the Policy Review and Development Committee Meeting held on 29 November 2023 are confirmed as a true and accurate record.

CARRIED/LOST

**7. Method of Dealing with Agenda Business**

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## 8. Reports

### 8.1 Review of Council Policy: Self-Supporting Loans

<b>File No.</b>	COB/306						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	David Ransom, Manager Finance						
<b>Responsible Manager:</b>	David Ransom, Manager Finance						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Information Purposes</td></tr><tr><td><input type="checkbox"/> Legislative</td><td></td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes	<input type="checkbox"/> Legislative	
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<b>Attachments:</b>	Appendix 8.1-A: Council Policy Self-Supporting Loans						

#### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Self Supporting Loans. A copy of the policy is attached at appendix 8.1-A.

#### Executive Recommendation

That the Policy Review and Development Committee recommend that Council note the review of existing Council Policy Self Supporting Loans, with no changes recommended.

*Voting Requirement: Simple Majority Vote*

#### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Effectively manage the City's resources

#### Regional Impact Statement

N/A

#### Background

The Self-Supporting Loans Council Policy defines parameters by which financial assistance, in the form of self-supporting loans, to not-for-profit clubs or organisations for capital improvement works to land or buildings owned or vested in the City of Bunbury will be considered.

The policy was first adopted by Council at its Ordinary Council Meeting held 25 September 2012.

The policy was most recently presented to Council at the 22 February 2022 OCM where it was reviewed with no changes and is now due for review.

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### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

### **Legislative Compliance**

Subdivision 3 of Division 5 of Part 6 of the *Local Government Act 1995* deals with borrowings.

### **Officer Comments**

Officers have reviewed the policy and believe that the content of the current policy is appropriate and does not require amendment. A copy of the policy is attached at appendix 8.1-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Not applicable.

### **Councillor/Officer Consultation**

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

### **Applicant Consultation**

Not applicable.

### **Timeline: Council Decision Implementation**

Any revisions to the policy will take effect immediately following Council's determination.

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## 8.2 Review of Council Policy: Related Party Disclosures

<b>File Ref:</b>	COB/306						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	David Ransom, Manager Finance						
<b>Responsible Manager:</b>	David Ransom, Manager Finance						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Information Purposes</td></tr><tr><td><input checked="" type="checkbox"/> Legislative</td><td></td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes	<input checked="" type="checkbox"/> Legislative	
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<b>Attachments:</b>	Appendix 8.2-A: Council Policy Related Party Disclosures						

### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Related Party Disclosures. The policy was last reviewed in February 2022 and is now due for its biennial review.

The policy outlines the City's disclosure requirements in regard to the existence of relationships regardless of whether or not any transaction has occurred, in accordance with Australian Accounting Standards Board Accounting Standard AASB124 (Related Party Disclosures).

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Related Party Disclosures, with no changes recommended.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Effectively manage the City's resources

### Regional Impact Statement

Nil.

### Background

This policy was last reviewed in February 2022 and is now due for its biennial review.

The scope of Australian Accounting Standards Board Accounting Standard AASB124 (Related Party Disclosures) was amended in July 2015 to encompass not for profit entities including local governments. AASB124 now imposes a number of obligations upon elected members and senior City staff in relation to disclosure of their financial dealings with related parties.

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The primary objective of AASB124 is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and potential profit or loss may have been affected by the existence of related parties and their transactions.

#### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

#### **Legislative Compliance**

AASB124 imposes a number of obligations upon Elected Members and senior City staff in relation to disclosure of their financial dealings with related parties.

#### **Officer Comments**

Officers have undertaken a review of Council's current policy in this regard and do not recommend any changes, as the document is consistent with current legislative requirements.

A copy of the policy is attached at appendix 8.2-A

#### **Analysis of Financial and Budget Implications**

Nil

#### **Community Consultation**

Nil

#### **Elected Member/Officer Consultation**

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

#### **Applicant Consultation**

N/A

#### **Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.



### 8.3 Review of Council Policy: Asset Monitoring

<b>File Ref:</b>	COB/306						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	Odetta Robertson, Manager People and Safety						
<b>Responsible Manager:</b>	Odetta Robertson, Manager People and Safety						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Information Purposes</td></tr><tr><td><input type="checkbox"/> Legislative</td><td></td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes	<input type="checkbox"/> Legislative	
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<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes						
<input type="checkbox"/> Legislative							
<b>Attachments:</b>	Appendix 8.3-A: Council Policy Asset Monitoring						

#### Summary

This report is presented to Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Asset Monitoring. The policy was last reviewed in January 2022 and is now due for its biennial review.

#### Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of the Asset Monitoring Council Policy, with no changes recommended.

*Voting Requirement: Simple Majority*

#### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.3	Effectively manage the City's resources

#### Regional Impact Statement

Nil.

#### Background

This policy facilitates the protection of the City's assets and equipment, as well as assisting with the management of the City's mobile assets.

The City of Bunbury is committed to providing a safe work environment for its employees and the community in which unlawful, antisocial and inappropriate activity is kept to a minimum while respecting the individual rights of privacy.

The policy ensures that the possible use of workplace surveillance will be compliant with the requirements of relevant legislation, including the *Surveillance Device Act 1998*.

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### **Council Policy Compliance**

This report facilitates the review of an existing Council Policy.

### **Legislative Compliance**

The *Surveillance Device Act 1998* requires organisations to have in place policies prior to any surveillance activities being implemented, to ensure all affected persons (employees) are fully aware of the City's intentions in this regard.

### **Officer Comments**

Officers have undertaken a review of the current policy and do not recommend any changes as the content of the policy is considered appropriate.

A copy of the policy is attached at appendix 8.3-A.

### **Analysis of Financial and Budget Implications**

Nil

### **Community Consultation**

Nil

### **Elected Member/Officer Consultation**

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

### **Applicant Consultation**

N/A

### **Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.

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#### 8.4 Review of Council Policy: Equal Opportunity

<b>File Ref:</b>	COB/306						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	Odetta Robertson, Manager People and Safety						
<b>Responsible Manager:</b>	Odetta Robertson, Manager People and Safety						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Information Purposes</td></tr><tr><td><input checked="" type="checkbox"/> Legislative</td><td></td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes	<input checked="" type="checkbox"/> Legislative	
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<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Information Purposes						
<input checked="" type="checkbox"/> Legislative							
<b>Attachments:</b>	Appendix 8.4-A: Council Policy Equal Opportunity						

##### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Equal Opportunity. The policy was last reviewed in February 2022 and is now due for its biennial review.

##### Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of the Equal Opportunity Council Policy, with no changes recommended.

*Voting Requirement: Simple Majority*

##### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.1	Provide strong, accountable leadership and governance

##### Regional Impact Statement

Nil.

##### Background

Initially a work procedure, Council Policy Equal Opportunity was adopted by Council on 22 June 1999 and last reviewed in February 2022. The purpose of the Policy is to ensure the fair and equitable treatment of persons accessing the City of Bunbury's services/facilities (members of the public) and/or in the course of employment with the City of Bunbury.

##### Council Policy Compliance

This report facilitates the review of an existing Council Policy.

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### **Legislative Compliance**

- *Local Government Act 1995*
- *Equal Opportunity Act 1984*
- *Fair Work Act 2009 (Cth)*
- *Age Discrimination Act 2004 (Cth)*
- *Workplace Gender Equality Act 2012 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*

### **Officer Comments**

Officers have undertaken a review of the current policy and do not recommend any changes as the content of the policy is considered appropriate.

A copy of the policy is attached at appendix 8.4-A.

### **Analysis of Financial and Budget Implications**

The Policy will not have any impact on the budget.

### **Community Consultation**

Nil

### **Elected Member/Officer Consultation**

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

### **Applicant Consultation**

N/A

### **Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.

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## 8.5 Review of Council Policy: Recognition of Employee Service Upon Retirement or Resignation

<b>File Ref:</b>	COB/306						
<b>Applicant/Proponent:</b>	Internal						
<b>Responsible Officer:</b>	Odetta Robertson Manager People and Safety						
<b>Responsible Manager:</b>	Odetta Robertson Manager People and Safety						
<b>Executive:</b>	Karin Strachan, Director Strategy and Organisational Performance						
<b>Authority/Discretion</b>	<table><tr><td><input type="checkbox"/> Advocacy</td><td><input type="checkbox"/> Review</td></tr><tr><td><input checked="" type="checkbox"/> Executive/Strategic</td><td><input type="checkbox"/> Quasi-Judicial</td></tr><tr><td><input type="checkbox"/> Legislative</td><td><input type="checkbox"/> Information Purposes</td></tr></table>	<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review	<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial	<input type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes
<input type="checkbox"/> Advocacy	<input type="checkbox"/> Review						
<input checked="" type="checkbox"/> Executive/Strategic	<input type="checkbox"/> Quasi-Judicial						
<input type="checkbox"/> Legislative	<input type="checkbox"/> Information Purposes						
<b>Attachments:</b>	Appendix 8.5 -A: Council Policy Recognition of Employee Service Upon Retirement or Resignation						

### Summary

This report is presented to the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Recognition of Employee Service Upon Retirement or Resignation. The policy was last reviewed in February 2022 and is now due for its biennial review.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council notes the review of Council Policy Recognition of Employee Service Upon Retirement or Resignation, with no changes recommended.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar	Performance
Aspiration	Leading with purpose and robust governance
Outcome 13	A leading local government
Objective 13.1	Provide strong, accountable leadership and governance

### Regional Impact Statement

Nil.

### Background

This policy was last reviewed in February 2022 and is now due for its biennial review.

### Council Policy Compliance

This report facilitates the review of an existing Council Policy.

### Legislative Compliance

Section 5.50 of the *Local Government Act 1995* requires a local government to have in place a policy in relation to employees whose employment with the local government is finishing, setting

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out the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee, and the manner of assessment of the additional amount.

**Officer Comments**

Officers have undertaken a review of the Policy as presented at Appendix 8.5-A and suggest that the content of the current policy is appropriate and does not require amendment. The policy remains consistent with the wording contained in legislation.

**Analysis of Financial and Budget Implications**

Any payments made will be from existing budget lines for this purpose.

**Community Consultation**

Nil

**Elected Member/Officer Consultation**

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

**Applicant Consultation**

N/A

**Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.

## 8.6 Review of Council Policy: Local Opportunities at City Run Events

<b>File Ref:</b>	COB/306
<b>Applicant/Proponent:</b>	Internal
<b>Responsible Officer:</b>	Elizabeth Denniss, Manager Community Connection
<b>Responsible Manager:</b>	Elizabeth Denniss, Manager Community Connection
<b>Executive:</b>	David Russell, A/Director Sustainable Communities
<b>Authority/Discretion</b>	<div><input type="checkbox"/> Advocacy <input type="checkbox"/> Quasi-Judicial</div> <div><input checked="" type="checkbox"/> Executive/Strategic <input type="checkbox"/> Information Purposes</div> <div><input type="checkbox"/> Legislative</div>
<b>Attachments:</b>	Appendix 8.6-A: Revised Council Policy Local Opportunities at City Run Events

### Summary

This report is presented to Council by the Policy Review and Development Committee (PRDC) to facilitate a review of current Council Policy Local Opportunities at City-Run Events. The policy was last reviewed by Council in February 2022.

A copy of the revised policy is at Appendix 8.6-A.

### Executive Recommendation

That the Policy Review and Development Committee recommend that Council adopted the revised Council Policy Local Opportunities at City-Run Events as presented at Appendix 8.6-A.

*Voting Requirement: Simple Majority*

### Strategic Relevance

Pillar	People
Aspiration	A safe, healthy and connected community
Outcome	A growing hub of culture and creativity.
Objective	Grow participation in arts, culture and community events.

### Regional Impact Statement

The policy prioritises opportunities for Bunbury Geographe-based vendors and performers at City-run events.

### Background

This policy was adopted by Council in May 2019 as a recommendation by the then Bunbury Event Advisory Group, as a mechanism to prioritise opportunities for Bunbury Geographe-based vendors and performers at City-run events. The Policy was last reviewed in February 2022 with no changes.

### Council Policy Compliance

This report facilitates the review of an existing Council Policy.

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**Legislative Compliance**

Nil

**Officer Comments**

Officers have undertaken a review of the Policy as presented at Appendix 8.6-A and suggest that the content of the current policy is appropriate and does not require amendment. The policy remains consistent with the wording contained in legislation.

**Analysis of Financial and Budget Implications**

Nil

**Community Consultation**

Nil

**Elected Member/Officer Consultation**

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

**Applicant Consultation**

N/A

**Timeline: Council Decision Implementation**

Immediate once Council have endorsed the recommendation.

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**9. Questions from Members**

**9.1 Response to Previous Questions from Members taken on Notice**

Nil

**9.2 Questions from Members**

**10. Urgent Business**

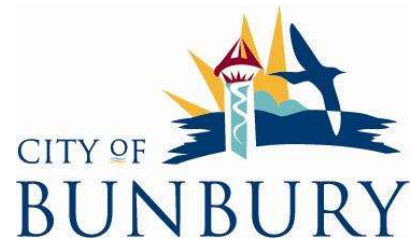
**11. Date of Next Meeting**

The next PRDC meeting is schedule for Wednesday, 24 April 2024.

**12. Close of Meeting**

The Presiding Member closed the meeting at \_\_\_\_\_.

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# SELF-SUPPORTING LOANS COUNCIL POLICY

## POLICY STATEMENT

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This Policy defines parameters by which financial assistance, in the form of self-supporting loans, to not-for-profit clubs or organisations for capital improvement works to land or buildings owned or vested in the City of Bunbury will be considered.

## POLICY SCOPE

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This policy applies to: Not for Profit Clubs and Organisations

## POLICY DETAILS

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Council in general, will only consider approving a self-supporting loan to a maximum of \$250,000 for any one applicant (including existing borrowings by the Applicant), under the following circumstances:

1. Where the level of consolidated self-supporting assistance by Council to clubs or organisations does not exceed an annual repayment of more than 1% of rating income. This is to ensure that Council maintains the capacity to borrow funds for its own programmes; and
2. When the club or organisation can adequately demonstrate, through the provision of forward financial plans covering the life of the loan, a capacity to meet loan repayments; however

Council may consider applications up to \$400,000 in or for exceptional circumstances or purposes.

## POLICY PROCEDURE

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Organisations seeking assistance from Council to raise a self- supporting loan shall:

- be an incorporated body;
- provide a copy of the last three years' audited financial statements;
- agree to enter into a Deed of Agreement for the period of the loan repayments;
- provide whatever security or guarantees that Council considers appropriate to ensure the loan is repaid;
- insure and keep premises insured where the premises are security over repayment of a loan;
- pay all costs associated with the preparation and stamping of legal documents relating to the raising of the loan;
- provide a copy of the minutes from a legally constituted meeting of the organisation showing the formal resolution agreeing to the raising of the loan;
- provide any other information that Council requires.

The process for requesting a self-supporting loan is as follows:

1. The organisation seeking funding is to make written application to the Chief Executive Officer, and include in its submission the following information:
  - purpose for which the borrowings will be used;
  - total project budget;
  - quotes to undertake the work;
  - amount to be borrowed;
  - source of other funds ie. grants, donations, funds on hand etc;
  - term of the loan;
  - a copy of the last three years' audited financial statements;
  - commitment to provide loan guarantors for the full amount (note that you may wish to request Council grant an exemption from this requirement in the application);
  - provide a copy of the minutes from a legally constituted meeting of the organisation showing the formal resolution agreeing to the raising of the loan; and
  - any other information that may be useful in assisting Council to make an informed decision.
2. Officers will assess the application and prepare an agenda item for Council consideration. The applicant may, if it wishes, address Council in relation to its application.
3. Following Council approval, the City of Bunbury is required to advertise the proposed loan pursuant to section 6.20(2) of the *Local Government Act 1995* (if not included in the annual budget).
4. One month local public notice of the proposed loan is required.
5. If no submissions are received, the loan documents are prepared.
6. Loan guarantees are received from the requesting organisation.
7. Signed Deed of Loan document returned to Council.
8. Funding is provided.

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## COMPLIANCE REQUIREMENTS

### LEGISLATION

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*

### INDUSTRY

### ORGANISATIONAL

Document Control						
Document Responsibilities:						
Owner:	Director Strategy and Organisational Performance		Owner Business Unit:	Manager Finance		
Reviewer:	Manager Finance		Decision Maker:	Council		
Document Management:						
Adoption Details	Res 278/12 25 September 2012 –		Review Frequency:	biennial	Next Due:	2024
Review Version	Decision Reference:		Synopsis:			
DOC/424638[v2]	Council Decision 039/22 22 February 2022		Reviewed with no changes.			
DOC/424638[v2]	Council Decision 049/20 17 March 2020		Consolidate policies and corporate guidelines in accordance with revised Policy Framework.			
DOC/424638[v1]	Council Decision 213/19 23 July 2019		Reviewed			
<a href="#">CP-026039</a>	Res 176/1716 May 2017 -		Reviewed with no changes			
	Res 232/157 July 2015 –		Reviewed			
Date Printed	16 February 2024					

## APPENDIX 8.2-A RELATED PARTY DISCLOSURES COUNCIL POLICY

### POLICY STATEMENT

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To define the parameters for Related Party Relationships and the level of disclosure and reporting required for the City to achieve compliance with the Australian Accounting Standard AASB 124 – Related Party Disclosures

### POLICY SCOPE

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Under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, all local governments in Western Australia must produce annual financial statements that comply with Australian Accounting Standards.

The Australian Accounting Standards Board has determined that from 1 July 2016, AASB 124 (Related Party Disclosures) will apply to government entities, including local governments. The City is now required to disclose Related Party Relationships and Key Management Personnel compensation in its Annual Financial Statements.

This Policy provides guidance on:

- the identification of the City's related parties;
- management of related party transactions;
- recording such transactions; and
- disclosure of the transactions in the City of Bunbury annual financial statements in accordance with AASB 124;

And addresses the four (4) different types of related party that must be considered by the City:

1. Entities related to the City;
2. Key Management Personnel;
3. Close family members of Key Management Personnel; and
4. Entities that are controlled or jointly controlled by either 2 or 3 above.

#### *Entity*

Can include a body corporate, a partnership or a trust, incorporated, or unincorporated group or body.

#### *Entity Related to a KMP*

Related Entities to Key Management Personnel are entities that are:

- \*controlled or jointly controlled by a KMP;
- apart from Council, where a KMP has significant influence over, or is a member of the key management personnel of the entity or parent of the entity; or

- controlled or jointly controlled by a close family member of a KMP of the City.

\*A person or entity is deemed to have *control* if they have:

- power over the entity;
- exposure, or rights, to variable returns from involvement with the entity; or
- the ability to use power over the entity to affect the amount of returns.

To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

#### *Entity Related to the City*

This includes any entity that is either controlled, jointly controlled or over which the City has a significant influence. A person or entity is a Related Party of the City if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which the City is part of;
- they and the City are joint ventures of the same third party;
- they are part of a joint venture of a third party and the City is an associate of the third party;
- they are a post-employment benefit plan for the benefit of employees of either the City or an entity related to the City;
- they are controlled or jointly controlled by close family members of the family of a KMP;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of the City; or
- they, or any member of a group of which they are a part, provide KMP services to the City.

#### *Key Management Personnel (KMP)*

AASB 124 defines KMP as “those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity”.

Key Management Personnel for the City of Bunbury are:

- Elected Members; and
- persons employed under s5.36 of the *Local Government Act 1995* in the capacity of Chief Executive Officer or Director.

#### **DEFINITIONS:**

Australian Accounting Standards Board, Related Party Disclosures Standard 124

#### *Close family members of Key Management Personnel (KMP)*

Those family members who may be expected to influence, or be influenced by, that KMP in their dealings with the City of Bunbury and include:

- the KMP’s children, and spouse or domestic partner;
- children of that KMP’s spouse or domestic partner; and
- dependants of the KMP or the KMP’s spouse or domestic partner.

#### *Material (materiality)*

Means the assessment of whether a transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis of an entity's financial

statements. For the purpose of this Policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

#### *Ordinary Citizen Transaction*

A transaction that an ordinary member of the community would undertake in the ordinary course of business with the City of Bunbury.

#### *Related Party*

A person or entity that is related to the entity preparing its financial statements.

#### *Related Party Transaction*

A transfer of resources, services or obligations between the City of Bunbury and a related party, regardless of whether a price is charged.

#### *Significant (significance)*

Likely to influence the decisions that users of the City's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the City and related party outside a public service provider/ taxpayer relationship.

## **POLICY DETAILS**

### **1. Key Management Personnel (KMP)**

All Key Management Personnel (KMP) are responsible for assessing and disclosing their own, their close family members' and their related entities' relationship with the City. All related parties must be included in the self-assessment. A disclosure form is provided on the 'attain' website for electronic lodgement.

### **2. Related Party Transactions**

#### **2.1 Ordinary Citizen Transaction**

For the purpose of this Policy, an Ordinary Citizen Transaction is one that occurs between the City and KMP and/or related parties which satisfy the following criteria. The transaction must:

- occur during the normal course of the City delivering its public service goals;
- be under the same terms that would be available to a member of the community; and
- belong to a class of transaction that an ordinary member of the community would normally transact with the City.

This includes for example facility hire, and the payment of rates and dog registrations.

There is no obligation to disclose Ordinary Citizen Transactions.

Transactions between the City and Related Parties that would normally be considered Ordinary Citizen Transactions but where the terms and conditions differ from normal practice however, must be disclosed.

#### **2.2 Non-ordinary Citizen Transactions**

All related party transactions that do not satisfy the definition of an Ordinary Citizen Transaction (as per 2.1) must be disclosed in accordance with AASB 124.



The following are examples of transactions that must be disclosed if they are with a related party and are not an Ordinary Citizen Transaction:

- purchases of sales or goods (finished or unfinished);
- purchases or sales of property or other assets;
- rendering or receiving services;
- leases;
- transfers of research and development;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or kind);
- provisions of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future, including execution of contracts (recognised or unrecognised); and
- settlement of liabilities on behalf of the City or by the City on behalf of the related party.

### **3. Disclosure of Information**

#### **3.1 City disclosure**

AASB 124 provides that the City must disclose the following financial information in its financial statements for each financial year period:

- the nature of any related party relationships;
- the amount of the transactions;
- the amount of outstanding balances, including commitments, including:
  - (i) their terms and conditions, whether they are secured, and the nature of the consideration to be provided in settlement; and
  - (ii) details of any guarantees given or received;
- provisions for doubtful debts related to the amount of outstanding balances; and
- the expense recognised during the period in respect of bad or doubtful debts due from related parties.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- significance of transaction in terms of size;
- whether the transaction was carried out on non-market terms;
- whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;
- whether the transaction is disclosed to regulatory or supervisory authorities;
- whether the transaction has been reported to senior management; and
- whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

All transactions involving related parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions (OCTs), and to determine the significance of each of the transactions.

### **3.2 Key Management Personnel disclosure**

In accordance with this Policy, KMP must provide a Related Party Disclosure in the form set out on the 'attain' website each year, no later than 31 July for the previous financial year.

## **4. Review of Related Parties**

A review of KMP's and their related parties will be completed every year. Particular events, such as a change of Elected Members, Chief Executive Officer or Directors or a corporate restructure will also trigger a review of the City's related parties immediately following such an event.

The Chief Executive Officer shall implement a suitable system to identify related parties. The primary identification method of close family members and associated entities of Key Management Personnel shall be by (but not limited to) KMP self-assessment. KMP have a responsibility to identify and report any changes to their related parties as they occur.

The Chief Executive Officer shall identify suitable methodology and procedures for identifying and reporting on related party transactions such that accurate data will be collated from 01 July 2017. Identification and reporting methods shall consider:

- transactions occurring via the City's accounting and electronic records management systems;
- other transactions not passing through the City's electronic accounting / management systems;
- the identification of the associated terms and conditions of the related party transactions;
- declarations in the Financial Interests Register; and
- information provided in Primary and Annual Returns.

If any elected member or employee believes a transaction may constitute a related party transaction they must notify the Chief Executive Officer who will, in consultation with the Director Strategy and Organisational Performance, make a determination on the matter.

## **5. Privacy & Confidentiality**

### **5.1 Access to information**

The following persons are permitted to access, use and disclose the information provided in a related party disclosure or contained in a register of related party transactions for the purposes of 5.2.

- the Chief Executive Officer;
- Director Strategy and Organisational Performance;
- Manager Finance;
- An Auditor from the WA Auditor General's Office or appointed representative; and
- other officers as determined by the Chief Executive Officer.

### **5.2 Permitted purposes**

Persons specified in 5.1 may access, use and disclose information in a related party disclosure or contained in a register of related party transactions for the following purposes:

- assess and verify the disclosed related party transaction;
- reconcile identified related party transactions against those disclosed in the related party disclosure or contained in a register of related party transactions;
- comply with the disclosure requirements of AASB 124; or
- verify compliance with the disclosure requirements of AASB 124.

### 5.3 Confidentiality

The following information is classified as confidential and is not available for inspection by or disclosure to the public:

- information (including personal information) provided by a KMP in a related party disclosure; and
- personal information contained in a register of related party transactions.

## COMPLIANCE REQUIREMENTS

### LEGISLATION

- *Local Government Act 1995*
- *Australian Accounting Standards*

### INDUSTRY

- *AASB 124 Related Party Disclosures*
- *AASB 10 Consolidated Financial Statement*
- *AASB 11 Joint Arrangements*
- *AASB 128 Investments in Associates and Joint Ventures*

### ORGANISATIONAL

- *City of Bunbury Employee Code of Conduct*

Document Control					
Document Responsibilities:					
Owner:	Manager Finance		Owner Business Unit:	Manager Finance	
Reviewer:	Manager Finance		Decision Maker:	Council	
Document Management:					
Adoption Details	Res 275/17 25 July 2017		Review Frequency:	biennial	Next Due: 2024
Review Version	Decision Reference:		Synopsis:		
DOC/440996[v2.1]	Council Decision 038/22 22 February 2022		Reviewed with no changes.		
DOC/440996[v2]	Council Decision 252/19 17 September 2019		Reviewed with administrative changes		
Date Printed	16/02/2024		Page 5 of 5		

## Appendix 8.3-A



# ASSET MONITORING COUNCIL POLICY

## POLICY STATEMENT

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Surveillance may be deployed within the workplace in order to protect the assets and equipment of the City of Bunbury and improve community and employee safety and to assist in planning and management of mobile plant and equipment.

## POLICY SCOPE

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This policy outlines the development of workplace surveillance in the City of Bunbury.

### **The City of Bunbury Commitment:**

The City of Bunbury is committed to providing a safe environment for its employees and the community in which unlawful, antisocial and inappropriate activity is kept to a minimum while respecting the individual rights of privacy. The City of Bunbury will ensure that the use of workplace surveillance complies with the requirements of the relevant legislation including the Surveillance Devices Act 1998 (WA)

## POLICY DETAILS

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### **Electronic Surveillance Devices**

The City of Bunbury may deploy electronic surveillance devices to protect assets, equipment and people through the recording of unauthorised, unlawful, inappropriate or dangerous activity/incidents.

The City of Bunbury may deploy fixed and mobile cameras (of either motion/CCTV or still variety) in areas where assets or equipment are stored or commonly used, or in high risk work areas. Cameras may be placed in, around, or to view fixed or mobile locations.

Cameras should be placed in unobtrusive positions covering the area to be protected.

Cameras must not be placed inside toilets or change rooms, residences, or in such as positions as to view these premises.

The City of Bunbury will erect signs to inform employees and community members that cameras are in use.

Global Positioning System (GPS) devices may be utilised in vehicles or equipment where the operator is often required to work alone, where there is risks associated with the task being carried out by an employee or where the City of Bunbury has a need to monitor and protect that vehicle or equipment.

### **Staff Management:**

The City of Bunbury will not deploy workplace surveillance for the general management of the City of Bunbury employee's. However, if any workplace surveillance demonstrates an employee acting in an

antisocial, inappropriate or unlawful manner, the City of Bunbury may use this information for disciplinary or other appropriate action.

### Review and Retention

Images that indicate unauthorised or inappropriate activity, either through a record of that activity or due to interference with the camera, are to be referred to the Chief Executive Officer. The Chief Executive Officer will retain the images and any associated information in a secure, confidential location.

### Consequences of Breaching this Policy

Any person engaged by the City of Bunbury found to have breached this policy may be subject to disciplinary action or dismissal, as appropriate. Criminal charges may also be applied, where appropriate.

### Variation to this Policy

This policy may be cancelled or varied from time to time. All employees will be notified of any variation to this policy by correspondence.

## COMPLIANCE REQUIREMENTS

### LEGISLATION

- *Surveillance Devices Act 1998 (WA)*

### INDUSTRY

### ORGANISATIONAL

- *City of Bunbury Employee Code of Conduct*

Document Control					
Document Responsibilities:					
Owner:	Chief Executive Officer		Owner Business Unit:	Manager People and Safety	
Reviewer:	Manager People and Safety		Decision Maker:	Council	
Document Management:					
Adoption Details	Res 07/15 20 January 2015		Review Frequency:	biennial	Next Due: 2024
Review Version	Decision Reference:		Synopsis:		
DOC/455510[v1]	Council Decision 034/22 22 February 2022		Reviewed with no changes.		
DOC/455510[v1]			Converted from Mydocs to CM9		
<a href="#">CP-026747</a> v2.0	Res 131/19 28 May 2019		Reviewed and amended		
<a href="#">CP-026747</a> v1.0	Res 103/17 21 March 2017				
Date Printed	16 February 2024				

## EQUAL OPPORTUNITY COUNCIL POLICY

### POLICY STATEMENT

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To ensure the fair and equitable treatment of persons accessing the City of Bunbury's services / facilities (members of the public) and/or in the course of employment (employees) with the City of Bunbury

### POLICY SCOPE

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This policy applies to: City of Bunbury Staff

### POLICY DETAILS

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The City of Bunbury values an open and inclusive workforce with a focus on fairness and equity for employees and the community. The City has a commitment to Equal Opportunity (EO) under the obligations of the *Equal Opportunity Act 1984*. This commitment is reflected by the integration of the principles of EO into the City's Strategic Community Plan Code of Conduct, Management Policies and work practices.

The City's Equal Opportunity Management Plan will inform the direction, actions and training required under legislation for all City employees.

### COMPLIANCE REQUIREMENTS

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#### LEGISLATION

- *Local Government Act 1995*
- *Equal Opportunity Act 1984*
- *Fair Work Act 2009 (Cth)*
- *Age Discrimination Act 2004 (Cth)*
- *Workplace Gender Equality Act 2012 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*

#### INDUSTRY

#### ORGANISATIONAL

- *City of Bunbury City Strategic Community Plan*
- *City of Bunbury Code of Conduct*
- *City of Bunbury Employee Relations Management Policy*
- *City of Bunbury Equal Opportunity Management Plan*

Document Control					
Document Responsibilities:					
Owner:	Chief Executive Officer	Owner Business Unit:	Manager People and Safety		
Reviewer:	Manager People and Safety	Decision Maker:	Council		
Document Management:					
Adoption Details	Res 332/99 22 June 1999	Review Frequency:	biennial	Next Due:	2024
Review Version	Decision Reference:	Synopsis:			
DOC/455718[v2]	Council Decision 035/22 22 February 2022	Reviewed with minor amendments			
DOC/455718[v1]		Migrated from Mydocs to CM9			
<a href="#">CP-028894 v2</a>	Res 130/19 28 May 2019	Reviewed and amended			
<a href="#">CP-028894</a>	Res 96/17 21 March 2017	Reviewed and amended			
	Res 143/15 12 May 2016				
	Res 121/10 29 June 2010	Reviewed			
Date Printed	16/02/2024				

## RECOGNITION OF EMPLOYEE SERVICE UPON RETIREMENT OR RESIGNATION COUNCIL POLICY

### POLICY STATEMENT

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This policy establishes guidelines and outlines the circumstances in which, employees may be formally recognised and Gratuity Payments made, in accordance with Section 5.50 of the *Local Government Act 1995* (the Act).

### POLICY SCOPE

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This policy applies to: City of Bunbury employees

### POLICY DETAILS

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A Gratuity Payment, when made, is in addition to any amount that the employee is entitled to under a Contract of Employment, Enterprise Agreement or Award. This Policy acts as a standalone document. Contractual entitlements are as per the employees Letter of Offer.

The City of Bunbury recognises the service provided:

- By employees with 20 or more years continuous service, or
- By other employees who in the judgement of the CEO, have made a significant and valuable contribution to the organisation over a period less than 20 years continuously.

To show appreciation and give formal recognition to employees who have made extended or otherwise valuable contribution to the community, the Council and to promote positive workplace relations.

#### POLICY DETAILS:

The value of a payment or payments made under section 5.50(1) and (2) of the Act to an employee whose employment with Council finishes after 1 January 2010 will be made in accordance with Regulation 19A and is not to exceed in total:

- (a) The value of a person's final remuneration, if the person:
- Accepts voluntary severance by resigning as an employee; and
  - Is not a CEO or a senior employee whose employment is governed by a written contract in accordance with section 5.39

Or

- (b) In all other cases, \$5000.00



## Special Circumstances

If special circumstances warrant, Council may at any time give consideration for a gratuity that is additional to that set out in this policy. In this instance public notice will be given of the additional gratuity.

## COMPLIANCE REQUIREMENTS

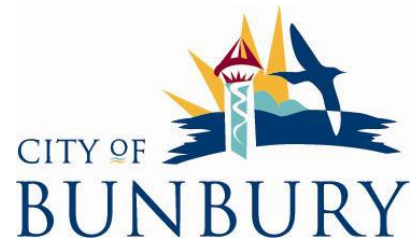
### LEGISLATION

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*

### INDUSTRY

### ORGANISATIONAL

Document Control					
Document Responsibilities:					
Owner:	Manager People and Safety	Owner Business Unit:	Manager People and Safety		
Reviewer:	Manager People and Safety	Decision Maker:	Council		
Document Management:					
Adoption Details	Res 332/99 22 June 1999 –	Review Frequency:	biennial	Next Due:	2024
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DOC/424593[v1]	Council Decision 036/22 22 February 2022	Reviewed with no changes			
DOC/424593[v1]	Council Decision 211/19 23 July 2019	Reviewed			
<a href="#">CP-028896</a>	Res 174/17 16 May 2017	Reviewed and amended			
	Res 145/15 12 May 2015	Reviewed			
	Res 121/10 29 June 2010	Reviewed			
Date Printed	16 February 2024				



# **LOCAL OPPORTUNITIES AT CITY-RUN EVENTS**

## **COUNCIL POLICY**

### **POLICY STATEMENT**

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To ensure that Council provides opportunities for Bunbury Geopraphe-based vendors and performers at City-run events.

### **POLICY SCOPE**

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This policy applies to: City of Bunbury staff, event vendors, event performers

### **POLICY DETAILS**

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The City of Bunbury delivers a small number of community events each year including its flagship Christmas in the City and Skyfest Australia Day Celebrations.

In order to support locally-run businesses, at each City-run event food vendors and stall holders registered in the Bunbury Geopraphe region and then the City of Bunbury will be prioritised by way of one and two extra points respectively in the application scoring matrix, which is set up to ensure the quality and diversity of food and retail options at events.

In addition, food vendors and stall holders registered in the Bunbury Geopraphe region will receive a 20% discount on applicable fees and charges, non-inclusive of power costs, as listed in the City's annual Fees & Charges.

In order to support local Bunbury Geopraphe-based performers at City-run events, staff will endeavour to secure high-quality performers from the region where possible, without compromising the quality, diversity and appealing nature of the event.

City Officers reserve the right to decline applications dependent on the previous behaviour and/ or reliability of vendors. City Officers reserve the right to allot event spaces to successful vendors as needed to suit the event format.

### **COMPLIANCE REQUIREMENTS**

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#### **LEGISLATION**

#### **INDUSTRY**

## ORGANISATIONAL

City of Bunbury adopted Fees and Charges

Document Control					
Document Responsibilities:					
Owner:	Chief Executive Officer		Owner Business Unit:	Manager Community Services	
Reviewer:	Team Leader Community Partnerships		Decision Maker:	Council	
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DOC/455726[v2]	Council Decision 046/22 22 February 2022		Reviewed with minor additions.		
DOC/455726[v1]					
<a href="#">CP-044921</a> v0.1					
Date Printed					