



# Policy Manual

## Elected Members and Public

Updated 13 September 2023

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# 1. Legislative Policies

## 1.1 Code of Conduct

### Objective

The objective of the Code of Conduct is to set out the standards of ethical and professional behaviour expected of the elected members, committee members and employees.

### Scope

This policy applies to the elected members, committee members and employees of the City of Subiaco.

### Policy

Every local government is to prepare and adopt a code of conduct to be observed by elected members, committee members and employees (*Local Government Act 1995* s 5.103(1)).

The City of Subiaco is committed to the highest standards of conduct and integrity on the part of elected members, committee members and employees. To achieve this, elected members, committee members and employees must:

- Conduct themselves with integrity;
- Act fairly and honestly;
- Avoid placing themselves in disputations which may result in divided loyalties;
- Treat each other with dignity and respect;
- Use the city's resources responsibly and in the best interests of the City of Subiaco;
- Be responsible for their actions and accountable for their consequences; and
- Communicate with each other in a respectful and honest manner, recognising the obligations and limits of their respective roles.

### Related Sources

- City of Subiaco Code of Conduct
- City of Subiaco Customer Service Charter
- *Local Government (Administration) Regulations 1996*
- *Local Government (Rules of Conduct) Regulations 2007*
- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	

## 1.2 Elections

### Objective

The objective of this policy is to support voter participation at local government elections by actively encouraging and assisting all eligible electors to enrol and vote.

### Scope

This policy applies to elected members, electors and employees of the city.

### Policy

All Local Government Ordinary and Extraordinary Elections shall be conducted by the West Australian Electoral Commission by postal vote, unless the council resolves that there are extenuating or special circumstances which precludes this.

The City of Subiaco is committed to improving voter participation at local government elections by actively encouraging and assisting all eligible electors to enrol and vote.

To give effect to this policy the city aims to:

- Promote local government elections through a comprehensive advertising campaign.
- Encourage and assist in enrolments by eligible electors.
- Notify occupiers and nominees of occupiers when their enrolment eligibility has expired.
- Compare the commercial properties from the rates database with the owners occupiers roll to identify properties not represented on the roll.
- Survey properties identified above to determine occupancy and write to the occupants encouraging enrolment.
- Measure the number of enrolments and re-enrolments.

### Related Sources

- Local Government Act 1995
- Local Government (Elections) Regulations 1997

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Services Office of the CEO	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

### 1.3 Appointment of Auditors

#### Objective

To promote good governance, openness and accountability in the city's auditing functions.

#### Scope

This policy applies to elected members and employees of the city.

#### Policy

The City of Subiaco is committed to openness and accountability in the purchasing of professional services. The audit functions both internal and external are regarded as integral to the good governance of the city's administration and best delivered by external providers.

To give effect to the policy the city aims to:

- Have different providers of external and internal audit services; and
- Limit the internal audit contracts to two three year contracts after which new tenders are to be called.

All other things being equal it is the view of Council that the city is best served by changing the providers of auditing services after a set period to promote a fresh view of city operations.

#### Related Sources

- Local Government Act 1995
- Local Government (Audit) Regulations 1996

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Services	
Council Adoption	Meeting Date	Tuesday 27 February 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## **1.4 Interim and Proportionate Valuations**

### **Policy Statement**

The City of Subiaco adjusts rates levied to reflect interim valuations provided by the Valuer General's Office.

### **Policy Application**

Subject to Section 6.28 of the *Local Government Act 1995* and in respect of valuations supplied by the Valuer General for the purposes of interim valuations and proportionate valuations, the City will back-rate or refund rates to property owners where ownership:

- has not changed in a prior financial year to the effective date of the change as determined by the Valuer General, or
- has changed in a prior financial year to the date of change of ownership.

For the purposes of this policy, a change in ownership does not occur where there is a change in the structure of a body corporate (including name change) resulting in the change having no effect on altering the effectual control of the company.

## **1.5 Disposal of Assets**

### **Policy Statement**

The City will dispose of its assets in accordance with Section 3.58 of the *Local Government Act 1995*, the procedure for which is detailed as follows:

Generally at public auction but can also be disposed of;

- By sale to the highest tenderer;
- By sale by private treaty, providing the procedure detailed in Section 3.58 (3) of the Local Government Act 1995 is followed, which includes local public notice of the proposed disposal, inviting public submissions on the proposed disposal, and the proposed sale price and valuations of the property concerned.

Section 3.58(5) of the *Local Government Act 1995* and Regulation 30 of the Local Government (Functions and General) Regulations 1996 do not require disposal of property by the procedure detailed above where:

- it is a disposition of land under Sections 29 or 29B of the Public Works Act 1902
- it is a disposition of property undertaken in the normal course of a trading undertaking by the City
- anything that the City provides to a particular person, for a fee or otherwise in the performance of a function that the City has under any written law, including hall hire fees and the like
- sales of machinery or equipment with an individual value of less than \$20,000, at the City of Subiaco, which shall be done by public auction
- sales of land with the value of less than \$5,000, and only to adjoining landowners
- leases to community and sporting organisations
- the leasing of land for a period of less than 2 years during all or any of which the time the lease does not give the lessee the exclusive use of the land, and
- other uses as prescribed under Regulation 30 of the Local Government (Functions and General) Regulations 1996.



## **1.6 Financial Reporting Compliance**

### **Policy Statement**

The City of Subiaco complies with the provisions of the Australian Accounting Standard AASB and *Australian Equivalents to International Financial Reporting Standards (AIFRS)*.

### **Policy Application**

The City will achieve this by ensuring that:

- An Income Statement reporting revenue and expenditure by Nature/Type as per AASB 101 in the annual financial report; and
- An Income Statement reporting revenue and expenditure by Program as per Local Government Financial Management regulations 1996.
- Revenue and expenditure continue to be reported to Council on a monthly basis by function/activity at program level.
- The amount allocated to the various reserves is supported by actual funds in the bank (cash backed).
- The amounts allocated to reserves are held in a separate bank account.
- Interest earned on cash held in reserve funds is allocated to the individual reserves.
- Amounts set aside in reserves are not used for any purpose other than the purpose for which the reserve was created.
- The significant accounting policies as adopted by Council as part of the annual financial statements are complied with.

## 1.7 Investment Policy

### 1. Objective

This Policy prescribes the parameters within which the City will invest its Short-Term Funds and its Long-Term Funds.

### 2. Scope

This Policy applies to employees, elected members and contractors of the City.

### 3. Overview

#### 3.1 Funds

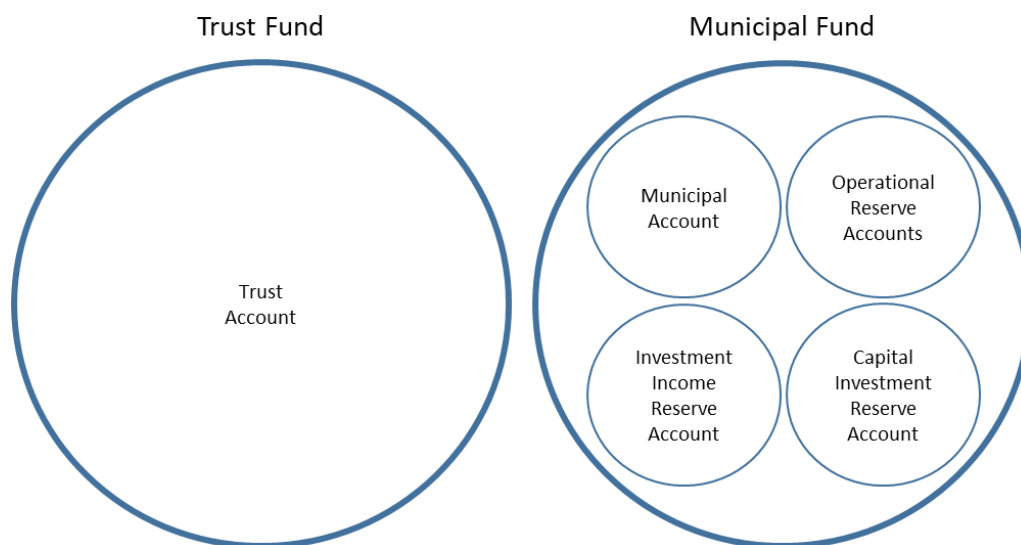
The City has a:

- municipal fund; and
- a trust fund

#### 3.2 Accounts

The City maintains a separate account for:

- money required to be held in the municipal fund (other than money held in reserve accounts);
- money required to be held in the trust fund; and
- money required to be held in reserve accounts.



#### 3.3 Power to invest Short-Term Funds

The City will invest funds held in the:

- municipal fund (including money held in reserve accounts); and
- the trust fund,

that are not, for the next 30 days, required for any other purpose ("**Short-Term Funds**") in accordance with this Policy.

### 3.4 Power to invest Short-Term Funds

The City will invest funds held in the Capital Investment Reserve that are not, for the next 7 years, required for any other purpose (“**Long-Term Funds**”) in accordance with this Policy.

### 3.5 Short-Term Funds

The City will only invest Short-Term Funds in defensive investments.

### 3.6 Long-Term Funds

The City will invest Long-Term Funds in a mixture of defensive investments and growth investments.

## 4. Standard of care required

In managing the Funds, the City will exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

## 5. Key duties

In managing the Funds, the City will:

- exercise its powers of investment in the best interests of all present and future residents and ratepayers (“**Beneficiaries**”);
- act impartially towards Beneficiaries and between different classes of Beneficiaries; and
- take advice.

## 6. Defensive v Growth investments

	Defensive investments	Growth investments
Description	Defensive investments are lower risk investments. They aim to generate income and protect the capital invested. Unless otherwise resolved by Council, the City will not deposit more than 30% of its defensive investments with a single ADI.	Growth investments are higher risk and offer a higher potential return compared to defensive investments. They aim to generate capital growth and some provide income (e.g. dividends). However, the price of growth investments can be volatile over short periods of time.
Responsible	The Finance Branch is responsible for the City's defensive investments.	The Commercial Services Branch is responsible for the City's growth investments.

## 7. Prohibited investments

The City will not invest the Funds in a manner which is:

- prohibited by law; or
- Speculative or Hazardous.

## 8. Permissible investments

The City may invest in permissible investments, provided that they are not prohibited investments.

## 8.1 Overview

The following investments are permissible investments.

Defensive investments	Growth investments
Cash	Commercial property
Fixed-term deposits	Australian listed shares
Bonds	International listed shares
	Managed funds

## 8.2 Cash

The City may invest in cash:

- with an ADI with a S&P credit rating of AA- or greater; and
- with the Western Australian Treasury Corporation.

## 8.3 Fixed-term deposits

The City may invest in fixed-term deposits:

- where the term to maturity is less than 12 months, with an ADI with a S&P credit rating of A-2 or greater;
- where the term to maturity is 12 months or more, with an ADI with a S&P credit rating of AA- or greater; or
- with the Western Australian Treasury Corporation, for a fixed term of no more than 3 years.

## 8.4 Bonds

The City may invest in bonds guaranteed by:

- the Commonwealth Government; or
- a State or Territory government,

with a term to maturity of no more than 3 years.

## 9. Preference toward fossil-fuel free investments

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When investing in cash and fixed-term deposits, the City will prefer ADIs which do not fund the fossil-fuel industry, provided that the proposed investment:

- otherwise complies with this Policy; and
- is no less favourable with respect to risk or return than the investment the City would make if the City did not have such preference.

## 10. Long-Term Funds

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Council will, from time to time, adopt a framework for the investment and ongoing management of Long-Term Funds.

## 11. Definitions

<b>ADI</b>	Authorised deposit-taking institution, as defined in section 5 of the <i>Banking Act 1959 (Cth)</i> .
<b>Beneficiaries</b>	Has the meaning given in <b>section 5</b> .
<b>Capital Investment Reserve</b>	The reserve account established and maintained by the City for the purpose of holding, amongst other things, the proceeds of sale of investments.
<b>City</b>	City of Subiaco.
<b>Funds</b>	All Short-Term Funds and Long-Term Funds.
<b>Long-Term Funds</b>	Has the meaning given in <b>section 3.4</b> .
<b>Policy</b>	This document.
<b>Short-Term Funds</b>	Has the meaning given in <b>section 3.3</b> , and excludes Long-Term Funds.
<b>Speculative or Hazardous</b>	Includes, without limitation, investments in precious metals, swaps, forwards and futures, contracts for difference (CFDs), collateral debt obligations (CDOs) and floating rate notes (FRNs).
<b>S&amp;P</b>	Standard and Poors.

## 12. Related Sources

- *Local Government Act 1995 (WA)*, section 6.14(1)/
- *Trustees Act 1962 (WA)*, sections 16 – 26E
- *Local Government (Financial Management) Regulations 1996 (WA)*, regulation 19C.  
Investment Framework – Long-Term Funds

Policy Details		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Branch</b>	Commercial Services and Property	
<b>Responsible Officer</b>	Manager Commercial Services and Property	
<b>Affected Branches</b>	Finance Services	
<b>Council Adoption</b>	<b>Meeting Date</b>	27 February 2018
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	28 June 2022
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	

## 1.8 Purchasing

### Policy Statement

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The Local Government Act 1995, section 1.3(3) states: “In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.”

This Policy is designed to articulate how the City of Subiaco’s procurement function will achieve the strategic objectives and operations of the City of Subiaco through the procurement of goods and services through the practical application of the ‘value for money’ principle. Value for money is not necessarily the lowest purchase price, rather a consideration of the dimensions described in section 1.3(3) of the *Local Government Act 1995*.

### Policy Scope and Application

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This policy is applicable to all procurement conducted by the City of Subiaco.

## 1. PURCHASING

### 1.1 OBJECTIVES

The City’s purchasing activities will:

- (a) Achieve best value for money that demonstrates the consideration of sustainability in procurement with respect to social, environmental, and economic factors;
- (b) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money, and clear guidelines to assess sustainability considerations across the whole life cycle of an acquisition for all purchasing activity, including tender exempt arrangements;
- (c) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (d) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (e) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the City’s Policies and procedures;
- (f) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the City of Subiaco.
- (g) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the City’s Risk Management framework;
- (h) Ensure records evidence of purchasing activities in accordance with the *State Records Act 2000* and the City’s Record Keeping Plan;
- (i) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

## **1.2 VALUE FOR MONEY**

The City will seek the best value for money outcome from all procurements, taking into consideration, where relevant:

- (a) Government's social, economic and environmental priorities;
- (b) cost; and
- (c) other relevant non-cost factors.

Value for money is the difference between the total benefit derived from a good or a service against its total cost when assessed over the period the goods or services are to be used. Achieving the best value for money at the individual purchase level requires that assessments consider cost and non-cost factors, where relevant, the overall objective of the procurement and make a value judgement about the best outcome.

## **1.3 LOCAL ECONOMIC BENEFIT**

The City will, as much as practicable, ensure procurement is undertaken with consideration given to local economic benefit and, subject to price, quality, service and (any other relevant factors) being equal, give preference to local businesses. For this, local is defined as being within the bounds of the City of Subiaco. As much as practicable, the City will:

- (a) Where appropriate, consider buying practices, procedures and specifications that encourage the inclusion of local businesses and support the local economy.
- (b) Consider indirect benefits that create flow-on benefits for local suppliers (i.e., servicing and support).
- (c) Explore the capability of local businesses to meet requirements and ensure where practical that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses.
- (d) Ensure all Requests are structured to encourage local businesses to bid, including the design and specifications for Requests for Quotation and Tenders.
- (e) Provide adequate and consistent information to potential suppliers.

## **1.4 SUSTAINABLE PROCUREMENT**

The City is committed to sustainable procurement practices that favour suppliers that demonstrate environmentally sustainable business practices and social outcomes, and businesses that provide local economic benefits.

## **1.5 ETHICS & INTEGRITY**

The City's Code of Conduct applies when undertaking purchasing activities and decision making, requiring officers to observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

## **1.6 PURCHASING TRESHOLDS AND PRACTICES**

### **(1) Purchasing Practice Purchasing Value Thresholds**

The Purchasing Value, assessed in accordance with clause 1.7.1, determines the Purchasing Practice to be applied to the City's purchasing activities.

<b>Purchase Value Threshold (ex GST)</b>	<b>Purchasing Practice</b>
\$0 to \$5,000 (ex GST)	<p><u>Direct Source. Obtain at least one (1) verbal or written quotation from a suitable supplier.</u></p> <p>Written quotation can be in the form of an advertised price.</p> <p>The procurement decision is to be evidenced in accordance with the City's Record Keeping Plan</p>
\$5,001 to \$50,000 (ex GST)	<p><u>Obtain at least two (2) written quotations from suitable suppliers.</u> Written quotation can be in the form of an advertised price.</p> <p>The procurement decision is to be evidenced in accordance with the City's Record Keeping Plan.</p>
\$50,001 to \$100,000 (ex GST)	<p><u>Seek at least three (3) written quotations from suitable suppliers.</u></p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> <li>• an outline of the specified requirement for the goods; services or works required; and</li> <li>• Value for Money criteria, not necessarily the lowest price.</li> </ul> <p>The procurement decision is to be evidenced using an evaluation report and retained in accordance with the City's Record Keeping Plan.</p>
\$100,001 to \$250,000 (ex GST)	<p><u>Formal Request for Quotation required.</u></p> <p>Formal request for quotation can be made publicly available, and/or be made directly through the use of WALGA PSA, CUA or other government sector contract.</p> <p>Approval is required from the CEO or Director to call public quotations or purchase goods and services through the Council Preferred Supplier Contracts of WALGA or the whole of Government sector contract.</p> <p>Adequate steps are to be taken by staff to ensure that suitably qualified companies are notified of the request for quotation being made available. An evaluation report is to be prepared and submitted for approval in accordance with the city's register of delegations.</p> <p>Formal requests for written quotation are to include:</p> <ul style="list-style-type: none"> <li>• Written specification;</li> <li>• Selection criteria to be applied;</li> <li>• Price schedule;</li> <li>• Conditions of responding;</li> <li>• How long the offer is valid for;</li> <li>• Closing date and time for submissions;</li> <li>• A contact person for any queries;</li> </ul>



	<p>Details of the quotation are to be recorded in the city's Quotation Register.</p> <p>Assessment of received quotations should not be based on price alone and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisations capability, previous relevant experience, environmental conditions and any other relevant factors as part of the assessment of the quote.</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> <li>the written specification for the goods, services or works required; and</li> <li>pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The procurement decision is to be evidenced using an evaluation report and retained in accordance with the City's Record Keeping Plan.</p>
Over \$250,000 (ex GST)	<p><b>Tender Exempt</b> arrangement (i.e. WALGA PSA, CUA or other tender exemption under <i>F&amp;G Reg. 11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation</p> <p><u>OR</u></p> <p><b>Public Tender</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant City Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to:</p> <ul style="list-style-type: none"> <li>a detailed specification; and</li> <li>Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the City's Record Keeping Plan.</p>

It should be further noted that if a quote is invited and the outcome (i.e. price) exceeds the threshold for the process being used, then the process related to the actual or likely cost is to be followed which may necessitate recalling quotes or inviting public tenders.

## 1.7 CITY APPROVED PURCHASING EXEMPTIONS

An exemption to undertake a competitive procurement process may be considered by the City where the total value of procurement is less than \$250,000 in the following circumstances:

- Food and perishables (not to be on-sold)
- Training and development
- Software, hardware and online hosting, maintenance, support or licensing fees;
- Engagement of artists, performers, and other art works;
- Professional services (e.g. lawyers; engineers etc) where providers provide a schedule of

- rates and a fee estimate for approval prior to commencing work
- Memberships, subscriptions or renewals;
- Provision of advertising services
- Provision of utility services (where the relevant utility is the only provider of such services)
- Purchases for maintenance of equipment from Original Equipment Manufacturer and where warranty provisions may be void
- Provision of labour hire arrangements
- LGIS Insurance Services (provided as a member-base service)
- Sole Supplier arrangements

All requests for City approved exempt purchases are subject to approval by officers in accordance with their approved purchasing limit under delegated authority.

## **1.8 FIT FOR PURPOSE ASSESSMENT**

Appropriate controls are to be in place for each procurement process that an officer receiving goods or services ensures they are fit for purpose on receipt and in accordance with the quote or specification.

## **2. PANELS OF PRE-QUALIFIED SUPPLIERS**

### **2.1 OBJECTIVES**

The City will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis. Part of the consideration of establishing a panel includes:

- (a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';
- (b) the Panel will streamline and will improve procurement processes; and
- (c) the City has the capability to establish a Panel, and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

### **2.2 ESTABLISHING AND MANAGING A PANEL**

If the City decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/Director.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the City will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the City will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject

to that supplier agreeing. The City will disclose this approach in the detailed information when establishing the Panel.

### 2.3 DISTRIBUTING WORK AMONGST PANEL MEMBERS

To satisfy Regulation 24AD(5), when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the City intends to:

- (a) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or
- (b) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- (c) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

### 2.4 COMMUNICATIONS WITH PANEL MEMBERS

The City will ensure clear, consistent and regular communication with Panel Members.

Each quotation process, including invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured in accordance with the City's Record Keeping Plan.

## 3. RECORD KEEPING AND REPORTING

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the State Records Act 2000 and the City's Record Keeping Plan.

In addition, the City must consider and will include in each contract for the provision of works or services the contractor's obligations for creating, maintaining and where necessary the transferral of records to the City relevant to the performance of the contract.

Annual report will be submitted to the Audit and Risk Committee on the implementation of the Procurement Policy. This will include an account of the extent to which local suppliers have participated in the City's procurement.

### Definitions

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**Category of Supply** - groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

**CUA** – Common Use Agreement

**PSA** – Preferred Supplier Arrangement

**Tender Threshold** – the value as set out in the Local Government (Functions and General) Regulations 1996 requiring tenders to be publicly invited.

**WALGA** – Western Australia Local Government Association

**Sole Supplier** – where the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier.

**Environmental** – goods, services and works that reduce air, water and soil pollution, greenhouse gas emissions, waste production, natural resource depletion and biodiversity depletion whenever they present an acceptable value for money outcome, and in some cases where they might not.

**Social** – measures that demonstrate improved social outcomes in the local and global community.

- Understanding the socio-economic issues affecting the community,
- Creating opportunities for training and employment for unemployed or disadvantaged residents and ratepayers within the municipality and the broader region, and
- Promoting equity, diversity and equal opportunity.

**Economic** - procurement that supports Local Business and economic diversity:

- Ensuring accountability and transparency,
- Ensuring best value for money,
- Ensuring open and effective competition, and development of competitive Local Business and industry,
- Fostering innovation and emerging sectors, and
- Considering costs across the entire life cycle.

## **Related Sources**

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- *Local Government Act 1995;*
- *Local Government (Functions and General) Regulations 1996*
- *City of Subiaco Policy – Preference to Local Suppliers*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Financial Services	
Responsible Officer	Manager Financial Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	30 August 2022
Reviewed/Modified	Meeting Date	

## 1.9 Records Management

### Policy Statement

The City of Subiaco is committed to sound record keeping practices and the objectives of the *State Records Act 2000*.

### Policy Application

#### **General**

Staff, consultants and contractors of the city will:

- Create full and accurate records, reflecting the city's business decisions and transactions
- Capture all records created and received in the course of city business at the point of creation, into the appropriate recordkeeping and business systems
- Capture records regardless of format, and complete the required metadata.

A 'record' within the city is as defined in the *State Records Act 2000*.

All records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with the city's *Record Keeping Plan 2014*.

Records must not be deleted or destroyed without assessment by the Records Services Team against the General Disposal Authority for Local Government Records.

All records, which are made or received by the city or an individual employed by the city, during the course of the city's business are owned by the city and consequently are subject to the records management guidelines and procedures of the City of Subiaco.

#### **Access and Security**

Access to the city's records by staff and contractors will be in accordance with designated access and security classifications. Access to the city's records by the general public will be in accordance with the *Freedom of Information Act 1992* and Council policy.

Records captured into the city's official recordkeeping system will be protected from unauthorised alteration, violation, and a detailed activity log recorded as evidence.

Records should not be distributed or copied without authorisation and clearance against security, copyright and access requirements.

Any distribution of records should be done via formal processes.

Any copying of records (including plans, online content, logos, images, artworks) is to be in accordance with Copyright requirements.

It is the responsibility of individuals to ensure that city information stored on laptops or mobile storage devices is secured at all times. Equipment should not be left unattended or unsecured. Where appropriate, additional security measures should be applied such as encryption or passwords.

City files and documents should not be taken off premises without prior authorisation. This includes occasions where city business is conducted offsite or documents are provided to lawyers or consultants.

***Elected Members***

Elected Members are to ensure all records that relate to the business of council are captured into the city's records management system to meet all legislative, business, administrative, financial, evidential and historical requirements.

All mail, including mail marked 'confidential', 'personal' or 'for addressee only' (or any other variation) will be opened for assessment by the Records staff. This includes mail addressed to the Mayor and Elected Members.

Access to the city's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995* and Council policy.

All records captured relating to the city's business will be subject to the record keeping practices and procedures under the general policy applications.

## **2. Governance and Councillor Policies**

### **2.1 Social Media**

#### **Objective**

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To provide guidance to elected members on appropriate use of social media.

#### **Scope**

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This policy applies to elected members.

#### **Policy**

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Social media is a powerful communication tool. This policy is not intended to hamper elected members' use of social media, rather provide a framework for individual responsibilities and the principles that should be followed in order to protect and minimise reputational risk to elected members and the city.

This policy applies to personal and professional social media accounts, including mayoral or councillor accounts. It applies to social media in all of its current and future forms, including but not limited to: social network sites such as Facebook and LinkedIn; micro-blogging sites such as Twitter and Tumblr; video and photo sharing services such as YouTube, Flickr, Vimeo, Vine, Snapchat and Instagram; blogs and websites, both professional and personal; sites which facilitate public comment (i.e. comments on news articles); forums or discussion boards; online encyclopaedic sites such as Wikipedia; any other websites that allow individual users to comment, review or publish information.

When using social media, elected members should follow these principles:

#### **1. Speaking on behalf of the city**

The city has trained staff to manage its social media accounts as an official communications channel for the city, and respond to any public enquiries. If you are not authorised, you are not allowed to represent the city in social media. This includes adding posts where a person's identity is perceived to be anonymous.

Make sure you do not imply that you are authorised to speak as a representative of the city or give the impression that the views expressed are those of the city. Instead make it clear that what you say is a personal view.

#### **2. Honesty, integrity and transparency**

In social media, it is key to act with honesty, integrity and transparency.

Take care not to place yourself in a position of conflict of interest. Personal views on your social network spaces can affect perceptions of your professional views if taken in the wrong context. Consider that even though your social media settings may be 'private', your friends' settings may not be.

#### **3. Protect privacy, confidentiality and copyrights**

Whilst the city encourages you to be transparent, it is also important not to share or comment on unauthorised, confidential or sensitive information. Make sure you only disclose or discuss information that is publicly available. This includes council decisions and information about council projects and initiatives.

Never disclose other people's personal information on social media. This includes but is not limited to colleagues, ratepayers, clients, members and suppliers.

Do not use the city's intellectual property or copyrighted materials and make sure you do not breach anyone else's copyright either. Do not post images or other content unless you are sure it is in the public domain or that the owner has granted permission.

#### **4. No offensive behaviour**

Be yourself in social media, but do so respectfully. Respect the community, council, organisation and your audience. Do not post material that is sexually explicit or harassing, defamatory, threatening, offensive, bullying, discriminatory, hateful, racist or sexist to another person or entity, including the city, its staff members, its suppliers, its customers, the council or any other business or government institution, related individuals or organisations.

Give proper consideration before posting anything that may be considered objectionable or inflammatory. Always pause and think before posting. If you are about to publish something that makes you uncomfortable, review the principles above.

If in doubt, don't post and seek guidance from the city's Communications and Engagement team.

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Communications and Engagement	
Responsible Officer	Coordinator Communications and Engagement	
Affected Branches	All Branches	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	



## 2.2 Media Statements

### Objective

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To provide guidance on a consistent and coordinated approach to communicating with the media to enable fair and accurate reporting of the city's affairs.

### Scope

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This policy applies to Elected Members; employees of the city; consultants; contractors.

### Policy

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The city communicates with the media with honesty, integrity and transparency, and responses to requests for information are provided in a timely manner.

The Mayor and Chief Executive Officer (and in their absence the Deputy Mayor or person appointed as the Acting Chief Executive Officer) are the only people authorised to issue media statements on behalf of the city. Media statements by the Mayor and Chief Executive Officer are to reflect Council's stated and factual position, not expressions of personal opinion.

In the event that Council does not have a stated position on any particular issue that is the subject of a need for a media statement or response, the Mayor or Chief Executive Officer should seek guidance from council policies and past resolutions and reasonably state what they believe Council's position would be with respect to the matter under consideration.

All reasonable attempts should be made to ensure the accuracy of media statements, including seeking legal advice where the matters are sensitive, potentially defamatory, subject to litigation or legal proceedings. Media statements should respect privacy, confidentiality and copyrights, and personal information should never be disclosed.

The Mayor generally provides comment on Council decisions, initiatives and issues. The Chief Executive Officer or approved nominee is the spokesperson for administrative, operational or technical matters.

Where there is sufficient time to do so, media statements prepared by, or on behalf of the Mayor are to be checked by the Chief Executive Officer prior to release, and media statements prepared by the Chief Executive Officer are to be checked by the Mayor. Whilst neither party is obliged to make alterations at the request of the other, their comments are to be heeded and taken into account in compiling the media statement.

Councillors who make comments to the media must make it clear that their comment is of a personal nature and they are not speaking on behalf of Council. Comments should not adversely reflect on the city and details of confidential matters are not to be disclosed.

### Related Sources

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- Social Media Policy

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Communications and Engagement	
Responsible Officer	Coordinator Communications and Engagement	
Affected Branches	Communications and Engagement	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 2.3 Candidate Information and Councillor Induction

### Objective

The objective of this policy is to provide support to community members who may be interested in nominating for council and assisting in the induction of newly elected members of council.

### Scope

This policy applies to the elected members and community members.

### Policy

To support the policy objective the city will provide:

- Relevant information to prospective elected members prior to elections;
- Relevant information and support to new elected members immediately after they are elected;
- Elected members with payment of an annual Information Technology Allowance to obtain relevant equipment and meet telecommunication expenses to assist with their Council duties as adopted in the city's annual budget;
- Access to training and development programs in accordance with the Elected Member Professional Development Policy, and
- Information to the community of the changes in council.

### Related Sources

- City of Subiaco Policy – Elected Member Entitlements Policy
- City of Subiaco Policy – Elected Member Professional Development Policy
- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Salaries and Allowances Act 1975*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Service Information Services Office of the CEO	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 2.4 Council Meeting Arrangements

### Policy Statement

The City will ensure that appropriate arrangements are made for the conduct of Council and Committee meetings.

### Policy Scope and Application

This policy applies to elected members and employees of the City.

### Issue of agendas and minutes

The agenda of Ordinary Council Meetings, together with all supporting documents will be distributed to Elected Members by 5.00pm on the Friday before the date of the meeting and to the public at the same time.

The minutes of Ordinary Council Meetings, will be distributed to Elected Members by 5.00pm on the Thursday following the meeting.

### Related Sources

- *Local Government Act 1995*
- Meeting Procedures Local Law 2013

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All	
Council Adoption	Meeting Date	27 February 2018
Reviewed/Modified	Meeting Date	27 November 2018
Reviewed/Modified	Meeting Date	

## 2.5 Elected Member Continuing Professional Development

### Objective

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The objective of this policy is to provide guidelines for elected members wishing to attend any professional development that may enhance and improve skills necessary to perform their role and function, in accordance with section 5.126 and 5.128(1) of the *Local Government Act 1995*.

### Scope

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This policy applies to all Elected Members.

### Policy

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The City of Subiaco recognises the importance of Elected Member participation in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities under the *Local Government Act 1995*.

Participation in professional development opportunities ensures that Elected Members are provided with an appropriate level of skill and knowledge to enable them to effectively fulfil their role as an Elected Member. Such professional development programs are those developed by industry-recognised quality providers and run locally.

Elected members are encouraged to attend appropriate conferences and training to enable them to be more informed and better able to fulfil their duties of Office.

### Compulsory Training

The *Local Government (Administration) Regulations 1996* prescribes the Council Member Essentials (CME) course as compulsory Elected Member training. The training includes five modules:

1. Understanding Local Government
2. Serving on Council
3. Meeting Procedures
4. Conflicts of Interest
5. Understanding Financial Reports and Budgets

All Elected Members voted into office at local government elections are required to complete the CME Course within 12 months from the date of election. There are limited exemptions. Successful completion and assessment of the CME Course is valid for five years. The City is required to report on the completion of compulsory training on the City's website.

### Eligible conferences and training courses

- a) National General Assembly of Local Government conveyed annually by the Local Government Association (ALGA),
- b) Western Australian Local Government Association (WALGA) Annual Conference.
- c) Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d) Other eligible events where the Chief Executive Officer (CEO) or council is of the opinion attendance would benefit the elected member and the city.
- e) West Australian Local Government Association (WALGA) elected member training and development program.

- f) Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of elected members.

### **Attendance approval**

Request for training, development or conference attendance is to be initiated by the elected member and must be forwarded to the CEO prior to enrolment or registration.

The CEO is authorised to approve requests from elected members for professional development training and conference attendance without referral to council providing that:

- The cost does not exceed \$1,500 for any single instance and up to a total of \$5,000 excluding attendance at National Assembly of Local Government and WA Local Government Annual Conference in any 12-month period, and
- The course or conference is organised by an identified, industry-recognised training provider.

Any requests outside this policy, including those for attendance at courses or conferences outside Western Australia, are to be submitted as notices of motion to council for consideration.

### **Travel and accommodation arrangements**

Registration, travel and accommodation for elected members will be arranged through the Chief Executive Officer.

All air travel is to be booked at economy level and booking arrangements are to be reviewed upon any improved discount offer being identified.

Other than to amend departure times, tickets provided to elected members shall not be exchanged, downgraded or rebated for any reason. Tickets or bookings may not be altered to include personal travel that is not part of the scheduled conference itinerary.

The proposed duration of the conference attendance together with travel time and planned supplementary pre or post conference activities relevant to the City of Subiaco will be notified to council or the CEO for confirmation and/or amendment prior to the delegate's departure for the conference.

Reasonable accommodation for the elected member and Accompanying Person (if applicable) will be made at or in close proximity to the event venue.

### **Accompanying Person**

Where the elected member is accompanied at a conference or training event, all expenses incurred by the Accompanying Person are to be met by the elected member.

Exception applies in the following circumstances:

- Registration and/or program fees for an accompanying person;
- Attendance at the official conference luncheon and/or dinner; and
- Accommodation provided where there is no increase in the cost of accommodation.

Where council is represented by a person requiring assistance for the reason of disability and requires a Carer, the city will meet the travel, accommodation, registration and reasonable expense costs for the Carer.

## Expenses

Air fares, conference registration fees and accommodation will be paid by the city directly to the provider.

Expenses include the following items:

- Air fare (including insurance and reasonable baggage allowance)
- Conference registration
- Up to 2/3 additional conference activities (to be approved by council or CEO)
- Copy of conference proceedings
- Hotel accommodation
- Reasonable phone utilisation
- Reasonable laundry expenses, and
- Meals in the hotel where registered if these are not provided during the course of the conference.

Incidental expenses include:

- Phone calls made outside the accommodation premises and for the purposes of conference and/or council business;
- Travel to and from the conference venue, and
- Travel to and from all airport destinations.

All Conference Expenses are subject to certification by the CEO, and conference delegates are to be given the opportunity to substantiate any expenditure outside this policy. In the event that a delegate's expenditure for attendance at a conference, seminar, lecture or course exceeds the budgetary provision, the itinerary and receipts are to be referred to the CEO for confirmation and re- allocation of funds.

In circumstances where entertainment on behalf of the city is expected or otherwise appropriate, the entertainment will be in accordance with guidelines established from time to time by the CEO and as determined by the judgement of the delegate, paid by the delegate, and presented to the CEO for subsequent authorisation upon return.

In circumstances where necessity or convenience requires car hire for council delegates, such hire is to be authorised prior to departure, in accordance with guidelines established from time to time by the CEO.

## Definitions

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**Accompanying person** is elected member's spouse or partner.

**Allowable conference** and training expenses include, but are not limited to:

- Meals and refreshments for the Elected Member (that are not covered by the conference and Training registration costs);
- Dry-cleaning and laundry expenses; and
- Reasonable telephone, internet and facsimile charges.

**Carer** is someone who is responsible for looking after another person, for example, a person who has a disability, or is ill.

**Conference Expenses** must be reasonably incurred by Elected Member in performing their duty as elected member.

## Related Sources

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- Disability Access and Inclusion Plan for City of Subiaco 2017 - 2022
- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996 – clause 34AD*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Governance Services	
Responsible Officer	Manager Governance Services	
Affected Branches	Governance Services Office of the CEO	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	22 March 2022
Reviewed/Modified	Meeting Date	



## 2.6 Notification of Significant Matters

### Objective

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The City of Subiaco will notify elected members of pending legal action against the city and other significant matters including appeals, government decisions, official visits and petitions.

### Scope

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This policy applies to elected members and employees of the city.

### Policy

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Elected members are to be informed of any significant legal action against the city. Matters not considered significant would include:

- Action associated with parking, litter and Dog Act fines, and cases where the offence is dealt with by a modified penalty;
- Public liability claims for minor incidents;
- Action to recover minor debts and outstanding rates;
- Motor vehicle insurance claims;
- Workers' compensation and employee-related claims; and
- Other minor insurance claims.

However, the Chief Executive Officer may exercise discretion if they believe there may be an item of interest to a significant number of elected members.

Elected Members and staff are not to be involved in discussions with claimants on claims that are subject to litigation, unless authorised to do so by either council or by delegated authority, as any discussions or release of confidential information that may prejudice the outcome of the claim may lead to a reassessment of indemnity granted to the council by its insurers. In the event that they are contacted by parties to the litigation, elected members are to state that they are unable to discuss any issues that are subject to litigation. Elected Members and employees are nevertheless entitled to discuss with claimants matters that are explicitly unrelated to the claims.

Elected members are to be informed of any application for review against a significant decision by council or an officer. Decisions not considered significant include ones related to those items listed above. Matters considered significant include review of matters regarding development application. Elected members are to be informed of the outcome of the review and any significant developments as they occur.

The Chief Executive Officer may, however, exercise his discretion if he believes there to be an item of interest to a significant number of elected members.

Elected members are to be informed of decisions by the State or Federal Government that may have a significantly positive or adverse impact on the city, and changes in legislation that have a significant impact on the city.

Elected members are to be informed of any proposed official visit to the city by the Governor-General, Governor or any Government Minister or any foreign dignitary and provided with a copy of the program (if one is drawn up) for any function run by the city.

Elected members are to be provided with a quarterly update on significant developments in such legal actions as a confidential attachment to the Information Bulletin.

Elected members are to be provided with a copy of any petition received by the council.

## Related Sources

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- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## **2.7 Legal Representation: Costs Indemnification**

### **Objective**

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This objective of this policy is to provide guidance in determining when it is appropriate for the city to pay the cost of Legal Representation on behalf of elected members and city employees.

### **Scope**

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This policy applies to elected members and employees of the city and demonstrates the city's commitment in protecting their interests in seeking legal advice.

### **Policy**

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#### **General principles**

The City of Subiaco protects the interests of individual elected members and employees (including past members and former employees) where they become involved in civil Legal Proceedings because of their official functions. In these situations the city may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings. In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the City of Subiaco.

#### **Financial assistance criteria**

The city may provide financial assistance to elected members and employees for Legal Representation Costs incurred as a result of proceedings arising from a matter in connection with the performance of their duties, provided that the member or employee has acted reasonably and has not acted dishonestly against the interest of the city or otherwise in bad faith.

The city may provide such assistance in the following types of legal proceedings:

- Proceedings brought by members and employees to enable them to carry out their local government functions, for example, where a member or employee seeks a restraining order against a person using threatening behaviour.
- Proceedings brought against members or employees; this could be in relation to a decision of council or an employee which aggrieves another person, for example, refusing a development application, or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person, such as defending defamation actions.
- Statutory or other inquiries where representation of members or employees is justified.

The city will not support any defamation actions seeking the Payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. The Chief Executive Officer (CEO) may seek advice on behalf of the city any aspect relating to such comments and criticisms of relevance to it.

#### **Form of application**

A member or employee requesting personal financial support for Legal Services under this policy is to make an application in writing, where possible in advance, to the CEO, providing full details of the circumstances of the matter and the Legal Services required.

An application to council is to be accompanied by an assessment of the request including an estimation of costs and a recommendation, which has been prepared by, or on behalf of, the CEO.

A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the *Local Government Act 1995*.

### **Approval**

Decisions as to financial assistance under this policy are to be made by the council and are subject to the annual budget, unless there is a need for the provision of urgent Legal Services before an application can be considered by council, in which case the CEO may give an authorisation to the value of \$5,000.

The member or employee shall sign an agreement with the city agreeing that the financial assistance shall be provided on the terms and conditions of this policy.

Where it is the CEO who is seeking urgent financial support for Legal Services the council shall deal with the application.

### **Repayment**

Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any monies paid or payable by the city.

Assistance will be withdrawn where council determines, upon legal advice that a person has acted dishonestly. Where assistance is so withdrawn, the person who obtained financial support is to repay any monies already provided. The city may take action to recover any such monies in a court of competent jurisdiction.

### **Definitions**

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**Approved Lawyer** means:

- A 'certified practitioner' under the *Legal Practice Act 2003*;
- From a law firm on the city's panel of legal service providers, unless the council considers that this is not appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- Approved in writing by the council or the Chief Executive Officer under delegated authority.

**Legal Proceedings** means civil, criminal or investigative proceedings.

**Legal Representation** means the provision of legal services, to or on behalf of an elected member or employee, by an Approved Lawyer that are in respect of:

- A matter or matters arising from the performance of the functions of an elected member or employee; and
- Legal proceedings involving an Elected Member or employee that have been, or is to commenced.

**Legal Representation Costs** mean the costs, including fees and disbursements, properly incurred in providing legal representation.

**Legal Services** means advice, representation or documentation that is provided by an approved lawyer.

**Payment** means city of Legal Representation Costs by either:

- A direct payment to the Approved Lawyer (or the relevant firm); or
- A reimbursement to an elected member or employee.

#### **Related Sources**

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- *Local Government Act 1995*
- *Legal Practice Act 2003*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 2.8 Elected Member Election and Retirement

### Objective

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The objective of this policy is to ensure that the City of Subiaco makes appropriate arrangements following each Election Day in relation to:

- The swearing in of newly elected members and for appointments to committees and external boards, and
- Formally recognising the contribution made by recently retiring elected members.

### Scope

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This policy applies to all elected members.

### Policy

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Within two weeks after the local government Election Day a Special Meeting of Council is held at which:

- Newly elected or re-elected members are sworn in;
- Members of City of Subiaco committees are elected to a two-year term of office commencing from the Special Meeting of Council held following ordinary elections; and
- Delegates to external boards and committees are appointed for a two-year term unless other provisions apply.

The contribution of retiring elected members is recognised as follows:

- All elected members who serve on council for any period to receive a certificate of appreciation;
- Those who have served on council for a full term to receive a set of City of Subiaco glasses;
- Those who have served on council for two or more terms to receive a set of City of Subiaco glasses and a suitably engraved medallion;
- A suitable function to recognise the contribution of retiring elected members is to be organised.

### Definitions

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**Election Day** means:

For Local Government Elections, the day fixed under the *Local Government Act 1995* for the holding of any election.

### Related Sources

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

Policy Details		
<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Branch</b>	Finance and Governance Services	
<b>Responsible Officer</b>	Manager Finance and Governance Services	
<b>Affected Branches</b>	Finance and Governance Services Office of the CEO	
<b>Council Adoption</b>	<b>Meeting Date</b>	12 December 2017
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	

## 2.9 Elected Member Entitlements

### Objective

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The objective of this policy is to outline the financial support that will be provided to elected members through the payment of Meeting Attendance Fees and other allowances within the provisions the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* and within the prescribed ranges set by the Salaries and Allowances Tribunal.

### Scope

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This policy applies to all elected members.

### Policy

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#### Allowances

##### Council Meeting Attendance Fees

Elected members will receive an annual council Meeting Attendance Fee in accordance with the range and appointed band allocation as set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette

Payments will be made on a monthly basis in arrears. Annual Mayor and Deputy Mayor Allowance  
In addition to council meeting attendance fees, the Mayor and Deputy Mayor will also receive an annual allowance.

The Mayor will receive an annual allowance in accordance with the appointed band allocation as set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette

The Deputy Mayor will receive an annual allowance equivalent to 25% of the annual allowance provided to the Mayor in accordance with the appointed band allocation as set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette

Payments will be made monthly in arrears.

##### Annual Information and Communication Technology Allowance (ICT)

The city will pay elected members an annual ICT allowance as set by the Salaries and Allowances Tribunal.

The ICT allowance is paid annually in October in advance.

The allowance is intended to cover the provision of such items as mobile phones, computers, laptops, tablets or any other equipment as well as phone and internet plans and usage as required to assist them in the performance of their public office.

Any claims by elected members for expenses incurred over the maximum Annual Allowance for ICT may be submitted to council for authorisation and reimbursement.

The City will pay the maximum ICT allowance as set by the Salaries and Allowances Tribunal to the Mayor.

Allowances and fees are to be reviewed annually however the total remuneration is not to exceed the amount set by the *Local Government Act 1995*.

Elected member council meeting attendance fees and other allowances are set and disclosed in accordance with this policy and as part of the city's annual budget.



## Expenses

### Mayoral Reimbursements

The Chief Executive Officer is authorised to reimburse the Mayor for reasonable expenses incurred in performing official duties, subject to production of appropriate supporting documentation and receipts, pursuant to Regulation 32(1)(c) of the Local Government (Administration) Regulations 1996.

### Child Care Costs

In accordance with Regulation 31 and 32(1)(c) of the Local Government (Administration) Regulations 1996, Child Care Costs will be paid at the rate set by the Salaries and Allowances Tribunal.

Child Care Costs are applicable for children, either of natural birth or guardianship determined by legal process.

Claims must be accompanied by a receipt or invoice and detail the date, number of hours, rate and function attended.

Any claims in accordance with the policy are to be submitted to the Chief Executive Officer for authorisation for reimbursement.

### Other Expenditure

All expenditure items pertaining to elected members other than those specified are to be referred to council for authorisation.

## Definitions

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**Child Care Costs** means the expense that is able to be reimbursed prescribed in Regulation 31 of the Local Government (Administration) Regulations 1996.

**Meeting Attendance Fee** means the fee prescribed in Section 7B of the *Salaries and Allowances Act 1975*.

**Salaries and Allowances Tribunal** means the body who review the maximum and minimum rates to calculate fees, expenses and allowance in accordance with the *Salaries and Allowances Act 1975* issued by the Western Australian Industrial Relations Commission as amended from time to time.

## Related Sources

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- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Salaries and Allowances Act 1975*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Services Office of the CEO	
Council Adoption	Meeting Date	12 December 2017

## 2.10 Review of Policies

### Objective

Council policies provide guidance and information to assist elected members, employees and members of the public in achieving equity and transparency in the development of decision-making.

The objective of this policy is to enable the council to maintain a continual review of policies and to ensure they are in keeping with community expectations, current trends and circumstances.

### Scope

This policy applied to elected members and employees and residents of the city.

### Policy

Policies describe the city's views on issues and provide guidance for employees, and council to make decisions based on the principles of equity, fairness, natural justice, transparency of decision making and good government as well as meeting statutory requirements. It is recognised that sound policies reduce the need for frequent deliberations over routine matters and promote efficient and consistent governance. This is not to suggest that council should be constrained in varying from policy, but rather that by providing clear reason for any variation, Council's decision-making process becomes transparent.

Other than Town Planning Policies, all policies within the Policy Manual are to be reviewed by council every three (3) years as a minimum.

Council may vary from a policy for a particular decision, however when making such variation it will ensure that reasons for the variation are recorded in the minutes of the meeting at which the decision is made. Any report proposing a variation to council policy is to include clear justification of the reasons for the proposed variation.

This policy provides the minimum time period for review of the Policy Manual. Council may review an individual policy at any time before the next review date if it determines it to be necessary.

### Related Sources

- City of Subiaco Policy Manual
- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	Tuesday 27 February 2018
Reviewed/Modified	Meeting Date	

## 2.11 Litigation

### Objective

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The intent of this policy is to assist the City in maintaining proper standards in litigation. It is founded upon the concepts of behaving ethically, fairly and honestly to model best practice in litigation.

### Scope

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This policy applies to Council, City employees, the City's lawyers and any other City representatives. The policy applies to civil claims and civil litigation, involving the City including litigation before courts; tribunals; inquires and in arbitration and other alternative dispute resolution processes.

### Policy

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The model litigant rules are very important because they are about fair play, about how the City should conduct its litigation, about ensuring that the public has good reason to trust its public officials and the way its public officials and lawyers conduct litigation affecting rights of its own citizens.

The obligation to act as a model litigant requires that the City act with complete propriety, fairly and in accordance with the highest professional standards.

Under the policy, the City is required to act honestly and fairly in handling claims and litigation by:

- Acting honestly, consistently, and fairly in the handling of claims and litigation.
- Dealing with claims promptly.
- Not taking advantage of a claimant who lacks the resources to litigate a legitimate claim.
- Paying legitimate claims.
- Avoiding litigation wherever possible.
- Keeping litigation costs to a minimum where it is not possible to avoid litigation by:
  - Not requiring the other party to prove a matter which the city knows to be true and
  - Not contesting liability if the city knows that the dispute is really about quantum.
- Not relying on technical defence against a claim unless the city's interests would be prejudiced by the failure to comply with a particular requirement.
- Not undertaking or pursuing appeals unless the city believes that it has reasonable prospects for success or the appeal is otherwise justified in the public interest.

The obligation does not prevent the City from:

- Enforcing costs orders or seeking to recover costs.
- Relying on claims of legal professional privilege or other forms of privilege and claims for public interest immunity.
- Pleading limitation periods.
- Seeking security for costs.
- Opposing unreasonable or oppressive claims or processes.
- Requiring opposing litigants to comply with procedural obligations.
- Moving to strike out untenable claims or proceedings.

This policy is not designed to prevent the City from:

- Acting firmly and properly to protect their interests.
- Taking "all legitimate steps" to pursue or defend claims.
- Pursuing litigation in order to clarify a significant point of law even if the other party wishes to settle the dispute.

## Related Sources

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- Limitation Act 2005

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All Branches	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 2.12 Honorary Freeman of the City

### Objective

The intent of this policy is to acknowledge and recognise an individual who is deemed by Council to have made an outstanding, positive and lasting contribution to the city and its community.

### Scope

Elected members and City of Subiaco residents.

### Policy

The title of Honorary Freeman of the city may be conferred by resolution of Council upon an individual who is deemed to have made an outstanding, positive and lasting contribution to the city and its community. In bestowing the title, the city may give consideration to the nature of the individual's service or achievement and its lasting impact upon the city or community.

Consideration by Council of bestowing the title of Honorary Freeman should remain confidential until such time as Council has determined that it will proceed.

An Honorary Freeman is to be:

Presented with an appropriate framed certificate signed by the Mayor and Chief Executive Officer at a ceremony to be arranged for such purpose.

Provided with an engraved metal identification badge similar to that used by Councillors for use on civic occasions.

Invited to the Annual Swearing in Ceremony and to significant civic events held by the city.

Provided with a copy of the city's Annual Report to their home address.

### Related Sources

- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Office of the CEO	
Responsible Officer	Chief Executive Officer	
Affected Branches	Office of the CEO	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## **2.13 Council Election Caretaker Policy**

### **Objective**

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The main purpose of this policy is to avoid the City of Subiaco making major decisions, prior to an election, that would bind an incoming Council, prevent the use of public resources in ways that are seen as advantageous to, or promoting, the sitting Councillors who are seeking re-election, or new candidates, and ensuring the City of Subiaco administration acts impartially in relation to candidates.

This Policy applies during a 'Caretaker Period' (see below for a definition) to cover:

- a) Decisions that are made by the Council;
- b) Materials published by the city;
- c) Attendance and participation in functions and events;
- d) Use of the city's resources;
- e) Access to city information.

### **Scope**

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This policy applies to elected members, electoral candidates and employees of the City of Subiaco.

### **Policy**

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## **PART 1 - INTRODUCTION**

### **1.1 Scheduling Consideration of Major Policy Decisions**

So far as is reasonably practicable, the Chief Executive Officer should avoid scheduling major policy decisions for consideration during a Caretaker Period, and instead ensure that such decisions are either:

- (a) Considered by the Council prior to the Caretaker Period; or
- (b) Scheduled for determination by the incoming Council.

Where extraordinary circumstances prevail, the Chief Executive Officer may submit a major policy decision to the Council in accordance with Part 3 of this policy.

### **1.2 Decisions Made Prior to a Caretaker Period**

This Policy only applies to actual decisions made during a Caretaker Period, not the announcement of decisions made prior to the Caretaker Period. Whilst announcements of earlier decisions may be made during a Caretaker Period, as far as practicable any such announcements should be made before the Caretaker Period begins.

## **PART 2 - IMPLEMENTATION OF CARETAKER PRACTICES**

### **2.1 Role of the Chief Executive Officer in Implementing Caretaker Practices**

The role of the Chief Executive Officer in implementing the caretaker practices outlined in this policy is as follows:

- (a) The Chief Executive Officer will ensure as far as possible, that all Councillors and staff are aware of the Caretaker Policy and practices 30 days prior to the start of the Caretaker Period.
- (b) The Chief Executive Officer will ensure, as far as possible, that any major policy or significant decisions required by the Council are scheduled for Council resolution prior to the Caretaker Period or deferred where appropriate for determination by the incoming Council.

- (c) The Chief Executive Officer will endeavour to make sure all announcements regarding decisions made by the Council, prior to the Caretaker Period, are publicised prior to the Caretaker Period.

## **PART 3 - EXTRAORDINARY CIRCUMSTANCES REQUIRING EXEMPTION**

### **3.1 Extraordinary Circumstances**

The Chief Executive Officer may, where extraordinary circumstances prevail, permit a matter defined as a 'major policy decision' to be submitted to the Council. The Chief Executive Officer is to have regard to a number of circumstances, including but not limited to:

- (a) Whether the decision is 'significant';
- (b) The urgency of the issue (that is - can it wait until after the election);
- (c) The possibility of legal and/or financial repercussions if it is deferred;
- (d) Whether the decision is likely to be controversial; and
- (e) The best interests of the City of Subiaco.

Responsible Authority Reports (RARs) for Development Assessment Panels (DAP) decisions are exempt from this policy. DAP decisions are by definition significant and cannot be held up due to elections. As far as possible, officers will try to avoid having any RARs considered in the month prior to an election.

### **3.2 Appointment or Removal of the Chief Executive Officer**

While this Policy establishes that a Chief Executive Officer may not be appointed or dismissed during a Caretaker Period, in the case of an emergency, the Council may act to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election, after which date a permanent decision can be made.

## **PART 4 - CARETAKER STATEMENT**

To ensure the Council complies with its commitment to appropriate decision making during the Caretaker Period where a report requires a 'Major Policy Decision' to be made during the Caretaker Period, the following statement will be included in the report:

*"The recommended decision of the Council is a 'Major Policy Decision' within the context of City of Subiaco Council Election Caretaker Policy, however, an exemption should be made due to extraordinary circumstances (insert the circumstances for making the exemption)".*

## **PART 5 - CITY OF SUBIACO PUBLICATIONS**

### **5.1 Prohibition on Publishing Electoral Material**

The city shall not print, publish or distribute, or cause, permit or authorise others to print, publish or distribute on behalf of the city any advertisement, handbill, pamphlet or notice that contains 'electoral material' during the Caretaker Period.

### **5.2 Electoral Material Relevant to Prohibition**

Without limiting the generality of the definition of 'electoral material', material will be considered to be intended or likely to affect voting in the election if it contains an express or implicit reference to, or comment on:

- (a) The election; or

- (b) A candidate in the election; or
- (c) An issue submitted to, or otherwise before, the voters in connection with the election.

### **5.3 Candidate and/or Councillor Publications**

Candidates and/or Councillors are permitted to publish campaign material on their own behalf but cannot claim for that material to be originating from or authorised by the city.

### **5.4 Election Announcements**

This policy does not prevent publications by the city which merely announce the holding of the election or relate only to the election process itself.

### **5.5 City of Subiaco Publications**

Any reference to Councillors in the city's publications printed, published or distributed during the Caretaker Period must not include promotional text. Any of the city's publication's that are potentially affected by this policy will be reviewed by the Chief Executive Officer to ensure that any circulated, displayed or otherwise publicly available material during the Caretaker Period does not contain material that may be construed as 'electoral material'.

### **5.6 City of Subiaco Website**

During the Caretaker Period the city's website will not contain any material which is precluded by this policy. Any references to the election will only relate to the election process. Information about Councillors will be restricted to names, contact details, titles, membership of special committees and other bodies to which they have been appointed to by the Council.

### **5.7 City of Subiaco Councillor Business Cards**

During the Caretaker Period, Councillors shall ensure that their allocated business cards are used only for purposes associated with the normal role of a Councillor in servicing their electorate. Councillor Business Cards shall not be used in a manner that could be perceived as an electoral purpose. It should be noted that this prohibition on the use of the city's resources for electoral purposes is not restricted to the Caretaker Period.

## **PART 6 - PUBLIC CONSULTATION DURING THE CARETAKER PERIOD**

### **6.1 Prohibition**

It is prohibited under this policy for public consultation to be undertaken during the Caretaker Period (either new consultation or existing) on an issue which is contentious, unless the consultation is a mandatory statutory process or prior approval is given by the Chief Executive Officer.

## **PART 7 - ATTENDANCE AND PARTICIPATION AT EVENTS/FUNCTIONS**

### **7.1 Public Events Hosted by External Bodies**

Councillors may continue to attend events and functions hosted by external bodies during the Caretaker Period.

### **7.2 City of Subiaco Organised Civic Events/Functions**

Civic events/functions organised by the city and held during the Caretaker Period will be reduced to only those essential to the operation of the city, and should not in any way be associated with any



issues considered topical and relevant to the election or be used as a forum for political canvassing.

### **7.3 Addresses by Councillors**

Councillors who are also candidates should not, where possible, be permitted to make speeches or addresses at events/functions organised or sponsored by the city during the Caretaker Period. Councillors may make short welcome speeches at events and functions organised or sponsored by the city during the Caretaker Period subject to prior approval of the Chief Executive Officer.

### **7.4 Delegates to Community and Advisory Groups**

Councillors appointed to community groups, advisory groups and other external organisations as representatives of the city shall not use their attendance at meetings of such groups to either recruit assistance with electoral campaigning or to promote their personal or other candidates' electoral campaigns.

## **PART 8 - THE USE OF CITY OF SUBIACO' RESOURCES**

Council Code of Conduct – Councillors and Employees and the *Local Government (Rules of Conduct) Regulations 2007* provide that the city's resources are only to be utilised for authorised activities (for example – prohibits the use of employees for personal tasks and prohibits the use of equipment, stationery, or hospitality for non-Council business). This includes the use of resources for electoral purposes. It should be noted that the prohibition on the use of the city's resources for electoral purposes is not restricted to the Caretaker Period.

The city's staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign and should avoid assisting Councillors in ways that could create a perception that they are being used for electoral purposes. In any circumstances where the use of city resources might be construed as being related to a candidate's election campaign, advice is to be sought from the Chief Executive Officer.

## **PART 9 - ACCESS TO COUNCIL INFORMATION AND ASSISTANCE**

### **9.1 Councillor Access to Information**

During a Caretaker Period, Councillors are able to access Council information relevant to the performance of their functions as a Councillor.

However, this access to information should be exercised with caution and limited to matters that the Council is dealing with within the objectives and intent of this policy. Any Council information so accessed must not be used for election purposes.

### **9.2 Electoral Information and Assistance**

All candidates will have equal rights to access public information, such as the electoral rolls (draft or past rolls) and information relevant to their election campaigns from the city administration. Information, briefing material and advice prepared or secured by staff for a Councillor must be necessary to the carrying out of the Councillor's role and must not be related to election issues that might be perceived to be of an electoral nature (refer to Part 8 of this policy).

Any assistance and advice provided to candidates as part of the conduct of the local government election will be provided equally to all candidates. The types of assistance that are available will be documented and communicated to candidates in advance. Types of assistance may include advice on manipulation of electoral roll data and interpretation of legislative requirements, amongst other matters.

### 9.3 Information Request Register

An Information Request Register will be maintained by the CEO during the Caretaker Period. This Register will be a public document that records all requests for information made by Councillors and candidates, and the response given to those requests, during the Caretaker Period. Staff will be required to provide details of requests to the Chief Executive Officer for inclusion in the Register.

### 9.4 Media Advice

Any requests for media advice or assistance from Councillors during the Caretaker Period will be referred to the Chief Executive Officer. No media advice will be provided in relation to election issues or in regard to publicity that involves specific Councillors. If satisfied that advice sought by a Councillor during the Caretaker Period does not relate to the election or publicity involving any specific Councillor(s), the Chief Executive Officer may authorise the provision of a response to such a request.

### 9.5 Publicity Campaigns

During the Caretaker Period, publicity campaigns, other than for the purpose of conducting (and promoting) the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a city activity, it must be approved by the Chief Executive Officer. In any event, the city's publicity during the Caretaker Period will be restricted to communicating normal city activities and initiatives.

### 9.6 Media Attention

Councillors will not use their position as an elected representative or their access to city staff or resources to gain media attention in support of their or any other candidate's election campaign.

### 9.7 City of Subiaco Employees

During the Caretaker Period no city employee may make any public statement that relates to an election issue unless the statements have been approved by the Chief Executive Officer.

### 9.8 Election Process Enquiries

All election process enquiries from candidates, whether current Councillors or not, will be directed to the Returning Officer or, where the matter is outside of the responsibilities of the Returning Officer, to the Chief Executive Officer.

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## Definitions

**Caretaker period** means the period of time when the caretaker practices are in place prior to the election. The caretaker practices will apply from the close of nominations being 37 days prior to the Election Day in accordance with Section 4.49(a) of the Local Government Act 1995, until 6pm on Election Day.

**Election Day** means the day fixed under the Local Government Act 1995 for the holding of any poll needed for an election.

**Election Material** means any advertisement, handbill, pamphlet, notice, letter or article that is intended or calculated to affect the result in an election but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting in accordance with Section 4.87(3) of the *Local Government Act 1995*.
- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*.

- (c) Any materials produced by the city relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

**‘Events and Functions’** means gatherings of internal and external stakeholders to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue which is of relevance to the city and its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions.

‘Major Policy Decision’ means any:

- (a) Decisions relating to the employment, termination or remuneration of the Chief Executive Officer or any other designated senior officer, other than a decision to appoint an Acting Chief Executive Officer, or suspend the current Chief Executive Officer (in accordance with the terms of their contract), pending the election.
- (b) Decisions relating to the city entering into a sponsorship arrangement with a total city contribution value exceeding \$10,000 (excluding GST).
- (c) Irrevocable decisions that commit the city to substantial expenditure or significant actions, such as that which might be brought about through a Notice of Motion by a Councillor.
- (d) Irrevocable decisions that will have a significant impact on the City of Subiaco or the community.
- (e) Reports requested or initiated by a Councillor, candidate or member of the public that, in the Chief Executive Officer’s opinion, may be perceived within the general community as an electoral issue that reflects upon the Council’s decision-making process, and has the potential to call into question whether decisions are soundly based and in the best interests of the community.

**‘Public Consultation’** means a process which involves an invitation to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy.

### Related Sources

- *Local Government Act 1995*
- *Local Government (Elections) Regulations 1996*
- *WA Electoral Roll 1907*
- *Commonwealth Electoral Roll 1918*
- Code of Conduct

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Services Communications and Engagement Cultural Services	
Council Adoption	Meeting Date	17 April 2018

## 2.14 Attendance at Events – Elected Members and Chief Executive Officer

### Objective

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The objective of this policy is to address attendance at events by Elected Members and the Chief Executive Officer in accordance with section 5.90A of the *Local Government Act 1995*.

### Scope

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This policy applies to Elected Members and the Chief Executive Officer.

### Policy

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#### 1. Invitations

- 1.1 All invitations or offers of tickets for an Elected Member or the Chief Executive Officer should be in writing and addressed to the City of Subiaco.
- 1.2 Any invitation or offer of tickets not addressed to the City of Subiaco is not captured by this policy and must be disclosed in accordance with the gift and interest provisions contained within the *Local Government Act 1995*.
- 1.3 A list of events and attendees authorised by the City of Subiaco in advance of the event is provided in Part 4 of this Policy.

#### 2. Approval of attendance

- 2.1 The Council is authorised to make decisions in relation to this policy.
- 2.2 In making a decision on attendance at an event, the following must be considered:
  - (a) who is providing the invitation or ticket to the event;
  - (b) the location of the event in relation to the local government (i.e. within the district, or outside of the district);
  - (c) the role of the Elected Member or Chief Executive Officer when attending the event (participant, observer, presenter) and the value of their contribution;
  - (d) whether the event is sponsored by the City of Subiaco;
  - (e) the benefit of the City of Subiaco's representation at the event;
  - (f) the number of invitations or tickets received; and
  - (g) the cost to attend the event, including the cost of the ticket (or estimated cost of the event per invitation) and any other expenses such as travel and accommodation.
- 2.3 Each decision that is made to approve or reject event attendance will be recorded in a register that is maintained by the Chief Executive Officer.

#### 3. Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the City of Subiaco may contribute to appropriate expense for attendance, such as travel and accommodation, for events outside the district if the decision maker determines attendance to be of public value.

- 3.2 For any events where a member of the public is required to pay, unless previously approved under Part 4 of this Policy, the decision maker will determine whether it is in the best interests of the City of Subiaco for an Elected Member or the Chief Executive Officer or another officer to attend on behalf of the City of Subiaco.
- 3.3 If the decision maker determines that an Elected Member or Chief Executive Officer should attend a paid event, the City of Subiaco will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 3.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the City of Subiaco, must be reimbursed by the representative unless expressly authorised by the decision maker.

#### **4. Events approved in advance**

- 4.1 Events organised by the following are approved in advance and do not require a decision to be made under this Policy:
  - (a) A Local Government (including the City of Subiaco) or Regional Local Government;
  - (b) Western Australian Local Government Association (WALGA), but not including LGIS;
  - (c) Australian Local Government Association (ALGA);
  - (d) Local Government Professionals Australia (WA);
  - (e) A State Government or Federal Government Department, or a department of the public service;
  - (f) Clubs, or not-for-profit organisations or schools within the City of Subiaco to which the Mayor, Elected Member(s) or Chief Executive Officer have been officially invited;
  - (g) anyone, where the event is free of charge to the general public; and
  - (h) anyone, where the event is ticketed and the Elected Member or Chief Executive Officer pays the full ticketed price and does not seek reimbursement.
- 4.2 Events relating to advocacy, Ministerial briefings and lobbying are also included as events approved in advance.

#### **5. Events not to be considered for approval**

- 5.1 The following events will not be considered for approval under this Policy:
  - (a) Political party events and fundraisers, including by trade unions;
  - (b) City sponsored functions or events
  - (c) Social events
  - (d) Entertainment events with no link to the City of Subiaco
  - (e) Events that primarily benefit Council Members in a personal capacity or in a role than their role at the City of Subiaco.

## 6. Attendance at Other Events

- 6.1 Events or functions that do not fall within the scope of an approved event are considered as gifts and must be disclosed as such. Attendance at any event that is not approved, and has a value greater than the amount prescribed, must be disclosed as a gift and recorded on the City's gifts register.
- 6.2 If a matter comes before Council which triggers a conflict of interest because of an Elected Member's or the CEO's attendance at an event that is not approved and requires a gift disclosure, the Elected Member or CEO, as the case may be, must ensure they disclose the appropriate interest in accordance with the *Local Government Act 1995*.

### Definitions

***Elected Member*** means a person that holds the office of Councillor, Mayor or Deputy Mayor.

***Event*** means the definition of event as contained within section 5.90A(1) of the *Local Government Act 1995*.

### Related Sources

- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Governance Services	
Responsible Officer	Manager Governance Services	
Affected Branches	Governance Services Cultural Services Economic Development and Place Office of the CEO	
Council Adoption	Meeting Date	22 March 2022
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

### 3. Governance and Staff Policies

#### 3.1 City Relationships (Sister Cities)

##### Objective

The intent of this policy is to acknowledge the agreements that the city has established with the City of Albany (Western Australia); City of Subiaco (Italy); Town of Subiaco (Arkansas, USA); and the Shire of Victoria Plains (Western Australia).

The City of Subiaco's participation in the sister cities program enables the community to establish and maintain friendships with other communities throughout the world.

##### Scope

This policy applies to the City of Albany (Western Australia); City of Subiaco (Italy); Town of Subiaco (Arkansas, USA); Shire of Victoria Plains (Western Australia).

##### Policy

The Cities of Subiaco and Albany signed a Friendship Agreement on 10 April 1982 recognising that both municipalities were gazetted on that day in 1896, share a desire for international peace and goodwill, and seek a wider understanding of their respective municipalities citizens, community life and traditions.

The City of Subiaco Australia, pursues cultural exchanges with the City of Subiaco Italy, in accordance with the Sister City Agreement signed on the 20th July 1991, and with the Town of Subiaco Arkansas, and pursues items of relevant community benefit with Aix-en-Provence France, in accordance with the Friendship Agreement signed on the 29th July 1991.

The City of Subiaco has a longstanding relationship with the Benedictine Community of New Norcia located within the Shire of Victoria Plains. Building on this common heritage, the two municipalities have signed a partnership agreement in May 2006. This partnership provides an avenue for the exchange of knowledge and expertise for the mutual benefit of both local governments and their respective communities.

##### Definitions

**Sister Cities** are agreements between municipalities that are a form of legal or social agreement to promote cultural, educational, humanitarian and commercial ties.

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Office of the CEO	
Responsible Officer	Chief Executive Officer	
Affected Branches	Nil	
Council Adoption	Meeting Date	12 December 2017
Reviewed/Modified	Meeting Date	

## 3.2 Appointment of an Acting or Temporary Chief Executive Officer

### Objective

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The objective of this policy is to define the process and requirements for the appointment of an acting and/or temporary Chief Executive Officer (CEO) at the City of Subiaco, in accordance with Section 5.39C of the *Local Government Act 1995*.

### Scope

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This policy applies to the position of CEO.

### Policy

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#### 1. Acting Chief Executive Officer (CEO) Requirements and Qualifications

- a) When the CEO is on planned or unplanned leave, or the CEO's employment with the City has ended, an Acting CEO or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions and perform the duties of CEO under the Act, or any other written law.
- b) Any employee holding the substantive role of Director or Executive Manager is considered suitably qualified to perform the role of Acting CEO or Temporary CEO.
- c) An employee appointed to temporarily act in a position referred to in clause 1 (b) is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO.

#### 2. Appointment of Acting Chief Executive Officer (CEO) – Periods of up to 6 weeks

- a) The CEO is authorised to appoint in writing one of the employees identified in clause 1 (b) as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 6 weeks, subject to the CEO's consideration of that employee's performance, availability, operational requirements and where appropriate, the equitable access to the professional development opportunity.
- b) The CEO must appoint an Acting CEO for any planned or unplanned leave periods between 1 week and 6 weeks.
- c) Nothing in clause 1 (a) prevents the CEO from appointing more than one employee detailed in clause 1 (b) to share the duties of Acting CEO for the planned or unplanned leave period.
- d) Following an appointment under clause 1, the CEO is to advise Elected Members which employee (or employees) has been appointed as Acting CEO and for what duration, as soon as possible.
- e) If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with clause 1, then the following line of succession shall apply:
  - i. The Director Corporate Services will be appointed as Acting CEO; or
  - ii. If the Director Corporate Services is unable or unwilling to act, the Director Technical Services will be appointed as Acting CEO.



**3. Appointment of Acting Chief Executive Officer (CEO) – Periods greater than 6 weeks but less than 12 months**

- a) Where the CEO's extended period of leave is greater than 6 weeks but less than 12 months Council is to appoint an Acting CEO in accordance with one of the following options:
  - i. Extend any Acting CEO appointment made by the CEO under clause 1;
  - ii. Appoint another employee, or multiple employees listed in clause 1 (b) for a defined period to ensure the CEO position is filled continuously for the extended period of leave; or
  - iii. Commence an external recruitment process in accordance with clause 4 (b).
- b) For the purposes of clause 3 (a) extended leave may arise by way of:
  - i. The CEO clearing extended planned leave which may include accumulated or combined annual leave, long service leave or personal leave; or
  - ii. The CEO taking unplanned leave or is absent from duty which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- c) The Mayor will liaise with the CEO, or in their unplanned absence, the Director Corporate Services to coordinate the necessary Council reports to facilitate an Acting CEO appointment.
- d) Subject to Council's resolution, the Mayor will execute in writing the Acting CEO appointment with administrative assistance from the Director Corporate Services.

**4. Appointment of Temporary Chief Executive Officer (CEO) – Substantive Vacancy**

- a) In the event the CEO's employment with the City is ending, Council may appoint a Temporary CEO.
- b) Council when determining to appoint a Temporary CEO, may either:
  - i. appoint an employee identified in clause 1 (b) to be Temporary CEO until such time a new substantive CEO has commenced their employment with the City;
  - ii. appoint multiple employees listed in clause 1 (b) as the Temporary CEO for a defined period, and until such time that a new substantive CEO has commenced their employment with the City;
  - iii. appoint a Temporary CEO following an external recruitment process for a Temporary CEO in accordance with principles of merit and equity prescribed in section 5.40 of the Act; or
  - iv. appoint an employee identified in clause 1 (b) to be an interim Temporary CEO until an external recruitment process for a Temporary CEO can be completed under clause 4 (b)(iii) and their employment with the City as Temporary CEO has commenced.
- c) The Mayor will liaise with the Director Corporate Services to coordinate the necessary Council reports to facilitate a Temporary CEO appointment.
- d) The Mayor is authorised to execute in writing the appointment of a Temporary CEO in accordance with Council's resolution with administrative assistance from the Director Corporate Services.

## 5. Remuneration and Conditions of an Acting or Temporary Chief Executive Officer (CEO)

- a) Unless decided otherwise by the relevant decision maker, a person acting as CEO shall be remunerated at 90% of the cash component only of the substantive CEO's total reward package.
- b) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- c) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

### Definitions

**Leave** refers to annual, sick or personal leave.

### Related Sources

- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	People and Organisational Development	
Responsible Officer	Manager People and Organisational Development	
Affected Branches	People and Organisational Development Governance Services Office of the CEO	
Council Adoption	Meeting Date	22 March 2022
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

### **3.3 The City as a Preferred Supplier**

#### **Policy Statement**

The City of Subiaco is committed to providing a working environment which promotes the well-being of employees through a broad range of human resources best practices, by developing and providing opportunities for its workforce and acknowledging its legal obligations.

#### **Policy Application**

##### ***People Focus***

The City values each person in its workforce as an individual, providing a favourable working environment and appropriate remuneration, promoting job satisfaction and career development.

This will be achieved by:

1. maintaining good physical working conditions
2. fostering harmonious relations within the workforce
3. promoting career development opportunities, based on required skills and knowledge, accomplishment and leadership potential
4. offering salary scales that reflect the skills and responsibilities of the position, and
5. providing a comprehensive non-salary benefits program including superannuation.

##### ***Occupational Safety and Health and Injury Management***

The City is committed to providing and maintaining a safe work environment, a structured systematic approach to work, which is efficient, safe and free from unacceptable health risks, and provides resources for successful injury management and rehabilitation.

This will be achieved by:

1. ensuring all levels of management, employees and contractors understand and accept their safety and health and injury management responsibilities
2. making every reasonable effort in the areas of accident prevention, hazard control and removal, injury protection, health preservation and promotion
3. giving safe working conditions priority, in the City's plans, procedures, programs and job instructions
4. ensuring a systematic approach is undertaken for workplace-based injury management, and
5. ensuring all employees understand and accept that it is the City's expectation to return to work as soon as possible after a work related injury or illness.

##### ***Equal Employment Opportunity***

The City actively promotes equal employment opportunities based on merit in the process of recruitment, training, remuneration, promotion and benefits, and ensures that the workplace is free from discrimination. Where possible the City will offer employment opportunities to people with disabilities.

This will be achieved by:

1. ensuring offers of employment and training are based on relevant experience, skills and ability to meet the particular position requirements, and
2. promoting policies and opportunities that are directed towards providing equal opportunity to all employees.

### ***Workplace Harassment***

The City is committed to providing an environment, which is free from harassment and discrimination and bullying, by promoting adherence to the Code of Conduct and the Equal Employment Opportunities Act 1984.

This will be achieved by:

1. ensuring that appropriate behaviours are displayed within the workplace
2. ensuring general and specific training is undertaken, and
3. ensuring a complaints/grievance process in place to resolve complaints effectively and confidentially.

### ***Training and Development***

The City provides training, development and education equally and fairly for the mutual benefit of employees and the City.

This will be achieved by:

1. ensuring supervisors consider and identify relevant training and development needs for their employees, and
2. ensuring the training programs contribute to a highly skilled workforce capable of meeting current and future challenges.

### ***Superannuation***

The City supports employees in providing for their retirement including matching employee contributions to superannuation in addition to statutory contributions up to 9%.

The City's contribution rate will be reviewed on a periodic basis.

### ***Performance Management***

The City provides an efficient and effective performance management and appraisal system to review the performance of all employees.

This will be achieved by:

1. ensuring that performance appraisals are undertaken on a regular (and annual) basis, and
2. ensuring that opportunities are provided for each employee to discuss direction and objectives for the next 12-month period, skill development and career planning.
3. ensuring teams and employees are provided with an appropriate level of supervision to assist them complete their duties and achieve stated goals and objectives.
4. ensuring that inappropriate standards and behaviour that may impact on performance or an individual and other colleagues are dealt with in a fair, reasonable and timely manner.

### ***Redundancy***

The City is committed to treating employees affected by redundancy in a just, fair and equitable manner.

This will be achieved by:

1. ensuring a consultation process is undertaken and discussions are held prior to a final decision

- being made
2. ensuring that where a position has been made redundant and a suitable transfer has not been possible, an employee will receive all entitlements payable under the appropriate award or agreement
  3. paying award conditions and benefits accordingly up to a maximum number of 26 weeks payable, and
  4. pro-rata Long Service Leave (if a minimum of 5 years' service) will be paid, if not otherwise entitled under the Local Government Long Service Regulation.

### **3.4 Discount on Rates**

#### **Policy Statement**

The City of Subiaco may provide an incentive for prompt, up-front, in-full payment of rates.

#### **Policy Application**

To give effect to this policy, the City:

- Allows a discount as an incentive for payment by the due date of rates levied and that this discount rate be set during the annual budget process.
- Does not permit an extension of time under any circumstances to claim discount on rates.
- Allows the discount if and only if all arrears of rates are paid prior to the final date specified on the rates assessment notice.
- Will not accept post-dated cheques.
- Defines the final date for payments of rates to be eligible for the discount as the same as the Due Date as specified by the Local Government Act 1995, currently thirty-five (35) days after the date of the service of the rates notices.

### **3.5 Financial Reporting to Council**

#### **Policy Statement**

Financial reports detailing the City's current financial position together with other information to assist in the interpretation of reports are to be presented to Council at the first possible meeting after the end of each month.

A value of \$50,000 is used in the Finance Activity Statement to report material variances in accordance with regulation 34 of the Local Government (Financial Management) Regulations 1996.

## 3.6 Budget Reallocations

### Objective

This policy sets out the requirements when undertaking a budget reallocation following Council adoption of the annual budget.

### Policy

The Council is to conduct a review of its annual budget once annually between 1 January and the last day of February, in accordance with Regulation 33 of the *Local Government (Financial Management) Regulations 1995*.

Only items of an urgent nature are to be referred to Council in the intervening periods.

The Budget Review Report will identify on a program-by-program basis:

- additional income received above budget projections;
- reduced income, or income not likely to be received;
- all line items where expenditure is unlikely to exceed budget, or where a project; has been finished under budget, indicating an excess of funds;
- line items where budget is likely to exceed expenditure; and
- new line items not included in the City's annual budget.

Where re-allocation of monies is necessary to enable the acceptance of a tender that exceeds a value of \$300,000 (excluding GST), re-allocation will be recommended for adoption by absolute majority at the time that the report on the tender is submitted to Council.

### Related Sources

- *Local Government Act 1995*;
- *Local Government (Financial Management) Regulations 1995*.

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance Services	
Responsible Officer	Manager Financial Services	
Council Adoption	Date	25 August 2023
Reviewed/Modified	Date	
Reviewed/Modified	Date	



### **3.7 Insurance Portfolio**

#### **Policy Statement**

The City will ensure that appropriate insurance cover is maintained to provide protection from claims made against the City.

#### **Policy Application**

To give effect to this objective, the City participates in mutual schemes or obtains insurance cover through insurance brokers.

### **3.8 Balance Carried Forward**

#### **Policy Statement**

Where an amount to be carried forward in any financial year is greater than the amount shown on the adopted budget for the financial year, the difference is to be transferred to the Building and Facilities Reserve and used for other work and services as required, by Council, from time-to-time, and that the amount to be transferred to the reserve is to be the subject of a report to Council.

## 3.9 Benchmarking

### Policy Statement

The City will measure its performance with other comparable local governments and organisations for ongoing benchmarking.

### Policy Scope and Application

This policy applies to the City services, Elected Members, local governments and organisations that are deemed appropriate for ongoing benchmarking.

Benchmarking is the process of comparing City's performance to that of other local governments and organisations. Benchmarking is a valuable instrument for identifying efficiency improvements and measuring service quality.

Key principles informing this policy are:

- City of Subiaco is committed to reviewing, developing and coordinating quality standards and continuous improvement initiatives.
- City of Subiaco encourages benchmarking or external referencing with comparable local governments and organisations as a means of identifying comparative strengths and weaknesses, improving performance and assuring quality and standards.

The City will use both qualitative and quantitative measures of performance.

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	All	
Council Adoption	Meeting Date	16 October 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

### 3.10 COVID-19 Financial Hardship

#### Policy Statement

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The management and recovery of outstanding debts is an important aspect to the City's financial management function. The City has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management. This ensures equity between ratepayers.

This policy outlines the process for the recovery of rates and service charges and the charging of interest and administration fees in relation to those debts, during the Covid-19 pandemic.

The City of Subiaco is committed to supporting the whole community to meet the unprecedented challenges arising from the COVID19 pandemic. The City recognises that these challenges may result in financial hardship for ratepayers.

This Policy is intended to ensure that the City offers fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

#### Policy Scope and Application

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This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, while dealing with the effects of the pandemic that those with the capacity to pay rates will continue to do so.

For this reason this policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

#### 1. Payment difficulties, hardship and vulnerability<sup>1</sup>

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

The City of Subiaco recognises the possibility that COVID19 may increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

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<sup>1</sup> Adapted from the Ombudsman Western Australia publication, **Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance:** <http://www.ombudsman.wa.gov.au/>

## **2. Anticipated Financial Hardship due to COVID19**

The City recognises that many ratepayers are already experiencing financial hardship due to COVID-19. The City respects and anticipates the possibility that additional financial difficulties may arise when their annual rates notice is received.

The City will write to ratepayers should their account fall into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, the City will also provide contact information for a recognised financial counsellor and/or other relevant support services.

## **3. Financial Hardship Criteria**

While evidence of hardship will be required, the City recognises that not all circumstances are alike. The City will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. The City will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying with statutory responsibilities.

## **4. Payment Arrangements**

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the City of Subiaco of any change in circumstance that jeopardises the agreed payment schedule.

All requests for payment arrangements are to be in writing by completing the form titled “Application For Financial Hardship Relief” and submitting it to [city@subiaco.wa.gov.au](mailto:city@subiaco.wa.gov.au) or sending it to the city’s postal address (PO Box 270, Subiaco WA 6904).

## **5. Interest Charges and Administration Fees**

Interest will accrue on overdue rates and charges using the interest rate adopted by Council, unless an exemption applies under section 6.51 of the Local Government Act 1995. Where payments are made under a payment arrangement an administration fee will be applied at the rate adopted by Council.

The Emergency Services Levy and associated interest charges are mandated by the State Government of Western Australia and therefore will continue to be charged as prescribed.

## 6. Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner, if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

## 7. Debt recovery

The City will suspend its debt recovery processes whilst negotiating a suitable payment arrangement with a ratepayer. Where a ratepayer is unable to make payments in accordance with the agreed payment plan and the ratepayer advises the City and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then the City will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, the City will offer the ratepayer one final opportunity to adhere to a payment plan that will clear the total debt by 30 June 2022.

Rates and service charge debts that remain outstanding at 30 June 2022, will be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

## 8. Review

The City will establish a mechanism for review of decisions made under this policy, and advise the applicant of their right to seek review and the procedure to be followed.

## 9. Communication and Confidentiality

The City will maintain confidential communications at all times and undertakes to communicate with a nominated support person or other third party only at the request of the ratepayer.

The City will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

The City recognises that applicants for hardship consideration are experiencing additional stress and may have complex needs. The City will provide additional time to respond to communication and will communicate in alternative formats where appropriate. The City will ensure all communication with applicants is clear and respectful.

## Definitions

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**Rate** means charge imposed under sections 6.32 to 6.37 of the *Local Government Act 1995*. **Service Charge** means charge imposed under section 6.38 of the *Local Government Act 1995*. **Interest and Administration Fees** means charges imposed under section 6.45 of the *Local Government (Financial Management) Regulations 1996*.

## Related Sources

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- *Local Government Act 1995;*
- *Local Government (Financial Management) Regulations 1996;*
- *Rates and Charges (Rebates and Deferments) Act 1992;*
- Application for Financial Hardship Form

Policy Details		
Responsible Directorate	Corporate Services	
Responsible Branch	Finance and Governance Services	
Responsible Officer	Manager Finance and Governance Services	
Affected Branches	Finance and Governance Services	
Council Adoption	Meeting Date	21 April 2020
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 4. Regulation and Enforcement Policies

### 4.1 Parking Control

#### Policy Statement

The City will develop and maintain appropriate parking control measures to ensure equity of access and promote the movement and parking of vehicles.

#### Policy Scope and Application

##### Public Areas

The City will adopt parking controls such as time restricted and fee payable parking controls to ensure access and equity is maintained for all motorists. Where possible, a range of parking options will be made available to suit motorist's needs.

Properties immediately adjacent to any proposed change to parking controls will be informed of the proposed changes and given an opportunity to provide feedback prior to the implementation of the parking controls.

Parking Precinct Plans will be reviewed every three years, to ensure a holistic and tailored approach to each precinct's parking controls is maintained.

##### Private Areas

The City may enter into an agreement to control public parking on privately owned land. Parking controls may include ticket machines, payment machines or time restricted parking controls. Where an agreement is in place, the City's Local Parking Laws will be deemed to be in effect for that private land.

The City will not issue infringement notices to vehicles on private property unless a written agreement is in place between the City and the property's owner or managing agent/s.

#### Related Sources

- *Local Government Act 1995*
- *City of Subiaco Parking Facilities Local Laws*
- *Road Traffic Code 2000*

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	Commercial Services and Property	
Council Adoption	Meeting Date	20 April 2021
Reviewed/Modified	Meeting Date	



## 4.2 Parking Infringement Reviews

### Policy Statement

Motorists who contravene the parking local laws may receive infringement notices which they are expected to comply with and which will be enforced.

While not legislatively required, the City of Subiaco recognises that it is best practice to offer motorists an opportunity to request a review of an infringement notice that they have been issued.

The City aims to provide a high level of customer service that is fair and transparent.

### Policy Scope and Application

This policy applies to all motorists that have received an infringement.

Infringement notices may be reviewed if the motorist claims special circumstances led to the offence. Infringement notice reviews are an evidence based process and will be deliberated against the appropriate local laws and Acts under which the penalty was issued or to which it relates, with consideration given to supporting evidence and statements submitted by the recipient. A review of an infringement notice will determine if the penalty should be withdrawn or upheld.

The circumstances where an infringement may be withdrawn include, but are not limited to:

- A broken down vehicle emergency
- A car accident emergency
- A hospital emergency, or
- The vehicle was stolen.

An infringement cannot be reviewed if the matter has been referred to a Magistrate or if it has been referred to the Fines Enforcement Registry for collection.

An infringement may only be reviewed by an appropriately authorised and experienced officer and may only be withdrawn in line with Council delegations.

### Related Sources

- *Local Government Act 1995*
- *City of Subiaco Parking Facilities Local Laws*
- *Road Traffic Code 2000*
- *Oaths, Affidavits and Statutory Declarations Act 2005*
- *Criminal Procedure Act 2004*
- *Fines, Penalties and Infringement Notices Enforcement Act 1994*

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Council Adoption	Meeting Date	20 April 2021

## 4.3 Liquor Licensing

### Policy Statement

The City of Subiaco is committed to working with responsible agencies, community groups, the Police and other key stakeholders to ensure that the interests of the Subiaco community are taken into consideration when liquor licences and permits are granted or reviewed.

### Policy Scope and Application

This policy applies to City of Subiaco staff and the Subiaco community.

Prior to the granting of liquor licences, including extended trading permits, by Liquor Licensing, the city will have direct input into applications that may have adverse impacts upon the surrounding community. The City of Subiaco may lodge objections to the granting of any licence, provisional certificate for any licence, permit or renewal pursuant to the provisions of the *Liquor Control Act 1988*.

### Related Sources

- *Liquor Control Act 1988*
- *Health (Miscellaneous Provisions) Act 1911*
- *Public Health Act 2016*

Policy Details		
Responsible Directorate	Community and Development Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	All	
Council Adoption	Meeting Date	13 November 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 4.4 Footpath Activities

### Policy Statement

The city supports promoting a vibrant street life, balancing the interests and needs of residents, businesses and visitors.

### Policy Scope and Application

This policy applies to City of Subiaco staff, to applicants and permit holders under the Trading in Public Places Local Law 2014.

The following considerations will inform all decision making under the local law:

1. **Safety and accessibility**  
The city's streets must be accessible for all members of the community. Footpath activities should promote an environment which is safe, physically and socially.
2. **Vibrancy and the local economy**  
The city supports local business owners in their efforts to grow the local economy and contribute to a vibrant street life.
3. **Community amenity**  
Footpath activities should make a positive contribution to the community and liveability of the City of Subiaco.
4. **Responsible management of city infrastructure**  
Footpath activities will be managed to avoid damage to city infrastructure or costs to Subiaco ratepayers.

### Related Sources

- City of Subiaco Trading in Public Places Local Law 2014.

Policy Details		
Responsible Directorate	Community and Development Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	All	
Council Adoption	Meeting Date	13 November 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 4.5 Outdoor Events

### Policy Statement

The City of Subiaco welcomes outdoor events for the enjoyment of residents and visitors to the city and acknowledges its responsibility to ensure that outdoor events are of a minimal inconvenience to the community.

### Policy Scope and Application

This policy applies to the Subiaco community, event organisers and City of Subiaco staff.

The following issues are taken into consideration when determining approval to hold an outdoor event within the City of Subiaco:

- the number of patrons expected
- the venue and its proximity to residential property and noise sensitive areas (hospitals, schools etc.)
- the number of events that have been held at the venue or in close proximity to the venue in the past 12 months
- the presence or absence of alcohol during the event
- the type of entertainment, security arrangements, promoters' experience and/or professional background, and
- the time, date and duration of the concert.

Council may consider certain locations within the City Town Centre Zone that are identified as suitable for more frequent events as for example:

- Forrest Walk Car Park;
- Subiaco Station; and
- Seddon Street.

### Related Sources

- Department of Health – Guidelines for concerts, events and organised gatherings
- *Health (Miscellaneous Provisions) Act 1911*
- *Health (Public Buildings) Regulations 1992*
- *Environmental Protection (Noise) Regulations 1997*
- *Public Health Act 2016*

Policy Details		
Responsible Directorate	Community and Development Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	All	
Council Adoption	Meeting Date	13 November 2018
Reviewed/Modified	Meeting Date	

## **4.6 Temporary Advertising on Reserves**

### **Policy Statement**

The City of Subiaco recognises that sporting clubs can raise funds to support their activities by the use of temporary advertising signs on reserves, and seeks to enable this to occur without adverse effect upon public safety and visual amenity.

### **Policy Application**

In order to achieve this policy, the City will consider special permits to allow sporting clubs using Rosalie Park to undertake limited sponsorship advertising, by way of signs erected on “A” frames or star pickets, displayed at Rosalie Park subject to the following conditions:

- Signs to be displayed on day of club’s competitive sporting event only.
- Signs to be exhibited only within the club’s sporting arena.
- Each club to be permitted to display a maximum of 4 signs only.

The City will consider a special permit for the provision of demountable scoreboards, subject to the following conditions:

- Scoreboards shall be a maximum size of 2m x 1.5m.
- Scoreboards shall be displayed only during the competitive sporting event and removed immediately upon completion of the event.
- One scoreboard only shall be permitted to be displayed at each individual playing arena or field.

## 4.7 Razor Wire

### Policy Statement

The City of Subiaco supports efforts to improve the security of private property that do not adversely impact on public safety and visual amenity, nor expose the city to undue risk of litigation.

### Policy Scope and Application

This policy applies to owners and occupiers of property within the City of Subiaco.

The City of Subiaco strongly opposes the use of razor wire and is unlikely to approve any application for its use.

### Definitions

Razor Wire: A metal wire or ribbon with sharp edges or studded with small sharp blades, used as a barrier to deter intruders.

### Related Sources

- *Building Act 2011*
- *Building Regulations 2012*

Policy Details		
Responsible Directorate	Community and Development Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	All	
Council Adoption	Meeting Date	13 November 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 4.8 Street Banners

### Policy Statement

The city displays banners along Rokeby and Hampden roads to enhance the streetscape and character of Subiaco and to promote events, celebrations, services and facilities in the city.

### Policy Application

Street banners will have artistic, cultural, community or heritage value, or promote a special event or celebration.

### *Applications to use the city's street banner poles*

The city may provide funding to not-for-profit organisations for the cost of banners through the community and development grants program. Private sector sponsorship can also contribute towards the cost of banners. Banners produced primarily for commercial gain will not be approved.

Banners must fall within one of the following categories:

- have a public art value
- promote events or services provided by non-profit or government organisations which is of interest to the general public
- promote community events or activities provided by a private sector group which is of interest to the Subiaco community.

Bookings and enquiries relating to the city's banners and banner poles should be directed to the city's community development branch.

The design of banner graphics is to be approved by the city's communications team prior to commencement of production. Details of the design must be submitted at least three months prior to the period of use.

Advertising, such as logos and organisational names, should be limited to a maximum of twenty per cent of the total banner design. Advertising is considered to be the portion of the banner devoted to an organisation which will benefit from having its logo or name displayed on the banner.

Applicants are required to make arrangements for the design and manufacture of their banners. Details of banner specifications are provided upon application and booking confirmation. The city is unable to erect banners which have not been made in accordance with the specifications.

The cost of design, manufacture, erection and removal of banners is incurred at the requesting organisation's expense. The city provides the banner poles and coordinates the booking and erection/removal of banners. Costs of installation and removal of banners is based on the current contractor's charges. The actual cost of erecting and dismantling banners will vary depending on the number of banners erected.

### *City of Subiaco street banners*

Street banners produced by the city promote the services, celebrations, facilities and programs provided by the city and have artistic, cultural, community or heritage value. The city's street banners also enhance community identity and spirit.

The communications team is responsible for the design and production of all city banners.

***Banner locations***

The number and location of banner poles are as follows:

Rokeby Road – seventeen banner poles, totalling thirty-four banners (two banners per pole) Hampden Road – three banner poles, totalling six banners (two banners per pole)

Banners must be placed safely in places where they are not obstructing traffic.



## 4.9 Parking Permits

### Policy Statement

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The intent of this policy is to guide the control and management of parking permits, whilst ensuring the equity and access of public parking is not reduced by oversupply of permits.

### Policy Scope and Application

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This policy has application throughout the City of Subiaco.

The City is committed to ensuring that the supply of parking permits is fair and equitable and meets the needs of residents, whilst acknowledging that the oversupply of permits reduces the availability of parking for all motorists and working to manage the impact of this.

As such, parking permits are issued on a needs and evidence basis and will not be issued as a matter of convenience to residents that obviates the need to access their on-site parking.

There are currently four types of permits issued by the City:

#### Residential Parking Permits

These are provided to residents who do not have adequate on-site parking to accommodate their vehicle/s. These permits are issued to dwellings that abut a street containing a time restriction.

#### Visitor Parking Permits

These are provided to residents to accommodate visitors to their property and are issued to dwellings that abut a street containing a time restriction.

#### Temporary Parking Permits

These are available to any person that would otherwise be eligible to receive a Residential or Visitor Parking Permit and may be issued for exceptional circumstances deemed appropriate by the City.

#### Special Purpose Parking Permits

These are designed for non-residential application and include:

*Event Parking Permits* – designed to accommodate persons involved in a particular event being organised by the City.

*Commercial Parking Permits* – designed to assist with access to commercial or residential properties for trades vehicles that need to have close access to their worksites and are likely to overstay time restrictions.

*Extraordinary Parking Permits* – designed to accommodate persons attending or involved in one-off community, non for profit or other extraordinary events.

#### Parking Permit Applications – Residential and Visitor

Parking permit applications must be submitted in full. Partial or incomplete applications will not be accepted or processed. The City will take appropriate measures to ensure that the privacy of its residents and applicants is not put at risk when administering this policy.

Applications that are found to have been submitted containing deliberately misleading information will not be processed. Any permits issued based on an application containing deliberately misleading information may be cancelled, in this case the applicant will be unable to reapply for permits for a period of 12 months.

Residential and Visitor Parking Permits may be renewed annually, without additional fees, up to 2 subsequent times.

#### Residential Parking Permits

When determining the adequacy of on-site parking, the City will consider –

- (a) The number of on-site parking bays nominated on approved development plans.
- (b) Whether development approval has been granted for the provision of on-site parking regardless of the use being made of that area.
- (c) Where the nominated vehicle is of a size or type which cannot enter, or be accommodated by the garage or on-site parking area, the garage or area is still to be counted in the calculation of on-site parking area however, the access difficulties will be subject to an on-site assessment and if proven, a Residential Permit will be issued to accommodate that vehicle.
- (d) Vehicles other than motor cars, for example, caravans, trailers, including boat trailers, which cannot be parked within the read reserve, may occupy nominated on-site parking facilities in lieu of a motor car.
- (e) Unregistered vehicles are not classed as motor cars and cannot be included in the quantity of vehicles stored at the property.

#### Visitor Parking Permits

Residents will automatically be eligible for 1 Visitor Parking Permit, unless the property is otherwise considered to be excluded from permit eligibility. The City will approve the issue of 1 additional Visitor Parking Permit on application that outlines their circumstances and upon payment of the prescribed fee.

An application for 1 additional Visitor Parking Permit to service the needs of in-home care of support to the resident of the dwelling, will be exempt from the prescribed fee. The application must however be accompanied by evidence of that care or support service.

Residents living on a street with a 'permit parking only' restriction will be eligible for 1 additional Visitor Parking Permit exempt from the prescribed fee upon application.

#### Temporary Parking Permits

Upon application, the City may issue up to 20 one day Temporary Parking Permits free of charge per calendar year to a residential property for events and other one-off type occurrences at the residents dwelling, for example, birthday parties etc. An application for any additional permits over the allocation of 20 per calendar year will require payment of the associated fee.

#### Special Purpose Parking Permits

An application for an Event Parking Permit, a Commercial Parking Permit or Extraordinary Parking Permit shall be accompanied by the relevant fee stipulated in the schedule of fees and charges.

## Parking Permit Eligibility – Residential and Visitor

Residents occupying a dwelling on a short term lease or similar agreement (of less than 6 months) will not be eligible for Residential or Visitor Parking Permits. Residents occupying a dwelling on a lease agreement or similar instrument (of more than 6 months) will be issued permits valid for the period of the tenancy or 12 months, whichever is the lesser period.

Residents on streets of high parking demand, which predominantly service commercial and retail land use, or where parking is prohibited, will not be eligible to use any parking permit on their street. However, it is possible for these residents to apply for a Residential and/or Visitor Parking Permit for use on adjacent streets or other locations as determined by the City. For example, Residential and Visitor Parking Permits will not be issued for use in Hay Street.

The City may exclude grouped dwellings, multiple dwellings or residential components of mixed use development from being eligible for any Residential or Visitor Parking Permits where:

- (a) The dwelling is in close proximity to public transport
- (b) The demand for parking in the adjacent road(s) is high
- (c) The number of parking bays in the adjacent road(s) is significantly less than the number of dwellings in the immediate area.

## Permit Misuse

Permits found to be used contrary to this policy or the City's Parking Facilities Local Laws, including being sold, copied or altered will be revoked with the applicant deemed to be ineligible to re-apply for parking permits for a period of twelve months. The City may also revoke all permits issued to the applicant and refuse any permit application from a dwelling, which is occupied by that applicant for the same period.

Residential Parking Permits may not be used for the storage of vehicles on the road.

Visitor Parking Permits are intended for short term use by visitors to a residential property and shall not be used for any continuous period in excess of 24 hours without prior approval from the City. Visitor Parking Permits may not be used by residents for their own vehicles.

## Definitions

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**“storage”** in relation to a vehicle on the street refers to a period unmoved of 7 days or greater.

**“permit”** means a residential permit, visitor's permit, temporary permit or special permit issued under *Part 6 of the Parking Facilities Local Law*.

## Related Sources

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- *Local Government Act 1995*
- *City of Subiaco Parking Facilities Local Laws*

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	N/A	
Council Adoption	Meeting Date	20 April 2021
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 4.10 Beekeeping

### Policy Statement

The City of Subiaco supports responsible beekeeping that does not unduly impact on community safety.

### Policy Scope and Application

This policy applies to City of Subiaco staff and the Subiaco community.

The city recognises that bees assist in plant pollination and reproduction, which contributes to the health of the environment and enhances the visual qualities of an area. However, bees also possess a painful sting which can trigger an allergic reaction in some people within the community.

Effective management under prescribed conditions of responsible practice may minimise adverse consequences that may result from keeping bees.

The city will assess beekeeping applications on their merits with consideration to site conditions, beekeeping expertise, features of the surrounding area and the results of community consultation.

### Related Sources

- *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*
- *The Health (Miscellaneous Provisions) Act 1911*
- *The City of Subiaco Health Local Laws 1999*
- *Local Government Act 1995*
- *Public Health Act 2016*

Policy Details		
Responsible Directorate	Community and Development Services	
Responsible Branch	Health and Compliance Services	
Responsible Officer	Manager Health and Compliance Services	
Affected Branches	All	
Council Adoption	Meeting Date	
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## **5. Environmental Policies**

### **5.1 Sustainability**

#### **Policy Statement**

The City of Subiaco is committed to ecologically sustainable development within the municipality.

#### **Policy Application**

The City will give effect to this aim by:

- encouraging sustainable development principles in architecture and town planning
- promoting sustainability through its policies and activities
- setting the example in the reuse and recycling of materials, and in minimising use of energy and water resources
- promoting the reuse and recycling of materials
- promoting energy efficient use and renewable energy use in the City, and
- promoting strategies for reducing water consumption.

## 5.2 Nuclear Free Zone

### Objective

The purpose of this policy is to reinforce that the City of Subiaco has declared that the entire municipal district of Subiaco is a nuclear free zone.

### Scope

This policy applies to external agencies to ensure they are aware of the city's policy.

### Policy

Recognising that its powers and responsibilities are limited the Council's position is that within the municipality:

- no Nuclear Weapons, Nuclear Waste or devices may be stored, transported or used
- no nuclear power stations or nuclear enrichment plants may be built or operated, and
- no uranium or other material connected with the nuclear armament or power industry may be mined, stored or transported.

The Council is not opposed to the responsible use, transport, storage or disposal of radioactive substances for bio-medical and technological purposes, as it believes that the benefits to the users out-weigh the risk to the community at large.

### Definitions

**Nuclear Waste** means material:

- that is or contains a radioactive substance; and
- that —
  - is waste of a nuclear plant; or
  - results from the testing, use or decommissioning of nuclear weapons,

Whether or not that material has been conditioned or reprocessed.

**Nuclear Weapon** means an explosive device that derives its destructive force from nuclear reactions, either fission (fission bomb) or from a combination of fission and fusion reactions (thermonuclear bomb).

### Related Sources

- *Nuclear Waste Storage and Transportation (Prohibition) Act 1999*
- *Nuclear Activities Regulation Act 1978*

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Office of the CEO	
Responsible Officer	Chief Executive Officer	
Affected Branches	Nil	
Council Adoption	Meeting Date	12 December 2017

### 5.3 Public Open Space in a Drying Climate

#### Objective

The objective of this policy is to ensure ongoing quality open spaces through utilisation of sustainable practices.

#### Scope

This policy applies to active and passive reserves, streetscapes, public open spaces and active reserves.

#### Policy

The City of Subiaco supports reducing the environmental impact of producing high quality public open spaces through the use of sustainable practices to adapt to a drying climate.

To achieve the objectives of this policy the City of Subiaco is committed to:

1. Reducing the reliance on unsustainable water resources in line with changing environmental conditions and government regulations.
2. Maintaining and increasing opportunities to create and manage sustainable, creative and functional landscapes.
3. Meeting the expectations of the community.
4. Ensuring best practice design of public open space.

#### Related Sources

- Public Open Space Strategy 2014
- Street Tree Policy
- Sustainability and Resilience Strategy 2016 – 2021
- Plant Pathogen Management Plan 2015 – 2019
- Wildlife Enhancement Plan 2014 – 2019
- Water Corporation Water Efficiency Action Plan 2016
- Groundwater Operating Strategy 2010-2019

Policy Details		
Responsible Directorate	Technical services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Transport and Infrastructure Development	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	



## 6. City Services (Service Delivery) Policies

### 6.1 Joint Provision of Community Facilities

#### Policy Statement

The City of Subiaco supports, that where appropriate, shared facilities between the City and the State Government, not for profit organisations and community organisations.

#### Policy Scope and Application

This policy applies to Elected Members and employees of the City.  
The City may enter into joint arrangements with the State Government, not for profit organisations and/or community organisations for the construction and/or operation of community facilities to achieve the following benefits.

- Greater integration and coordination of community resources
- Capital and operating cost savings to the Council, and
- Increased access to and provision of community facilities.

#### Related Sources

- City of Subiaco Strategic Community Plan 2017 – 2027
- Joint Provision of Community Facilities Protocol

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	Operations and Environment Services; Recreation Services	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 6.2 Library Services

### Policy Statement

The City of Subiaco is committed to the provision of a high quality library service, the development of the library as a centre of cultural and educational activities, and to promote a sense of belonging for the whole community.

### Policy Scope and Application

The policy applies to the employees of the City. In order to achieve this, the library service will:

1. Maintain collections, responsive to community needs
2. Provide materials accessible by all individuals and in a variety of formats to cater for all need
3. Promote membership and use of the library service to residents, workers and visitors to the City of Subiaco
4. Conduct awards and programs which encourage community participation
5. promote partnerships which encourage a variety of activities to benefit and appeal to a wider range of the community
6. Provide information on activities and developments within the community, and
7. Encourage the use of the library as a community meeting place.

### Related Sources

- *Library Board of Western Australia Act 1951*

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	All	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 6.3 Museum Services

### Policy Statement

The City of Subiaco is committed to the provision of a high quality museum service and to promote the museum as a centre of cultural and educational activities, and provide information about the historical representation of the Subiaco community.

### Policy Scope and Application

The policy applies to City employees.

In order to achieve this policy, the museum service will:

- Conserve and preserve the collection
- Assist visitors to the museum and respond to requests for information
- Function as a research resource for staff and visitors
- Conduct awards, programs and publications which promote community participation, and
- Create exhibitions which display or interpret the history of Subiaco.

### Related Sources

- City of Subiaco Framework 1
- National Standards for Australian Museums and Galleries v 1.5 Sept 2016
- Burra Charter, 2013 Edition
- The Subiaco Museum Disaster Preparedness Plan

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	Cultural Services	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 6.4 Provision of Community Recreation Facilities, Programs and Services

### Policy Statement

The City of Subiaco is committed to the provision of community sport and recreation facilities, services and programs to contribute to the quality of life of the people living within the City, and those who visit.

### Policy Scope and Application

This policy applies to elected members and employees of the City. The City will achieve this by:

1. encouraging community members to participate in their choice of sport and recreation activities regardless of age, gender, ability or background;
2. working with state government, neighbouring local governments and relevant industry stakeholders to ensure there is adequate active open space and recreation facilities in the region;
3. ensuring equitable access to services and facilities with priority given to the needs of local community members;
4. being proactive with emerging trends, new recreation opportunities and best practices to ensure services and facilities meet the ever growing needs of the community;
5. ensuring that services and facilities are operated in a manner that maintains a balance between social benefit and financial viability;
6. entering into partnerships with community groups to ensure satisfactory outcomes;
7. seeking ongoing involvement by the community in the development, operation, monitoring and updating of open spaces, services and facilities;
8. ensuring that use and repair of all City owned and maintained sport and recreation assets is done in accordance with appropriate standards and in a financially sustainable manner;
9. assisting in the development and distribution of accurate, easily accessible information about the services and facilities that are available;
10. recognising that indoor passive recreation is important for just as many ratepayers as sporting recreation;
11. promoting the health and wellbeing benefits of passive and active recreation in the City; and
12. applying charges for hire of community facilities that reflect the need for equity, fairness, access and that recognise the contribution community groups make to the City of Subiaco.

### Related Sources

- City of Subiaco Strategic Community Plan 2017 – 2027

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Recreation Services	
Responsible Officer	Manager Recreation Services	
Affected Branches	Operations and Environment Services	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	

## 6.5 Use of Active Recreation Areas

### Objective

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The objective of this policy is to provide high quality public open space, parks and reserves for active recreation activities to the widest range of local community and visitors on an equitable basis.

### Scope

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This policy applies to active recreation reserves, elected members, employees of the City, residents and sporting groups.

### Policy

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The City's active recreation reserves are managed to ensure sustainable usage by local community groups and sporting clubs, which provide a valued contribution to the Subiaco community. A Partial User Pays System encourages equitable usage, ensures the financial sustainability of users and protects the condition of the reserves. Subiaco Oval, Rosalie Park, Rosalie tennis courts, Nicholson Road Reserve and Hickey Avenue reserve are the City's nominated active recreation reserves. The City, in partnership with sporting clubs is committed to developing community sport and recreation whilst continuing to improve its active recreation reserves.

The City supports the use of active recreation space whilst adopting a booking system which protects the condition of the City's active recreation areas and maintains an acceptable level of amenity. The intent of the policy is to:

1. To provide active recreation opportunities for community groups and individuals.
2. To ensure an equitable methodology for the management of active recreation reserves.
3. To balance ratepayer expectations of the City's financial management against subsidies to active recreation reserve users.
4. Collaborate with sporting clubs and commit to the maintenance and development of sport and recreation in active recreation reserves.
5. Provide a 50% subsidy to junior sport usage (under 18 years) for their clubs contribution to ground maintenance costs.

### Definitions

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**Partial user pays system** sporting clubs contribute to the maintenance costs incurred by the City to maintain the active playing surface as these services are provided for the sole benefit of the sporting clubs

### Related Sources

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- Activities in Thoroughfares and Public Places Local Law 2014
- *Land Administration Act 1997*
- *Local Government Act 1995*
- *Local Government Property Local Law 2014*
- Passive recreation space policy

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment Services	
Affected Branches	Recreation Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	9 June 2020
Reviewed/Modified	Meeting Date	22 February 2022

## 6.6 Use of Passive Recreation Areas

### Objective

The objective of this policy is to provide high quality public open spaces for passive recreation activities to the widest range of local community and visitors on an equitable basis.

### Scope

This policy applies to Elected Members, employees of the city, contractors, residents, community groups, schools and visitors.

### Policy

1. The city supports the use of passive recreation space whilst adopting a Bond and Permit system which protects the condition of the city's parks and reserves and maintains an acceptable level of amenity for residents by acknowledging that not all sites are suitable for all activities.
2. Provide high quality public open space for appropriate use by the general public.
3. Reduce and manage the impact of approved activities on residents and assets.
4. Minimise public liability issues.

### Definitions

**Bond** a refundable monetary amount paid to a city trust that is held for the duration of the park booking as per fees and charges

**Permit** means a permit required by the Local Government Property Law 2014, and issued by the city under that Local Law

### Related Sources

- Active recreation space policy
- Activities in Thoroughfares and Public Places Local Law 2014
- Land Administration Act 1997
- Local Government Act 1995
- Local Government Property Local Law 2014

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Planning Services Health and Compliance Services Finance and Governance Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 6.7 Waste Services

### Objective

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The intent of this policy is to guide the City of Subiaco in sustainable waste and recycling practices to establish and maintain consistent, cost effective and functional waste management.

### Scope

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The policy applies to the city's waste and recycling requirements for residential, multi-unit developments, parks, reserves, street scapes, public places, commercial and industrial properties.

### Policy

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1. The city will educate and display programs to promote best practice waste and recycling to ensure a reduction in waste to landfill and the creation of avoidable recyclable material.
2. The city is committed to the Western Australian State Governments Waste Strategy to reduce the quantity of waste sent to landfill and the Australian Standards.
3. The city will provide the following services:

#### Residential;

- The option of a 120Lt or 240Lt general waste bins for collection of Putrescible waste
- Bin replacement or repair which is included in the Waste Service Levy
- Waste Service Levy discount of 50% to eligible pensioners
- Provision of subsidised transfer station trailer passes for general waste
- 240Lt yellow topped recycling bin
- A 120Lt yellow lid recycling bin under special circumstances.
- The option of a 360Lt yellow lid recycling bin if it can be demonstrated that a standard 240Lt cannot cope with demand.
- Drop off facilities for mobile phone/batteries for recycling at Lords and the Library
- Verge collections of green waste pruning's and/or small green waste in approved bags from residential properties for recycling on normal bin day
- Residential verge collections of bulk items including metals, electrical and electronic equipment for recycling
- Subsidised compost bins

#### Commercial;

- The option of a 240Lt or 660Lt general waste bins for collection of Putrescible waste
- The option of a 240Lt yellow lid recycle bins for the collection of recycling material

#### Other Services;

- Waste collection at special events
- Cigarette butt collection facilities
- Street and park litter collection
- Street, car park and laneway sweeping
- High pressure cleaning of footpaths in the Town Centre.
- Public place recycling facilities
- Recycling of the city's infrastructure construction materials and street tree pruning's

### Definitions

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**Putrescible** – food or organic waste



## Related Sources

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- Health (Miscellaneous Provisions) Act 1911
- Waste Avoidance And Resource Recovery Act 2007
- WA Health Act

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Health and Compliance Finance and Governance Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7. Operational Policies

### 7.1 Street and Reserve Trees

#### Objective

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The City of Subiaco recognises the environmental and aesthetic contribution that Street, park and Reserve Trees make to the continuing development and presentation of streetscapes, by preserving and enhancing the 'Urban Forest' character of the city.

The objectives of this policy are to –

- Preserve and enhance the 'Urban Forest' character of the city, assist in achieving the objectives of the city's Public Open Space in a Drying Climate, Sustainability and Resilience Plan, Greening Strategy and Wildlife Plan and to ensure the city is not exposed to an increase in legal risks for public liability claims by virtue of diminished standards.
- Select, plant, maintain and protect Street Trees which: provide valuable habitat for the fauna associated with the Perth metropolitan area; and which enhance both existing and future streetscapes, parks and reserves.
- Create a setting in sympathy with the function and appearance of the adjacent land uses, a safe and comfortable environment, while recognising the heritage value of old and significant Trees.
- Ensure development considers and accommodates Trees where it is possible and practical to do so.
- Ensure its residents receive all the economic, environmental, social and health benefits Trees bring to our city.

#### Scope

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This policy applies to all Trees that are owned or managed by the City of Subiaco. Elected Members, city employees, residents, property owners, consultants, contractors, developers and event organisers are all expected to comply with the policy.

A City Tree includes any Tree which has the majority (>50%) of its trunk growing from council land, such Trees shall be referred to as City Trees.

#### Policy

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The City of Subiaco manages approximately 15,000 Street, park and reserve Trees and recognises the importance of Trees in creating functional and attractive streets and reserves within the urban environment. The city is committed to planning, planting, establishing and maintaining all City Trees.

Street Trees provide many benefits that have both economic and intangible benefits. While they improve land values they also purify air, their foliage filters noise and reduces its intrusion into domestic areas, they play a role in modifying the effects of climate, contribute to a sense of seasonal change and provide habitat for the fauna associated with the Perth metropolitan area.

The aim of this policy is to:

1. Provide clear protocols to ensure a consistent approach towards the provision of Street Trees in the City of Subiaco
2. Increase the city's Tree canopy cover reducing the urban heat island effect, improve air quality and contribute to greening corridors through proactive planting programs
3. Preserve, protect and increase the long term viability of City Trees on verges and in reserves

- through Tree protection and maintenance programs
4. Provide safe, cool and green access ways for pedestrians, cyclists and vehicles
  5. Reinforce, preserve and enhance the character of our suburbs
  6. Direct the most appropriate species and planting techniques for the many potential Tree sites in Subiaco - 'the right Tree for the right location'
  7. Increase canopy coverage on verges and reserves
  8. Improve Street Tree establishment and survival rates
  9. Guide the maintenance and management of existing and new Trees to ensure that they survive and thrive in the harsh urban conditions.

To effectively promote the city's goals, all City Trees, will be:

- Protected from any activity, including development, that threatens their health and/or longevity
- Protected from infrastructure conflict, where possible, with priority given to the relocation of infrastructure away from Trees to reduce the potential for immediate or future damage
- Prioritised when considering applications for new developments so that potential conflicts with City Trees will be addressed before an application is approved for planning, construction/building and verge related permits. Provide clear guidelines to ensure a consistent approach towards the provision of Street Trees in the City of Subiaco
- The city prioritises Tree retention and will only consider removal when no other reasonable design alternative exists. In the improbable occasion that no reasonable design alternative exists, Tree removal must be approved by council.

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## Definitions

**City Tree** is any Tree which has a majority (> 50%) of its trunk growing from Council managed land.

**Reserve Tree** is a Tree that is located within a park, reserve or natural area.

**Street Tree** is a Tree that is located within the road reserve.

**Tree** is defined as a woody perennial plant generally having a single stem or trunk which will grow to a height of approximately 4 metres or more.

**Urban Forest** is a population of Trees and vegetation growing within an urban setting for the purpose of improving the liveability of that urban setting whilst providing social, economic and environmental benefits to the community as a whole.

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## Related Sources

- Activities in Thoroughfares and Public Places Local Law 2014
- *Local Government Act 1995*
- *Local Government Property Local Law 2014*
- Public Open Space in a Drying Climate Policy
- Public Open Space Strategy 2014
- Strategic Community Plan 2017-2019
- Street Tree Master Plan
- Street and Reserve Trees Protocols Policy Guideline
- Sustainability and Resilience Strategy 2016-2021
- Verge Policy
- Wildlife Enhancement Plan 2014-2019

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Planning Services Health and Compliance Services Finance and Governance Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.2 Street Verges

### Objective

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The objective of this policy is to highlight the obligations and responsibilities of the city and the community in relation to the maintenance and development of verges using the following principles:

- Establish and promote high quality streetscapes as a reflection of the city's local character, while fostering a sense of community pride.
- Encourage the installation of Permissible Verge Treatments
- Encourage the onsite infiltration of water.
- Ensure that the verge is accessible for pedestrians, utilities and other users.
- Ensure that verges do not present sightline hazards for vehicular or pedestrian movements.
- Encourage the use of local Waterwise native plant species, and Waterwise garden design to protect and enhance local biodiversity.
- Complement the City of Subiaco's Street and Reserve Tree Policy as a means of contributing to the aesthetic and environmental qualities of its urban forest.
- Minimise risk of harm to the community and liability for the City of Subiaco.

### Scope

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This policy applies to any person or organisation considering a modification to the Street Verge adjacent to their property. This includes residents, employees of the City, property owners and managers, developers, consultants and contractors not specified under the utility service provider's Code of Conduct.

### Policy

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The underlying principle of the city's approach to managing Street Verges is to encourage residents to:

- Install and maintain Soft Landscaping which contributes to the aesthetic presentation of the streetscape;
- Apply sound environmental consideration to verge development through utilising low water demand plantings of species indigenous to the local area;
- Minimise the use of impervious surfaces to encourage infiltration of ground water where it falls; and
- Meet the communities' requirements for safety and protect the city's obligations for duty of care.

The Street Verge is part of the Road Reserve and, as such, is under the care, control and management of the City of Subiaco. The city manages approximately 114 kilometres of Road Reserve and recognises the importance of verge spaces contributing to the urban forest and in creating functional and attractive streets within an urban environment.

### Waterwise Landscaping

The city encourages residents to install Waterwise gardens on the verge adjacent to their property. The city recommends the guidelines within the Water Corporations "Step by step guide to creating a Waterwise verge" as a best practice guide for developing a Waterwise verge garden.

### Biodiversity Value

Consistent with environmental sustainability, this policy aims to preserve and promote "green" verges throughout the city. Green verges are an important component of the city's streetscapes, which form green corridors that link to parks, reserves and natural bushland areas. Revegetated verges act as

'ecological stepping stones' and assist native animals and birds move throughout the urban landscape.

### **Water Infiltration**

On site infiltration of storm water is desirable as a means of contributing to the replenishment of groundwater. Storm water runoff from large sections of hard surfacing can cause localised flooding and adversely impact on the city's storm water system.

### **Verge Paving**

Verge Paving is not supported by the city and is only permitted in limited circumstances. Any Paving to the verge requires the approval of the city. A plan must be submitted and assessed by Operations and Environment Services.

### **Verge Parking**

Parking on verges is permitted however parking adjacent to Street Trees causes significant compaction to tree root systems. Normal street parking rules apply to the street area adjacent to the Verge.

### **Vegetable Gardens**

The installation of vegetable gardens on the verge is permissible.

### **Artificial Turf**

Artificial or synthetic Turf is not an approved material and its installation is not permitted.

### **Irrigation Systems**

Where property owners wish to install a permanent irrigation system on the verge the water supply is to be from within the adjacent private property boundary. All pipework is to be installed below ground and under footpaths. Any irrigation system must comply with the Water Corporation's regulations and be maintained at a grade consistent with the surrounding ground/mulch level when not in use.

### **Urban Forest**

The majority of the city's urban forest is situated within verges and care and consideration for the existing trees and their root systems must be taken (refer to the Street and Reserve Trees Policy).

### **Verge and Property Development**

To minimise the risk of tree damage/death a minimum construction clearance of two (2) metres is required from the visible root collar of an existing Street Tree. Where excavation to a depth greater than 100mm is proposed the clearance should be greater than three (3) metres from the visible root collar of an existing street tree. City approval is required for verge development where Street Trees may be impacted by the works.

### **Verge Development Assistance Scheme**

The objective of providing Verge Development Assistance is to encourage and support property owners to develop and maintain verges (refer to the Verge Management Guidelines).

### **Garden Edging**

Garden edging may be installed to create a barrier between verge surfaces. Edging must be a maximum depth and width of 100mm. Any installed edging must be maintained at grade with the surrounding landscape levels so as not to create a trip hazard.

### **Existing Verge Treatments**

Where Verge Treatments are not consistent with this policy and are identified as safety hazards, the city will request the property owner to carry out remedial works. Where the owner of the property is unable or unwilling to complete remedial works, the city will complete the works.

## Verge Maintenance

The city encourages residents to maintain the verge through regular maintenance. In areas of high visibility where a property owner(s)/resident(s) are not inclined to maintain the verge adjacent to their property the city will provide limited assistance to ensure public safety and to maintain a level of amenity commensurate with the expectations of the Subiaco community.

## Definitions

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**Artificial Turf** various synthetic, carpet like materials made to resemble natural turf grass.

**Hard Landscaping** refers to retaining structures or borders, but not paving

**Paving** refers to the installation of paving materials for footpaths or hardstand areas

**Permissible Verge Treatment** means any of the verge treatments listed in clause 2.7 (2) of the Activities and Thoroughfares Local Law 2014

**Road Reserve** means the portion of land adjacent to their property boundaries, specifically gazetted for the provision of public right of way

**Soft Landscaping** refers to grass and plants

**Street Tree** is a tree that is located within the road reserve

**Street Verge** is the portion of road reserve between the property boundary and kerblines

**Verge Development Assistance Scheme** includes the provision of free mulch and soil improver, plants and other subsidies on a first come first served basis

**Verge Treatment** refers to the landscaping of the portion of street verge not occupied by a footpath or crossover. It typically involves the planting of grass, ground covers or low shrubs and the installation of mulch and irrigation

**Waterwise** refers to the creation of appropriate gardens in climate regions where rainfall or water supply is limited.

## Related Sources

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- *Activities in Thoroughfares and Public Places Local Law 2014*
- *Local Government (Uniform Local Provisions) Regulations 1996 (r5, 6, 7 and 17)*
- *Local Government Act 1995 (s3.37 – 3.39)*
- *Plant Pathogen Management Plan 2015 – 2019*
- *Public Open Space in a Drying Climate Policy*
- *Strategic Community Plan 2017-2019*
- *Street Tree Master Plan*
- *Street and Reserve Trees Policy*
- *Sustainability and Resilience Strategy 2016-2021*
- *Verge Management Guidelines*
- *Wildlife Enhancement Plan 2014-2019*

Policy Details		
<b>Responsible Directorate</b>	Technical services	
<b>Responsible Branch</b>	Operations and Environment Services	
<b>Responsible Officer</b>	Manager Operations and Environment	
<b>Affected Branches</b>	Planning Services Health and Compliance Services Transport and Infrastructure Development	
<b>Council Adoption</b>	<b>Meeting Date</b>	17 April 2018
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	



## 7.3 Cyclist and Pedestrian Facilities

### Objective

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The purpose of this Policy is to plan for the development and provision of bicycles / cycling and pedestrian facilities within the City of Subiaco, within the context of transport needs, access and amenity, environment, health, wellbeing and sustainability.

### Scope

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This Policy applies to all land and streets within the City of Subiaco. It has particular relevance to improving cycle links to Activity Centres where business, community and residential activity are concentrated, and where walking and cycling will be encouraged as preferred modes of transport within and to these centres.

### Policy

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The City of Subiaco will plan for the development and provision of bicycle / cycling and pedestrian facilities alongside streets for which it is responsible by prioritising this mode of transport and including appropriate funding allocations within its Strategic Financial Plan. In achieving this it will meet the requirements of all other anticipated users (including those users with a disability) in the provision of cycling and pedestrian facilities.

The City of Subiaco shall also ensure through good planning and financial practices that it meets the following objectives:

1. Assist the Department of Transport (DOT) and Main Roads WA (MRWA) to promote cycling and pedestrian facilities as a preferable transport mode.
2. Maintain an awareness of current cycling and pedestrian requirements through liaison with representative advocacy groups, in conjunction with established project consultation processes.
3. Enhance the liveability and environmental quality of communities by improving opportunities for bicycle and pedestrian activities in the urban environment and in parks and reserves.
4. Enhance cycling and pedestrian options so that the community, regardless of location can choose cycling, walking or running as a convenient and comfortable mode of transport.
5. Improve and promote the safety of bicycle and pedestrian travel throughout on and off road networks within Subiaco.
6. Strengthen the links between cities on and off road bicycle and footpath networks.
7. Recognise Activity Centres as key destinations for cycling and pedestrian trips to enable local economic growth, community health and wellbeing.
8. Support a greater proportion of transport trips within and to Activity Centres to be undertaken by cycling and walking / running.

### Related Sources

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- Cycling Aspects of Austroads Guide (2017)
- Australian Standards
- Transport Access and Parking Strategy (TAPS)
- WA Bicycle Network Plan 2012 – 2021
- Disability Access & Inclusion Plan (DAIP 2017 - 2022)

Policy Details		
Responsible Directorate	Technical services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.4 Local Area Traffic Management

### Objective

The objective of this policy is to improve safety and amenity within the local road network. The City has a legal duty of care to road users to take 'reasonable measures' to provide a safe road environment.

### Scope

The policy applies to the road network under the care and control of the City.

### Policy

The purpose of this policy is to provide the basis for a rational and orderly approach in determining whether or not action should be taken to introduce traffic management / calming treatments in locations where they will be beneficial in terms of improving road safety for both the community and the travelling public.

### Related Sources

- Austroads Guide to Road Design
- Austroads Guide to Traffic Management – Part 8: Local Area Traffic Management
- Liveable Neighbourhoods
- Road Traffic Code 2000
- City of Subiaco Thoroughfares and Public Places Local Law
- City of Subiaco DAIP
- Transport, Access and Parking Strategy 2017

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.5 Footpaths

### Objective

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The objective of this Policy is to achieve a uniform approach in the material and design requirements used when upgrading or installing new footpaths to provide universal access.

This is fundamental to increasing the use of “active transport” (walking, cycling and public transport) on which future developments within the city and wider metropolitan area are predicated. In addition, where parks and reserves provide a significant barrier to pedestrian movement, footpaths are required as part of the strategic network.

### Scope

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This Policy applies to all streets within the city, existing and proposed, that do not provide a safe environment for pedestrians walking in the carriageway, and extends to all new subdivisions, redevelopment areas, activity centres and locations where the changes in usage impact on pedestrian demand.

### Policy

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The City of Subiaco aims to progressively replace slab footpaths with in-situ concrete in residential areas and in-situ concrete and/or brick paving in commercial areas to improve access, public safety and amenity and to provide universal access for all users including those with prams, children, the elderly and people with a disability. Funds are allocated within the city’s 5 year detailed Capital Works Program and 10 year Strategic Financial Plan.

The city will prepare each year a schedule of works whereby new footpath provision is prioritised on the basis of:

1. Condition rating;
2. History of repair (such as tree roots, vehicles, building works);
3. Usage levels;
4. Proximity to pedestrian generators/attractors;
5. User needs and age groupings, such as aged persons’ homes, hospitals;
6. Existing utility services, for example, underground power, water mains, telecommunications; and
7. Single or parallel footpaths, for example, a majority of streets have footpaths on both verges.

Where there are footpaths on both sides of the road within a street block where one of the above facilities is located, preference is to be given to the footpath replacement on the side, which abuts the facility i.e. hospital, aged persons home etc.

Brick paving is desired along the frontage of retail shopping developments to enhance streetscape amenity. Where paving is incorporated within a specific streetscape enhancement project, the cost of installation of brick paving materials, or initial construction of the footpath, is borne by the developer/applicant/landowner. The preferred material is clay brick, however each project is to be considered in respect of the most appropriate material for the development and its relationship with the overall streetscape.

Where a commercial development is to provide, at the development’s cost, commercial style brick or segmental paving, such is to match in colour and style any adjacent completed paving or a choice will be made, involving discussion with the Manager Transport and Infrastructure Development from a reduced list of materials, styles, colours and laying patterns, to rationalise the need for spare pavers to be retained for maintenance needs.

Existing crossovers intersecting with the proposed footpath may be retained providing they comply with the city's Crossover Policy and Specification for Crossovers. Where they do not they will be replaced by the new footpath and the remaining crossover made good to align with the rear of the new footpath.

Where higher speed limits apply the prevailing streetscape is to be considered and appropriate measures designed to maintain both the amenity and pedestrian safety of the street, with such measures being included in the budgeted cost of construction of the footpath.

For all new subdivisions the minimum level of footpath provision should be in accordance with Element 2 of Liveable Neighbourhoods. A footpath is required on both sides of every street where there is direct property access. The absolute minimum of a footpath on only one side, is only acceptable where there is no property access and the omitted path would not interrupt a pedestrian link which otherwise would require crossing the road to maintain continuity.

In major redevelopment areas and activity centres, footpath provision will be in accordance with Elements 2 (Movement network) and 7 (Activity centres and employment) of Liveable Neighbourhoods as well as applicable Design Guidelines and Local Planning Provisions.

*Desirable minimum footpath widths based on road hierarchy:*

- Access Street 2.0m (under exceptional circumstances a minimum 1.5m may be permitted)
- Local Distributor Roads and above 2.0m, increasing to 3.0m or more where adjacent properties are capable of activation (commercial, shopping and alfresco).

## Related Sources

- Austroads Guide to Road Design Part 6A: Pedestrian and Cyclist Paths
- City of Subiaco Disability and Inclusion Plan
- City of Subiaco Thoroughfares and Public Places Local Law
- Crossover Policy
- Disability Discrimination Act 1992
- Footpath Installation – Information Sheet
- Transport, Access and Parking Strategy
- Liveable Neighbourhoods
- Road Traffic Code 2000

Policy Details		
Responsible Directorate	Technical services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.6 Crossovers

### Objective

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The City of Subiaco aims to ensure that approved Crossovers are constructed to the city's standard and maintained in the interests of public safety and amenity.

The objectives of the policy are to:

- Enable the Property Owner to construct an allowable Crossover;
- Provide a Crossover design that is uniform and practical;
- To provide safe access with minimal impact on infrastructure assets in the Road Reserve and streetscape;
- Mitigate stormwater entering private property from the road;
- Provide requirements for subsidy eligibility;
- Provide a safe amenity for pedestrians;
- Protect existing Street Trees; and other infrastructure assets; and
- Ensure continuity and compatibility of Crossovers within the streetscape.

### Scope

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This policy applies to the installation and Modification of Crossovers for all properties within the City of Subiaco.

### Policy

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#### Introduction

Crossovers are to be constructed in accordance with the city's Crossover Management Guidelines. This document provides necessary information and specifications for allowable Crossovers.

#### Approval to construct or modify Crossovers

The Property Owner is required to complete and submit a Crossover Application Form to the city for assessment before a Crossover is constructed or modified.

The construction of a new Crossover, or Modification of an existing Crossover, may not commence until written permission has been granted by the city.

The approval to construct a Crossover is valid for a two-year period from the date it is issued. If construction of the Crossover has not been commenced within this period a new application must be submitted to the city for consideration.

#### Number of Crossovers

In general, only one Standard Crossover per street frontage is permitted. An additional Crossover may be permitted for:

1. Group dwellings and non-residential areas where an additional Crossover has been considered as part of the Planning Approval process.
2. Extenuating circumstances such as safe access on distributor roads. In these cases, justification is required on a case-by-case basis.

#### Crossover conflict with road reserve infrastructure assets

Where the location of a new Crossover, requested by the Property Owner, conflicts with existing Road Reserve infrastructure assets, the cost to relocate the assets or avoid the conflict will be borne by the Property Owner. The city does not support the transplanting of existing trees, therefore the Crossover location will need to be selected to avoid existing trees (refer below under "protection of street trees").

### **Delineation of Crossovers from verge treatments**

All Crossovers should be delineated from verge treatments by means of contrasting materials to ensure demarcation between the two areas.

### **Existing footpath at or adjacent to the property boundary**

The footpath alignment is to be clearly delineated in the new Crossover by either one of the following methods:

- Leaving the existing concrete path in; or
- Removing the existing concrete or slab path and installing matching control joint edge lines in the new Crossover to line up with the edges of the path.

### **Existing footpaths at the kerblines**

The existing footpath at the kerblines will need to be removed and replaced to accommodate the ramp part of the Crossover. The replacement shall be in grey concrete and match the alignment of the existing footpath.

Should a footpath need to be removed or reconstructed during the Crossover works, advice should be sought from the city prior to the removal of the footpath.

### **Impact of new footpaths at the kerblines on existing Crossovers**

New footpaths constructed by the city will cross through existing Crossovers.

### **Protection of Street Trees**

A minimum setback of a Crossover/driveway from any Street Tree on the verge is required. The setback distance will be in direct relation to the diameter at breast height (DBH) of the Street Tree:

- DBH of up to 200 mm requires a minimum setback of one metre;
- DBH of 201 mm to 400 mm requires a minimum setback of two metres; and
- DBH of 401 mm or greater requires a minimum setback of three metres.

Should the distances required be less than the above specifications, the Crossover location will need to be moved accordingly.

Protection for Street Trees shall be established prior to any Crossover works commencing and should remain during all stages of construction.

Refer to the city's Street and Reserve Trees Policy for further information.

### **Crossover subsidy payment**

The Property Owner may apply to the city for a subsidy. The city will pay a one off payment for a single 3.0 m wide Standard Crossover provided:

- The Crossover is installed in accordance with the city's Crossover Management Guidelines.
- The Crossover is constructed in either concrete or brick paved.
- The applications for a Crossover subsidy must be received within 12 months of the completion of the Crossover.
- The subsidy relates to the first Crossover to service the property or an old bitumen Crossover that has been identified for replacement.

The city will not provide a subsidy towards construction of a second Crossover on the same property.

### **Post construction inspection**

The city will conduct an inspection at the conclusion of the works to ensure that the Crossover has been constructed in accordance with the city's Crossover Management Guidelines.

The Property Owner will be liable for the costs to repair or modify the Crossover if it has not been constructed according to the city's requirements.

### **Maintenance of Crossovers**

Maintenance of Crossovers is the responsibility of the Property Owner.

Any path that intersects the Crossover will be maintained by the city according to the city's specifications.

### **Reinstatement of Crossovers following city works**

The city will reinstate Crossovers with "Standard Materials" that are damaged by its works.

The city will not be responsible for reinstating Crossovers that are not approved according to this policy.

The city will not take responsibility for any damages to Crossovers caused by parties other than the city.

### **Redundant Crossovers**

In accordance with the city's *Activities in Thoroughfares and Public Places Local Law 2014*, redundant Crossovers must be removed from the verge, the kerbing closed and the verge backfilled at the cost of the Property Owner.

### **Compliance**

The policy which was in place at the time of the Crossover construction shall be used to determine compliance.

Non-compliance with this policy may result in enforcement action against the applicant.

### **Variation to the Policy**

Minor variations to this Policy will be assessed against the objectives of this Policy.

### **Definitions**

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**Crossover** has the same meaning as a "**crossing**" as outlined in the *Activities in Thoroughfares and Public Places Local Law 2014* and means the area of Road Reserve that acts as the point of access to a property between the constructed road carriageway and a property boundary. This is distinct from a "driveway" which is the area within the property.

**Modification** means any alteration, extension or repair to an existing Crossover.

**Property Owner** is defined as the owner or authorised occupier of a property that the Crossover serves and includes a builder, an agent or a contractor authorised by the owner of the property to construct or modify a Crossover.

**Redundant Crossover** is where works on a lot results in a Crossover no longer giving access to a lot or where the Crossover no longer aligns with the garage / carport.

**Road Reserve** is the strip of public land between abutting property boundaries, specifically gazetted for the provision of public right of way. It includes the road carriageway, as well as footpaths, Crossovers, verges and public utilities infrastructure and the like.



**Standard Crossover-** Pursuant to Regulation 15(2) of the *Local Government (Uniform Local Provisions) Regulations 1996*, the city defines a “Standard Crossover” as one that is 3.0 m wide (excluding splays) and is constructed in grey pre-mixed concrete in accordance with this Policy.

**Standard Material-** For “Residential Concrete Crossovers”, Standard Material means grey pre- mixed concrete. For “Residential Brick Paved Crossovers”, it means best matched compliant paver that is currently in stock. For “Non-residential Crossovers”, it shall be the same as for residential concrete and brick paved Crossovers

**Street Tree** – Is defined as a woody perennial plant generally having a single stem or trunk which will grow to a height of approximately 4 metres or more that is located within the Road Reserve. The Local Law definition is “Street Tree means any tree planted or self-sown within the Road Reserve or on the verge for the purpose of contributing to the streetscape”.

### Related Sources

- Activities in Thoroughfares and Public Places Local Law 2014
- Local Laws Relating to Parking
- Crossover Management Guidelines
- Local Government Act 1995
- Street and Reserve Trees Policy
- Local Government Act 1995
- Verge Policy

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.7 Stormwater Disposal

### Objective

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The purpose of this Policy is to effectively control and manage stormwater runoff from land under the care, control and management of the city and private properties, including new developments.

### Scope

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This Policy applies to the disposal of stormwater runoff from the city's road network comprising local roads, local distributor roads and district distributor roads and from private properties including new developments. This Policy does not relate to instances where stormwater run-off is shared or enters a property from another privately owner parcel of land, whether open space or a building.

This Policy also applies to the disposal of runoff from certain other land under the care, control or management of the city, including car parks and public open space.

### Policy

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In designing new stormwater drainage assets and upgrading existing systems within the road reserves within its control, the city will comply with water sensitive drainage principles and practices. This will include discharging run-off at the source through infiltration methods to assist with ground water recharge. This method of stormwater management will take precedence over conveying stormwater over long distances to a Water Corporation outlet.

On-site stormwater detention (OSD) facilities should provide temporary storage of storm water runoff from developments and restrict discharge from the site to a rate which the existing drainage system of the city of Subiaco is capable of accommodating.

The city may allow part of the runoff to be connected to the city's storm water drainage system depending on the pre-development discharge going in to the existing drainage system.

In these cases flow through the OSD facility will have to be restricted by the installation of an orifice plate so that the total discharge from the site does not exceed the predevelopment discharge. It is at the discretion of the City of Subiaco Infrastructure Services to determine the extent of storm water discharge from the subject site permitted to be connected to the city's drainage system.

The city will work towards catchment based framework to ensure that the land owners are able to manage the storm water within their own property and at the same time any increased runoff due to the developments is not adversely impacting on the city's drainage system.

The city has developed a "*fact sheet*" that provides guidelines for the design of a suitable OSD facility for development sites of grouped dwelling developments (new developments, including replacements and extensions) and to assists developers in preparing suitable designs for detention storage facilities.

### Related Sources

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- State Water Plan (Department of Premier & Cabinet WA, 2007)
- State Water Strategy (Department of Premier & Cabinet WA, 2003)
- State Planning Policy 1 - State Planning Framework Policy (WAPC, 2006)
- State Planning Policy 2 - Environment & Natural Resources (WAPC, 2003)
- State Planning Policy 2.9 - Water Resources 2006 (WAPC)
- Planning Bulletin 64 - Acid Sulphate Soils 2003b (WAPC)
- Planning Bulletin 92 - Urban Stormwater Management (WAPC, 2008)
- Better Urban Water Management 2008 (WAPC)

- Urban Water Management Plans - Guidelines for the Preparation and Compliance with Subdivision Guidelines (DOW 2008)
- Developing a Local Water Management Strategy (DOW, 2008)
- Local Water Management Strategy (DOW)
- Stormwater Management Manual for Western Australia (DOW, 2004-2007)
- Australian Rainfall & Runoff, 3rd Edition (Institute of Engineers, Canberra, ACT, 2001)
- Australian Runoff Quality: A Guide to Water Sensitive Urban Design (Institute of Engineers Australia, Melbourne, Victoria, 2006)
- *Local Government Act 1995*

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.8 Street Lighting

### Objective

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The objective of this policy is to provide an overall street lighting plan including performance standards, general design standards and to clarify the difference between Western Power and city owned assets.

### Scope

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This policy deals with the standards and processes to be applied when determining the provision of street and public place lighting owned by both the City of Subiaco and Western Power.

This policy applies to all street and public place lighting located in streets and public places within the city's boundaries

### Policy

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#### Introduction

The City of Subiaco aims to install energy efficient street lighting, which provides safe pedestrian, cyclist and vehicle movements and is aesthetically attractive. Upgraded lighting is to be progressively installed to meet these objectives. Funds are allocated within the city's 5 Year Capital Works Program and 10 Year Strategic Financial Plan.

Priority shall be given to the improvement of street lighting to situations where pedestrian and vehicular traffic are of greatest conflict.

Requests for lighting improvements shall be assessed on their merit and placed on a continuing works programme in order of the following priority:-

1. Pedestrian crossing lighting;
2. Arterial and district distributor road lighting;
3. Local distributor road lighting;
4. Pedestrian access way lighting; and
5. Lighting of access roads.

#### Western Power assets

In the majority of the city, in areas where Western Power is responsible for the provision and maintenance of street lighting, most commonly fixed to the overhead power distribution poles, the lighting was required to meet the standards applicable at the time of installation, which was predominantly set by the distance between power poles. Additional lighting will be considered and, where merited, a request will be made to Western Power for the provision of additional assets which the city will fund then transfer future responsibility to Western Power.

Western Power is responsible for the maintenance of its street lighting assets, including all repairs and replacements where necessary. Whilst the city can and does advocate for

improved and more efficient lighting, and the manner in which that is achieved, it has no control over how Western Power replaces their assets.

The city is responsible to meet the combined tariff for the ongoing maintenance, in perpetuity, and energising the street light network.

### **City of Subiaco assets**

In those areas where the city owns the street lighting assets, most commonly in areas of new development where underground power and an improved (non-standard) form of lighting was required, the lighting standard complied with the higher Australian Standards applicable at the time of installation. In the event that the lighting is deficient, then additional lighting will be considered and, where merited, provided by the city and deemed an asset. These services are subject to an unmetered energy supply tariff.

The city has an obligation to maintain its street lighting assets, ensuring structural integrity, visual standard and lighting efficiency and function. The supply of new, or provision of replacement mercury vapour street light fittings is now banned and the city is responsible for ensuring that provided replacements achieve the best value 'Whole of Life Cost' using best practice technology.

Where a significant proportion of failing obsolete street lighting is identified in an area or road, and where the likelihood of continuing failures would be high, consideration shall be given to a uniform replacement program for that area or road.

The use of light-emitting diode (LED) lighting, as a replacement for city owned assets and for all new installations is preferred as this offers the longest life, greatest reliability, least reactive maintenance and most efficient use of energy and hence cost. LED street lights also offer the best light distribution and control of unwanted light spill, resulting in a 60-70% reduction in energy consumption with significant long term benefits to the city.

In the gradual replacement of obsolete street lighting fittings within the city, the levels of illumination for arterial, district distributor, local distributor and access roads shall be in accordance with the applicable Australian Standards.

Along all arterial and district distributor roads, Western Power shall be requested to install high pressure sodium luminaires.

When street lighting is installed in a subdivision, the developer (in consultation with Western Power) shall request to locate a street light opposite the end of each footway. The general pattern of street lighting shall be placed accordingly to ensure uniform illumination in accordance with the Australian Standards applicable at the time of installation.

The latest technology provides much better control of light such that no shielding of street lights will be required or permitted.

### **Related Sources**

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- *Local Government Act 1995*
- *City of Subiaco Activities in Thoroughfares and Public Places Local Law 2014*
- *Australian Standards 1158.6 – Lighting for Roads & Public Spaces – Part 6*
- *AS/NZS 1158.0:2005 – Lighting for roads and public spaces – Introduction*
- *AS/NZS 1158.1.1:2005 – Lighting for roads and public spaces – Vehicular traffic (Category V) lighting - Performance and design requirements*
- *AS/NZS 1158.1.2:2010 – Lighting for roads and public spaces – Vehicular traffic (Category V) lighting - Guide to design, installation, operation and maintenance*

- AS/NZS 1158.2:2005 – Lighting for roads and public spaces – Computer procedures for the calculation of light technical parameters for Category V and Category P lighting
- AS/NZS 1158.3.1:2005 – Lighting for roads and public spaces – Pedestrian area (Category P) lighting - Performance and design requirements
- AS/NZS 1158.4:2009 – Lighting for roads and public spaces – Lighting of pedestrian crossings
- AS/NZS 1158.5:2007 – Lighting for roads and public spaces – Tunnels and underpasses
- AS/NZS 1158.6:2010 – Lighting for roads and public spaces – Luminaires

Policy Details		
<b>Responsible Directorate</b>	Technical Services	
<b>Responsible Branch</b>	Transport and Infrastructure Development	
<b>Responsible Officer</b>	Manager Transport & Infrastructure Development	
<b>Affected Branches</b>	Community and Development Services	
<b>Council Adoption</b>	<b>Meeting Date</b>	17 April 2018
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	

## 7.9 Managing Road Reserve Obstruction to Facilitate Building and Development Works

### Objective

The objective of this Policy is to ensure that all road reserves (including Footpaths) within the city are free of Obstructions for the free and safe passage of people and goods.

### Scope

The policy applies to all road reserves and Footpaths in the city of Subiaco.

### Policy

1. The City of Subiaco aims to manage Obstructions in the road reserve related to building and development works where no reasonable alternative is available to ensure the safety of road users and pedestrians on the road reserve.

### Definitions

**‘Footpath’** means any path that is provided for the use of pedestrians only or that is regularly used by pedestrians and not vehicles, or that is a segregated footway or a shared footway generally extending between the boundary of private property and the edge of kerb and channel on a road reserve.

**Obstruction’** means for the purpose of this policy any object, plant or thing which stops or inhibits free and safe passage on a road reserve or footpath.

### Related Sources

- *Local Government Act 1995*
- Main Roads Western Australia - Traffic Management for Works on Roads Code of Practice

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Health and Compliance Services Community and Development Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 7.10 Infrastructure Asset Management

### Objective

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The objective of this policy is to demonstrate the city's commitment to advancing Asset Management principles and practises to support its organisational objectives, inform strategic planning and budgeting and to ensure all Assets are managed to industry standards and community expectations.

### Scope

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This policy applies to all physical Assets, with the exception of investment Assets which are covered by a separate policy. Physical Assets include (for example) buildings, roads, car parks, footpaths, stormwater drainage, bus shelters, street lighting, street furniture, signage, assets within parks, plant, furniture and equipment.

To give effect to this policy, the city will adhere to the following Asset management fundamentals which are based on the requirements of International Standard ISO 55000:

### Policy

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Assets exist primarily to provide value (services or benefits) for the organisation and its community and can exist to meet legislative requirements. Asset Management does not focus on the Asset itself, but the value it provides to the organisation and the community.

The city will:

1. Clearly define Asset Management objectives and state how these objectives align with the organisational objectives;
2. Define the relationship between Assets and the value they provide;
3. Use a whole-of-life cycle management approach to realise value from Assets;
4. Establish decision-making processes that reflects sustainable Asset Management practices; and
5. Prioritise resources towards the maintenance and renewal of existing (required) Assets before the creation of new or upgraded Assets, to ensure sustainable Asset Management and minimisation of the Asset Renewal Funding Gap.

Alignment:

Asset Management translates the organisational objectives into technical and financial decisions, plans and activities to ensure Assets are managed in the best interest for all.

The city will:

1. Implement risk-based, information-driven, planning and decision-making processes and activities that align Asset Management plans to organisational objectives;
2. Integrate Asset Management processes with the functional management processes of the organisation, such as finance, human resources, information systems, logistics and operations; and
3. Develop and implement the Asset Management Framework which encapsulates the requirements of ISO 55000 and is used by the organisation to achieve its Asset Management objectives through the effective and efficient management of its Assets.

Leadership:

Leadership and commitment from all levels of the organisation is essential for successfully establishing, operating and improvement of Asset Management within the organisation.



The city will:

1. Have an Asset Management Steering Group consisting of Executive Leadership Team;
2. Have an Asset Management Working Group consisting of key internal stakeholders (Asset Managers) to advance Asset Management practices in line with this policy and provide support to the Asset Management Steering Group;
3. Clearly defined roles, responsibilities and authorities for Asset Management;
4. Ensure that employees are empowered with the skill, tools, and resources to achieve Asset Management objectives; and
5. Engage with employees and stakeholders regarding the requirements of the Asset Management Framework.

Assurance:

Effective implementation of the Asset Management Framework ensures the organisation and the community have assurance that Assets are being managed in a sustainable way, both present and into the future.

The city will:

1. Develop processes that enable implementation of the Asset Management Framework;
2. Ensure documentation and implementation of processes required for the management of Assets across all life cycle stages (stages include planning, design, Asset creation, operations and maintenance, Asset renewal, decommissioning, and Asset disposal);
3. Develop and implement processes for monitoring, reporting and continual improvement of the Asset Management Framework; and
4. Provide the necessary resources to undertake asset management activities and implement the Asset Management Framework.

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## Definitions

**Asset** means a resource controlled by an entity as a result of past events and from which future economic benefits are expected to flow to the entity. Infrastructure Assets are a sub-class of property, plant and equipment which are non-current Assets with a life greater than 12 months and enable services to be provided.

**Asset Management** means the systematic and coordinated activities and practices of an organisation to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of Assets.

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## Related Sources

- City of Subiaco Corporate Business Plan
- Australian Accounting Standards (AASB 116 – Property, Plant and Equipment)
- *Local Government Act 1995*
- Department of Local Government Integrated Planning and Reporting Framework and Guidelines

Policy Details		
<b>Responsible Directorate</b>	Technical services	
<b>Responsible Branch</b>	Transport and Infrastructure Development	
<b>Responsible Officer</b>	Manager Transport & Infrastructure Development	
<b>Affected Branches</b>	Transport and Infrastructure Development Finance and Governance Services	
<b>Council Adoption</b>	<b>Meeting Date</b>	17 April 2018
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	

## 7.11 Parklets and Outdoor Dining Structures

### Objective

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The objective of this policy is to outline the considerations for installing City built or hosted parklets and outdoor dining structures to promote vibrancy, encourage pedestrian activity, support local businesses and improve public spaces.

### Scope

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This policy applies to any person, group or organisation seeking to apply for the installation of a parklet or an outdoor dining structure. The use of Outdoor Dining Areas is separately covered by the Footpath Activities Policy and the outdoor dining permit process under the Trading in Public Places Local Law 2014.

### Policy

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Considerations for parklets and outdoor dining structures include:

1. Designs which promote vibrancy and enhance the surrounding streetscape; (as covered in the Design Guidelines).
2. Installation and management across the City is undertaken in a consistent manner;
3. Parklets are free for everyone to use and are not reserved for customers of a particular business;
4. Affected property owners (where they are not the applicant) support the proposal and appropriate public consultation is undertaken by the City;
5. That the available parking bay stock is managed to meet demand for car parking;
6. All proposals meet disability access standards and do not impede manoeuvrability of footpath and road users;
7. The use of an outdoor dining structure is associated with and dependant on a current Outdoor Dining Permit. Should an existing Outdoor Dining Permit not be renewed, the Outdoor Dining Permit holder is responsible for the removal of any structure; and
8. Costs for construction, maintenance, insurance, associated fees and removal remain the responsibility of the Outdoor Dining Permit Holder to which the parklet or outdoor dining structure is associated with.
9. The City reserves the right to withdraw approval for a parklet or outdoor dining structure at any time.

Applications for parklets and outdoor dining structures are to be made to the City and will be assessed in accordance with the considerations above, and the specifications provided in the *Parklets and Outdoor Dining Structure Design Guidelines*, including (but not limited to):

1. Proposal specifications – location, access, quality of design, use;
2. Location characteristics – street speed, slope, safety distances, planned road works;
3. Community consultation; and
4. Any other relevant considerations.

### Definitions

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**City Parklets** mean those parklets funded, designed, built and maintained by the City of Subiaco.

**Hosted Parklets** means those parklets sponsored by a business or community group (the applicant) and are funded, designed, built and maintained by the applicant. Hosted Parklets, like City Parklets, are for everyone to use and are not reserved for the exclusive use of customers of particular businesses.

**Outdoor Dining Area** means an area adjoining a cafe or restaurant that has tables, chairs and other structures on a footpath or other public place and may be used exclusively by the customers of a

particular business.

**Outdoor Dining Permit** is the approval obtained from the City that gives the applicant/owner of a business the ability to utilise an area of the road reserve for the purposes of outdoor/alfresco dining.

**Outdoor Dining Structure** refers to the structure(s) that are installed for an Outdoor Dining Area. These can be raised platforms placed in a parking bay down to simple fixed planter barriers along a footpath.

**Parklet** means a small public park set into the existing streetscape. A parklet repurposes part of the street into a public space for people and enhances the streetscape by adding interest and amenity. They are for anyone to use, providing a place to rest, eat or work. There are two types of Parklets: City Parklets and Hosted Parklets.

### Related Sources

- Activities in Thoroughfares and Public Places Local Law 2014
- Disability Access and Inclusion Plan 2017-2022
- Local Government Property Local Law 2014
- Parklets and Outdoor Dining Decks Design Guidelines
- Parklets and Outdoor Dining Decks Protocol
- Subiaco Place Plan 2019-2022
- Trading in Public Places Local Law 2014

Policy Details		
Responsible Directorate	Technical Services	
Responsible Branch	Transport and Infrastructure Development	
Responsible Officer	Manager Transport & Infrastructure Development	
Affected Branches	Transport and Infrastructure Development	
Council Adoption	Meeting Date	19 November 2019
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 8. Community Policies

### 8.1 Community Engagement

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#### Policy Statement

The City will inform and consult our community on matters that affect them, understanding that the best outcomes come from working together. Feedback will be used to inform and strengthen the City's decision-making process.

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#### Policy Scope and Application

This policy applies to elected members, City of Subiaco employees and the Subiaco community, which includes residents, visitors, workers, volunteers and businesses.

#### Principles

The City of Subiaco recognises the importance of open, transparent, accountable, inclusive and appropriate community engagement.

The City undertakes community engagement to:

- improve and strengthen decision-making
- enable community involvement and participation
- understand community priorities and concerns
- improve the quality of services and facilities it provides.

Council will take account of the views and opinions expressed by the community and balance this feedback with other factors such as budgetary constraints, legal requirements and the context of the City's endorsed strategic direction.

#### When to engage

The City will embed community engagement in appropriate decision-making processes at all levels of the organisation and, where possible, use community engagement outcomes to help inform actions and decisions.

The City undertakes to engage when:

- a matter requires information from the community in order for a decision to be properly informed
- a new significant project or plan is being developed or a major review is occurring with an existing project or plan
- a matter affects the rights and entitlements of community members or a significant group within the community
- a matter has a significant impact on the quality of community life, services or facilities
- it is required under the *Local Government Act 1995* or other legislation.

The City of Subiaco acknowledges that community confidence in consultation is paramount to its success. If a decision has already been made, or the community or the City cannot effectively influence the final decision, the City will not undertake a community engagement process.

Where routine matters to be determined by Council require consultation it will be undertaken by staff and the results presented to Council to assist in the decision-making process.

Where issues affect the strategic direction of the City or are sensitive and potentially divisive, consultation will be undertaken following Council's consideration of the issue so that Council's in-

principle resolution can guide the consultation process.

### Levels of engagement

Differing levels of participation are legitimate depending on the project goals, timeframe, resources and level of interest in the decision to be made.

The City of Subiaco will work within the International Association for Public Participation (IAP2) spectrum to consider and apply the most suitable level of engagement and to define the role of the community in the decision making process.

### Tools and promotion

The City strives to deliver meaningful, informed and genuine community participation to inform Council's decision making process.

The City endeavours to communicate clearly the matters on which it is consulting and to outline any constraints or limitations on the consultation process.

To maintain proactive and best practice community engagement the City will explore and utilise contemporary tools of engagement and be open to new and innovative ways to engage. Community engagement techniques will be selected based on the project scope and level of community impact (the number of persons potentially affected by the topic).

Communication methods will be tailored to best encourage participation in each individual project.

### Measurement and evaluation

The City recognises that the level and type of engagement with the community will vary depending on the community interest in the topic and perceived impact. Both quantitative and qualitative measures will be assessed during project evaluation.

### Definitions

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**IAP2** – International Association for Public Participation. An international member association which seeks to promote and improve the practice of public participation and stakeholder engagement.

**IAP2 spectrum** – a process document designed to assist with the selection of the level of participation to define the public's role in community engagement, with increasing levels of influence ranging from 'inform', 'consult' and 'involve' to 'collaborate' and 'empower'. Provides a guide as to how to engage with the community in different situations

### Related Sources

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- *IAP2 Public Participation Spectrum*
- *City of Subiaco Community Engagement Toolkit*

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Communications and Engagement	
Responsible Officer	Manager Communications and Engagement	
Council Adoption	Meeting Date	19 March 2019

## 8.2 Anti-Discrimination

### Policy Statement

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The City of Subiaco is committed to maintaining its diverse community, ensuring its programs and services are inclusive and cater to a wide range of people and lifestyles. The City continues to work towards making Subiaco a quality living and working destination, recognising that participation and inclusion of its all residents and visitors contributes to a richer community life.

### Policy Scope and Application

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This policy applies to all Elected Members, employees of the City, consultants and contractors. To give effect to this policy the City shall:

- plan and manage in a way which maintains diversity in the population;
- plan, provide and facilitate community and information services in ways which respond to changes in society, and
- ensure Equal Opportunity in relation to access to services, and programs.

Decisions made by Council and administration will uphold the principles of the *Equal Opportunity Act 1984* and other related legislation. The City will continue to consult with the community to identify community needs and will strive to meet those needs within budgetary constraints. The City will endeavour to provide Equal Opportunity for members of the Subiaco community to access the services and buildings provided by the city in accordance with the provisions of the *Equal Opportunity Act 1984* and other related legislation within budgetary constraints.

All members of the community will be treated in a respectful and courteous manner in the provision of all City of Subiaco services.

### Definitions

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**Equal Opportunity** is the right to be treated without discrimination on the grounds of sex, marital status, pregnancy, family responsibility or family status, race, religious or political conviction, impairment, age or gender history.

### Related Sources

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#### Policy

- Cyclist and Pedestrian Facilities
- Footpaths
- The City as a Preferred Employer

#### Legislation

- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Disability Services Act 1993 (WA)*
- *Fair Work Act 2009*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Spent Convictions Act 1988 (WA)*

#### Other Documents

- City of Subiaco Disability Access and Inclusion Plan 2017 – 2022
- City of Subiaco Positive Ageing Plan 2017 – 2021 City of Subiaco Equal Employment Opportunity Management Plan 2015 - 2017

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	All	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	



## **8.3 Social Housing**

### **Policy Statement**

The City of Subiaco is committed to the maintenance and development of a broad mix of people living within its community. In order to promote this mix, the City will facilitate the development of initiatives that provide affordable housing to people on low and moderate incomes and people with special needs. In addition, the City will assist with the establishment of support services required by special needs groups, such as frail seniors and people with disabilities. In undertaking these roles, the City will work closely and in partnership with community representatives, social housing consumers, funding agencies, housing associations, public and private developers.

## 8.4 Community Safety and Crime Prevention

### Policy Statement

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While the State Government has primary responsibility for law enforcement, policing, community safety and crime prevention, the City of Subiaco plays a support role in working with the community, business, service providers, State Government agencies and other stakeholders to help achieve sustainable community safety and crime prevention outcomes.

### Policy Scope and Application

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This policy applies to all Elected Members, employees and contractors of the City.

The City is committed to supporting a coordinated approach to community safety and crime prevention by:

- Developing collaborative relationships with expert stakeholders to aid efforts in law enforcement, policing, community safety, crime prevention and road safety activities and to advocate on behalf of the community.
- Facilitating education and awareness programs which are aimed at reducing the incidence of preventable crime, and increasing community confidence and community perception in the safety of the persons, security and property
- Engaging with the community to build an understanding of the individual roles of the City of Subiaco, State Government agencies (including the WA Police), community members and other stakeholders.
- Empowering community members to build connected and active communities where people feel safe to participate in community life and take responsibility for the actions required to achieve this aim.

Additionally, the City will attempt to discourage the likelihood of anti-social behaviours, graffiti, vandalism, road incidences and other crimes by considering and implementing crime prevention through environmental design and other appropriate design principles in public places where practical and possible.

### Related Sources

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#### Policies

- Vehicle Speed Control
- Crossovers
- Underground Power and Associated Street Lighting
- Liquor Licensing
- Razor Wire

#### Other Documents

- Community Safety and Crime Prevention Plan 2016 – 2020

Policy Details		
<b>Responsible Directorate</b>	Community & Development Services	
<b>Responsible Branch</b>	Cultural Services	
<b>Responsible Officer</b>	Manager Cultural Services	
<b>Affected Branches</b>	All	
<b>Council Adoption</b>	<b>Meeting Date</b>	26 June 2018

## 8.5 Civic Matters

### Objective

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The purpose of this policy is to state the city's corporate colours and establish under what circumstances the Armorial Bearings can be used.

### Scope

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This policy applies to businesses and organisations that wish to use the city's colours and Armorial Bearings.

### Policy

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The city has proclaimed 10<sup>th</sup> April as "Subiaco Day" to commemorate establishment of the Subiaco Road Board in 1896.

The City of Subiaco colours are maroon and gold, and its slogan is "There's something about Subiaco".

Applications from business houses will be considered for licenses authorising the use of Armorial Bearings including the phrase "City of Subiaco" on suitable items for retail sale to the public.

### Definitions

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**Armorial Bearing** is a heraldry consisting of a design or image depicted on a shield.

Policy Details		
Responsible Directorate	Office of the CEO	
Responsible Branch	Office of the CEO	
Responsible Officer	Coordinator Communications and Engagement	
Affected Branches	Communications and Engagement	
Council Adoption	Meeting Date	27 February 2018

## **8.6 Regionalisation**

### **Policy Statement**

The City of Subiaco actively pursues opportunities to cooperate on a regional basis with other local governments and organisations to achieve maximum efficiency and effectiveness in providing services and facilities for the Community.

The City of Subiaco will not support boundary amendment or amalgamation of local governments to be made without formal endorsement by its residents and ratepayers by way of referendum or equivalent mandate.

### **Policy Application**

In order to achieve this policy but without detriment to its opposition to amalgamations, the City:

- promotes cooperation and collaboration on joint initiatives with other local governments
- lobbies effectively with state government to promote regional cooperation
- participates actively in the Western Suburbs Organisation of Councils, and
- participates actively in the Western Metropolitan Regional Council.

## 8.7 Homelessness

### Policy Statement

The City of Subiaco is committed to addressing homelessness and reducing the risk of homelessness through a coordinated and facilitated approach. The City recognises that homelessness and begging are complex issues which require a whole of community approach to address, prevent and reduce the impact of homelessness in the community.

### Policy Application

The City of Subiaco will facilitate a coordinated approach to address homelessness and vulnerability to homelessness by:

- the development of collaborative relationships with expert stakeholders
- continuing to facilitate services that address factors that may contribute to homelessness and vulnerability to homelessness
- educating the community (including staff, businesses, visitors, residents, workers and people who are homeless) on the issues surrounding homelessness and begging.

### Related Sources

- City of Subiaco Homelessness Strategy 2016 – 2018

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	All	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 8.8 Subiaco Award

### Policy Statement

The Subiaco Awards are for individuals and groups that make an outstanding contribution to the community of Subiaco. Nominations recognising any individual, organisation, project, building or natural environment initiative that enhances the identity, spirit, well-being or the environment of the City, will be accepted.

### Policy Application

To formally recognise outstanding contributions, nominations may be submitted in the following six categories:

- Built Environment
- Business Development
- Community Services
- Heritage
- Natural Environment
- Recreation and Arts

### Eligibility Criteria

#### General Criteria

The following general selection criteria are used across all six categories:

- If the nomination is for an individual, they must be either a resident of the City or their contribution must benefit the citizens of Subiaco.
- If the nomination is for an organisation or company it must be either based in Subiaco or have its service targeted to residents or customers of Subiaco.
- If the nomination is for a project it must have been undertaken in the City of Subiaco.
- The person or organisation must have demonstrated an outstanding commitment and contribution to advancing the well-being of the Subiaco community.
- The project or service must make a significant contribution to the enhancement of the built or social environment of Subiaco.
- The nominated project or service must demonstrate a significant benefit to the Subiaco community.
- Council members and council officers are not excluded from nomination.

#### Specific Criteria

Additional criteria, which are specific to each category, are listed below:

##### a) *Built Environment*

- Demonstrated innovative design and/or usage.
- Application of community/disability access guidelines.
- Effectively manages housing density and functional design.
- Developed using environmentally sustainable principles.

b) *Business Development*

- Demonstrates excellence in business practice.
- Contributes to commercial diversity.
- Presents innovation and/or quality goods or services to residents.

c) *Community Service*

- Individual, project, place or group meets the needs of the community.
- Enhances community services and/or facilities in Subiaco.
- Advancement of the development, socialisation and skill development of the target group/s.

d) *Heritage*

- Essential character and heritage value of the building, project or place is retained.
- Demonstrates consistency with the City of Subiaco's conservation and planning policies.
- Promotes the benefits of heritage conservation.

e) *Natural Environment*

- Project or place beautifies domestic or public gardens and spaces.
- Encourages sustainable usage and enjoyment of natural environment.
- Contributes to protection, access and sustainability of natural environment.

f) *Recreation and the Arts*

- Individual, project, place or group meets the needs of the community.
- Demonstrated innovation in the project or activity.
- Individual, project, place or groups provide accessible and affordable activities/projects.

**Award Type**

Each nomination is eligible to receive one of the following types of Subiaco Award:

- Commended
- Highly Commended
- Award of Distinction

**Selection Process**

Nominations will be sought for each of the categories by advertisement. An independent expert or group of experts will assess the nominations and make suitable recommendations to the selection panel.

A selection committee that comprises the Mayor, Freeman of the City, CEO or his nominee and a member of the Youth Advisory Council will have delegated authority to decide the allocation of the Awards.

The Subiaco Award is not intended as a competition with a single winner. The selection panel will recognise and award nominations that demonstrate innovation and a positive community outcome.

**Presentation**

Awards will be presented three yearly at a function on or near Subiaco Day, 10 April.



## 8.9 Memorials

### Objective

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The purpose of the policy is to provide consistent and effective administration of commemorative memorials and plaques in the City of Subiaco.

### Scope

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This policy supports the commemoration through memorials of individuals, organisations, pets and historic elements of Subiaco life by members of the community residing within the current boundary of the City of Subiaco.

### Policy

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Commemoration memorials can take the form of:

1. Community Memorials;
  - Pet Memorials; and
  - Heritage Memorials.
2. The city will accommodate all memorials that have been assessed by the following criteria:
  - Conform to the city's standards, policies and objectives;
  - Conform with overall plan and design of the area;
  - Are of an approved size and design;
  - Are fully funded by the donor;
  - Have reasonable maintenance costs: and
  - Is not a duplication of a registered memorial with the Metropolitan Cemetery Board.
3. The city must receive a written application which will be evaluated by the city. The Director of Technical Services will have final authority to approve the application.

### Definitions

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**Community Memorial** is a memorial for individuals or aspects of community life through bequeathing and dedicating items such as plaques, amenity furniture and trees as memorials

**Designated pet memorial site** – Subiaco Common Oval

**Heritage Memorial** is a Heritage plaque to identify places and businesses of recognised historic significance to the community

**Pet Memorial** is a memorial for pets, through a plaque at a Designated Pet Memorial site

### Related Sources

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- Local Government Property Local Law 2014.

Policy Details		
<b>Responsible Directorate</b>	Technical services	
<b>Responsible Branch</b>	Operations and Environment Services	
<b>Responsible Officer</b>	Manager Operations and Environment	
<b>Affected Branches</b>	Communications and Engagement Planning Services Cultural Services	
<b>Council Adoption</b>	<b>Meeting Date</b>	17 April 2018
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	
<b>Reviewed/Modified</b>	<b>Meeting Date</b>	

## 8.10 Youth Achievement Grants

### Policy Statement

The City of Subiaco encourages young community members to develop leadership skills and actively increase civic participation by providing modest financial assistance in the form of small grants.

### Policy Scope and Application

This policy applies to employees of the City and young community members seeking financial support to participate in events, activities and community projects.

The Youth Achievement Grants provide young residents with the financial support to actively participate in the community, and thus aims to foster positive development of young people within the City of Subiaco.

Grants will be funded based on eligibility criteria.

### Definitions

**Youth** means a person aged between 12 years and 25 years (inclusive).

### Related Sources

- Youth Achievement Grants Protocol
- Youth Development Grant Guidelines
- Youth Development Grant Application Form

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	Cultural Services	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 8.11 Volunteers

### Policy Statement

The City of Subiaco respects and values the Volunteers who provide a wide range of services to the community. Volunteers assist the City to achieve its vision and broad objectives. Volunteerism builds local social capital and assists communities to become healthy, vibrant, economically and socially sustainable and resilient. It also promotes participation and provided benefits to the community and to the individuals involved.

### Policy Scope and Application

This policy applies to employees and Volunteers of the City of Subiaco.

The City of Subiaco provides a variety of community services that are only achievable through the contributions made by Volunteers. It is essential that Volunteers are appropriately resourced so that they may perform their duties. The City is committed to supporting Volunteers through formal recognition of service, adhering to occupational health and safety standards, providing training, reimbursing expenses and providing adequate insurance cover.

### Definitions

**Volunteer** is an individual who carries out work under the direction and control of the City, for and on behalf of the City, and does not receive financial gain for the work.

### Related Sources

Legislation:

- *Occupational Safety and Health Act (1984)*
- *Occupational Safety and Health Regulations (1996)*

Other Documents:

- Volunteers Protocol
- National Standards for Volunteer Involvement
- City of Subiaco Volunteer Policy and Procedure Manual

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	All	
Council Adoption	Meeting Date	26 June 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## **8.12 Donations**

### **Policy Statement**

The City of Subiaco will consider making donations to charitable, volunteer and not-for-profit organisations in recognition that ratepayers of Subiaco are also members of the wider city, state, national and international communities.

### **Policy Application**

The city will consider making donations to charitable, volunteer and not-for-profit organisations according to the following criteria:

Categories of groups eligible for donations:

- Environmental organisations
- Social welfare organisations
- Educational organisations
- Health organisations

Organisations will receive priority (as listed below in descending priority) according to the geographic location of the destination of funds:

- City of Subiaco
- Perth metropolitan area
- Regional Western Australia
- Other Australian States
- Neighbouring countries
- The rest of the world

Donations will be considered if the request does not fall within the scope of the city's Community Development Grants program.

Requests for donations will be assessed against the criteria above, with final approval by the Manager Community Development.

## **8.13 Community Development Grants**

### **Policy Statement**

The City of Subiaco supports community initiatives that promote the wellbeing and sense of belonging to the whole community by funding local groups via the community development grants program.

### **Policy Application**

#### ***Community Development Grant***

Community groups and organisations or individual or groups that are auspiced by a community group or organisation may apply for grants.

The city will support initiatives that bring positive benefits to the Subiaco community and which are in line with the city's Corporate Business Plan.

Funding must be expended within 12 months of receipt.

Funding amounts will be determined by the city and incorporated into the annual budget.

Community groups' and organisations' own contribution towards the initiative's cost will be taken into account when assessing the application.

Grants will not be awarded to applicants who have an outstanding acquittal from a previous grant round.

## 8.14 Community Partnership Funding

### Policy Statement

The City of Subiaco will consider working in partnership with other organisations by providing financial and/or in kind assistance for community events and activities which align with the City's Corporate Business Plan. Community partnership funding allows the city to offer positive benefits to the Subiaco community.

A successful application in any one year does not imply any ongoing commitment to the same or similar activities in ongoing years.

### Policy application

#### *Criteria*

The City of Subiaco will consider providing financial assistance and/or in kind assistance to events and activities that align with the City's Corporate Business Plan, meet the city's criteria and contribute to the city's vision. At the city's discretion the assessment process will consider whether the proposed event or activity will:

- Offer positive benefits to the community
- Add value for city residents
- Contribute positively to the image of the city
- Provide an opportunity for the city to develop relationships with the community and community groups
- Contribute to local economic development
- Provide promotional opportunities for the city
- Provide an opportunity for the city to align with an organisation's positive image
- Be consistent with the city's desired corporate image and identity
- Increase general awareness of the city
- Provide benefits that are cost effective

*The City of Subiaco will not support:*

- Political or lobby groups
- Activities that may present a hazard to the community
- Activities outside the geographical boundaries of the city
- Activities that would involve the city in controversial issues or expose the city to adverse criticism
- Activities that denigrate, exclude, or offend minority community groups
- Activities that create environmental hazards

## 8.15 Christmas Season Lighting

### Objective

The objective of this policy is to enhance the city's visual appearance and sense of vitality through the lighting of identified structures and tree during the Christmas season.

### Scope

This policy applies to elected members, employees of the city, residents, business community and community groups.

### Policy

To promote the Christmas festive season the City of Subiaco is responsible for the installation of decorative lighting and decorations as outlined in this policy.

1. The Norfolk Island pine tree outside the administration building will be illuminated with decorative lighting that will display the festive Christmas theme.
2. The city will install a Christmas tree with decorations and lighting in a strategic location within the Town Centre.;
3. Themed decorations will be installed on Rokeby Road from Bagot to Roberts Roads; and
4. The city will encourage businesses throughout the Town Centre to foster the festive spirit.

Policy Details		
Responsible Directorate	Technical services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Commercial Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	



## 8.16 Community Garden

### Objective

The purpose of this policy is to provide City of Subiaco's support for the establishment of waterwise community gardens.

### Scope

This policy applies to people or associations that seek to establish a community garden on land under the management of the City of Subiaco.

### Policy

This policy applies to the establishment of water wise community gardens by local community members where appropriate land is available, approved management systems are in place and there is support from the local community.

1. The city will allow community food gardens to be established within land owned or managed by the city where appropriate land is available and any plans to establish a community garden are supported by the local community.
2. The city recognises the opportunities to enrich community connections and recreation within creative and functional community gardens.
3. To accomodate changing needs and access to garden space within the community.

### Related Sources

- Sustainability and Resilience Strategy 2016 – 2021
- Public Open Space in a Drying Climate Policy
- Water Corporation Water Efficiency Action Plan 2016
- Groundwater Operating Strategy 2010-2019
- City of Subiaco Community Garden Guide

Policy Details		
Responsible Directorate	Technical services	
Responsible Branch	Operations and Environment Services	
Responsible Officer	Manager Operations and Environment	
Affected Branches	Cultural Services	
Council Adoption	Meeting Date	17 April 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 8.17 Public Art

### Policy Statement

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The City of Subiaco (the city) is committed to delivering a diverse and vibrant public art program that engages artists' creative ideas to celebrate the values and identity of Subiaco through its unique character, history, cultures and future aspirations. The Public Art Policy provides a framework for the development, funding, management and promotion of the public art collection.

### Policy Scope and Application

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#### Scope

The Public Art Policy applies to Elected Members, city staff, artists, the community, consultants and contractors.

#### Application

Consideration will be given for the inclusion of public art initiatives in the city. The city will identify and coordinate opportunities to enhance the public realm through artworks and activations.

The Public Art Policy will be supported by the Public Art Strategy (the Strategy), a guiding document that builds on the city's vision and strategies outlined in its Strategic Community Plan (2017-2027) to deliver social, economic, environmental and cultural benefits for the community.

#### Key Strategies

- Create a sense of place with artworks in the public realm that enhance engagement with and understanding of Subiaco
- Infuse qualities of diversity, vibrancy, character, creativity and imagination into the fabric of daily life
- Meet and deliver high quality management and collection standards
- Contribute to art and cultural development
- Encourage public and private sector partnerships in the arts

#### Collection Management

Through integrated and collaborative planning the city will acquire and commission ephemeral, temporary and permanent artworks for the public realm. The Strategy will act as a guide for developing programs and commissioning new works.

The strategic basis for public art projects will be determined in line with the Strategy and public art project briefs will be developed in consultation with key stakeholders.

From time to time the city receives proposals for public art projects from external organisations. Where possible the Public Art Officer will work with the organisation to develop the project concept to a point where the city is able to properly assess the proposal.

All artist appointments will be made by recommendation of a Public Art Reference Group, with approval given at the appropriate level of purchasing authority.

The city commits to an ongoing maintenance program for all public artworks. As part of the commissioning process a detailed maintenance plan is to be provided and an expected life span specified. At the end of the expected life span or if a work becomes significantly damaged the city will assess the work's suitability for decommissioning.

### Funding

In order to achieve the aims of this policy, the city commits to funding the public art program in the following ways:

- allocating 0.75% of the City of Subiaco rates income to the Public Art Reserve for the development and maintenance of the city's public art; and
- allocating one percent of construction costs of each new or refurbished public building, road or landscape project over \$2,000,000 (two million dollars) to the Public Art Reserve Fund for the provision of Public Art; either as part of the construction project or in the surrounding area.

### **Definitions**

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#### **Artist**

Professional artists will be eligible to carry out public art commissions. As the term 'artist' is self-referencing for the purposes of this policy a professional visual artist can be defined as a person who fits into at least two of the following categories. A person who:

- has a university degree or minimum three year full time TAFE Diploma in visual arts, or when the brief calls for it, other art forms such as multi-media
- has a track record of exhibiting their artwork at reputable art galleries that sells the work of professional artists
- has had work purchased by major public and private collections
- earns more than 50 percent of their income from arts related activities such as teaching art or design, selling artwork or undertaking public art commissions

Sometimes it will be appropriate to be more flexible and seek emerging artists and practitioners other than professional artists to carry out artwork commissions.

#### **Public Art**

The term public art refers to the integration of an artistic concept into the public realm. Public art can take many forms, incorporate many different materials and be produced in many ways. It can be stand-alone, applied to surfaces, or integrated into the fabric of buildings, road infrastructure elements or landscaped outdoor spaces. Public art can be permanent, temporary or ephemeral. The distinguishing feature of these works is that an artist or artist team is wholly, or partly, responsible for the creation, design and/or fabrication. Secondary collaborations may take place with other professionals.

#### **Public Art Reference Group**

A Public Art Reference Group (PARG) will be established for each public art project and will include between three and five stakeholders relevant to the project that may include city staff, the project manager, arts professionals, community representatives and property owners. The PARG will make recommendations for artist appointments.

#### **Public Art Reserve Fund**

The Public Art Reserve Fund is a pool of funds set up for the purpose of reserving and accumulating funds for the provision of public art projects in the city.

#### **Public Realm**

The public realm comprises the streets, squares, parks, green spaces and other outdoor places that are freely accessible for everyone to use. For the purpose of this Policy, the term public realm refers to artworks located in a publicly accessible area; either physically or visibly.

## Related Sources

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- Public Art Strategy 2018 - 2022
- Public Art Protocol
- Public Art Procedure
- State Government Percent for Art Guidelines

Policy Details		
Responsible Directorate	Community & Development Services	
Responsible Branch	Cultural Services	
Responsible Officer	Manager Cultural Services	
Affected Branches	All	
Council Adoption	Meeting Date	11 December 2018
Reviewed/Modified	Meeting Date	
Reviewed/Modified	Meeting Date	

## 9. Appendix 1

### List of Rescinded Policies

Title	Date rescinded
Acting Chief Executive Officer	March 2022
Administrative Support to Community Groups	February 2007
Alfresco dining	April 2005
Annual General Meeting of Electors	May 2002
Annual Leave Loading	September 1999
Appeals and donations	May 2002
Authorisation of payments	May 2002
Authorised officers	May 2002
Building Regulations 1989	May 2002
Campaign to save native forests (WA)	May 2002
Cat Control	February 2007
Charges for buildings	May 2002
Christmas decorations subsidy	September 1999
Commercial contractors	May 2002
Community Centre Charges	June 2018
Community Consultation	March 2019
Complaints/grievance procedure	May 2002
Corporate Structure	May 2002
Employee assistance program	May 2002
Environmental Protection Act	May 2002
Equal Employment Opportunity	September 2004
Executive Management Group	September 1999
Footpath Replacement – Residential Streets	February 2007
Gratuity payments	May 2002
Hamilton Street Bridge	May 2002
Health and Safety	September 2004
Higher duties	May 2002
Hours of duty/19 day month	May 2002
House inspection	May 2002
Illumination of Trees	May 2009
Injury Management	September 2004
Kerman-Turner Children's Library	May 2002
Land Assets	May 2017
Leave Allowances – Defence Forces Reserves	May 2002
Library Collection Development	May 2004
Library Membership	May 2004
Licensed premises and Liquor licensing on reserves	April 2005
Lighting	November 2003
Local Laws and Regulations	12 December 2017
Location and use of air-conditioners, pool filters and other mechanical plant	May 2002
Long Term Engineering Plans	February 2007

Loss of Council assets	May 2002
Mayoral attendance and deputations	May 2002
Medical examinations	May 2002
Monthly accounts for payment	May 2002
Naming of a Place or Object	March 2005
Naming of Small Parks	February 2007
Naming under-width Streets	November 2003
Noise Control – stand-by allowance	May 2002
Notice of Special Council Meetings	September 1999
Operational staff	May 2002
Over-award payments and allowances	May 2002
Parking Embayments Surfacing Materials	February 2007
Pastoral Care Grants	June 2018
Paving of Footpaths	February 2007
Performances by animals	May 2002
Personal computer use	May 2002
Photographic Reproduction Charge	May 2004
Preference to Local Suppliers	August 2022
Preservation and augmentation of Investment Assets	November 2004
Provision of Cyclist Facilities	November 2003
Provision of Parking: University of Western Australia	May 2002
Public use of the internet	May 2002
Railway Land Beautification	March 2005
Rat Control	February 2007
Recognition of long service	May 2002
Redundancy	September 2004
Replacement charges for compact disc cases	May 2002
Requests for functions	May 2002
Retention and disposal schedule	May 2002
Rodent Control	February 2023
Rosalie Park Reserve	March 2005
Senior officers	May 2002
Sexual Harassment	September 2004
Street Trees Policy	17 April 2018
Smoking and health	April 2005
Sporting organisations	March 2005
Staff guidelines for computer & communications use	May 2002
Street furniture	May 2002
Street Signs – name signs	September 1999
Street trading	April 2005
Study leave/assistance policy	May 2002
Substandard premises	May 2002
Superannuation Contributions	September 2004
The Role of the City of Subiaco as an Employer	September 2004
Tim Winton Award for young writers	March 2005
Underground Power and Associated Street Lighting	17 April 2018

Use of the internet	May 2002
Vehicle Speed Control	17 April 2018
Voluntary Workers	February 2004
Waste and refuse disposal charges	May 2002
Water conserving equipment	May 2002
Watering of verges and public space	May 2002
Western suburbs stage II	May 2002
Work and Health Orders	May 2002
Youth Achievement Award	July 2012
Young People	July 2012

## 10. Appendix 2

### Policy Review Timetable

Policy		Officer	Last Review	Next Review
<b>1.</b>	<b>LEGISLATIVE POLICIES</b>			
1.1	Code of Conduct	MFS	2017	2020
1.2	Elections	MFS	2017	2020
1.3	Appointment of Auditors	MFS	2018	2021
1.4	Interim and Proportionate Valuations	MFS	2011	2014
1.5	Disposal of Assets	MFS	2015	2018
1.6	Financial Reporting Compliance	MFS	2015	2018
1.7	Investment Policy	MCSP	2022	2025
1.8	Purchasing	MFS	2022	2025
1.9	Records Management	MInS	2014	2017
<b>2.</b>	<b>GOVERNANCE AND COUNCILLOR POLICIES</b>			
2.1	Social Media	CCE	2017	2020
2.2	Media Statements	CCE	2018	2021
2.3	Candidate Information and Councillor Induction	MFS	2017	2020
2.4	Council Meeting Arrangements	MFS	2018	2021
2.5	Elected Member Continuing Professional Development	MGS	2022	2025
2.6	Notification of Significant Matters	MFS	2017	2020
2.7	Legal Representation: Costs Indemnification	MFS	2017	2020
2.8	Elected Member Election and Retirement	MFS	2017	2020
2.9	Elected Member Entitlements	MFS	2017	2020
2.10	Review of Policies	MFS	2018	2020
2.11	Litigation	DCS	2018	2021
2.12	Honorary Freeman of the City	CEO	2017	2020
2.13	Council Election Caretaker Policy	MFGS	2018	2021
2.14	Attendance at Events – Elected Members and Chief Executive Officer	MGS	2022	2025
<b>3.</b>	<b>GOVERNANCE AND STAFF POLICIES</b>			
3.1	City Relationships (Sister Cities)	CEO	2017	2020
3.2	Appointment of an Acting or Temporary Chief Executive Officer	MPOD	2022	2025
3.3	The City as a Preferred Employer	MHR	2011	2014
3.4	Discount on Rates	MFS	2011	2014
3.5	Financial Reporting to Council	MFS	2016	2019



3.6	Budget Reallocations	MFS	2023	2026
3.7	Insurance Portfolio	MFS	2011	2014
3.8	Balance Carried Forward	MFS	2011	2014
3.9	Benchmarking	MFGS	2018	2021
3.10	COVID-19 Financial Hardship	MFGS	2020	2023**
<b>4.</b>	<b>REGULATION AND ENFORCEMENT POLICIES</b>			
4.1	Parking Control	MHCS	2021	2024
4.2	Parking Infringement Reviews	MHCS	2021	2024
4.3	Liquor Licensing	MHCS	2018	2021
4.4	Footpath Activities	MHCS	2018	2021
4.5	Outdoor Events	MHCS	2018	2021
4.6	Temporary Advertising on Reserves	MBHS	2015	2018
4.7	Razor Wire	MHCS	2018	2021
4.8	Street Banners	PM	2012	2015
4.9	Parking Permits	MHCS	2021	2024
4.10	Beekeeping	MBHS	2016	2019
<b>5.</b>	<b>ENVIRONMENTAL POLICIES</b>			
5.1	Sustainability	DCS	2011	2014
5.2	Nuclear Free Zone	CEO	2017	2020
5.3	Public Open Space in a Drying Climate	MOES	2018	2021
<b>6.</b>	<b>CITY SERVICES (SERVICE DELIVERY) POLICIES</b>			
6.1	Joint Provision of Community Facilities	MCS	2018	2021
6.2	Library Services	MCS	2018	2021
6.3	Museum Services	MCS	2018	2021
6.4	Provision of Community Recreation Facilities, Programs and Services	MRS	2018	2021
6.5	Use of Active Recreation Areas	MOES	2022	2025
6.6	Use of Passive Recreation Areas	MOES	2018	2021
6.7	Waste Services	MOES	2017	2020
<b>7.</b>	<b>OPERATIONAL POLICIES</b>			
7.1	Street and Reserve Trees	MOES	2018	2021
7.2	Street Verges	MOES	2018	2021
7.3	Cyclist and Pedestrian Facilities	MTID	2018	2021
7.4	Local Area Traffic Management	MTID	2018	2021
7.5	Footpaths	MTID	2018	2021
7.6	Crossovers	MTID	2018	2021
7.7	Stormwater Disposal	MTID	2018	2021

7.8	Street Lighting	MTID	2018	2021
7.9	Managing Road Reserve Obstruction to Facilitate Building and Development Works	MTID	2018	2021
7.10	Infrastructure Asset Management	MTID	2018	2021
7.11	Parklets and Outdoor Dining Structures	MTID	2019	2022
<b>8</b>	<b>COMMUNITY POLICIES</b>			
8.1	Community Engagement	CCE	2019	2022
8.2	Anti-Discrimination	MCS	2018	2021
8.3	Social Housing	DCS	2011	2014
8.4	Community Safety and Crime Prevention	MCS	2018	2021
8.5	Civic Matters	CCE	2018	2021
8.6	Regionalisation	DTS	2011	2014
8.7	Homelessness	MCS	2018	2021
8.8	Subiaco Award	CEO	2018	2021
8.9	Memorials	MOES	2018	2021
8.10	Youth Achievement Grants	MCS	2018	2021
8.11	Volunteers	MCS	2018	2021
8.12	Donations	DCS	2012	2015
8.13	Community Development Grants	DCS	2014	2017
8.14	Community Partnership Funding	DCS	2014	2017
8.15	Christmas Season Lighting	MOES	2018	2021
8.16	Community Garden	MOES	2018	2021
8.17	Public Art	MCS	2018	2021