

Corporate System – Model Policy



Model Local Government Framework Policy

Corporate System

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Corporate System – Policy

Council Authorised Policy Executor: Chief Executive Officer	Policy No.: <i>001</i> Date of Currency: <i>Date to date</i>
Inconsistency with this Policy	
<p>Any Local Government Policy, plan strategy, process, practice or procedure that is inconsistent with this policy, or which is not expressly approved by Council to the contrary, is deemed invalid in respect of the subject matter of this policy. The Rule of Precedence applies.</p> <p>Where a valid higher law exists, that law takes precedence over this policy and identification of any inconsistency of this policy to such a law, shall, as soon as is practicable, be raised to the Council's, Policy, Advisory, Audit and Compliance Committee for review and updating of this policy.</p>	

Acknowledgement of Traditional Custodianship

This Local Government, respects the continuing connection to land, waters and community of the traditional custodians of this country, over which, this Local Government has, through State Legislation, now accepted, adopted or otherwise taken on board, responsibility to continue that respect and care for this country, its people and its community spirit. We pay our respects to elders both past and present and all members of Aboriginal communities in honour to their culture.

Policy Object

To benefit the District Community through honouring the responsibility to respect and care for this country, its people and its community's spirit.

Purpose of These Framework Policies

[Local Government Act 1995 (2023) Part 1, Section 1.3 (2) – Intention of the Act and Part 3 – Functions of a Local Government]

The purpose of these Framework Policies is to enable, facilitate and measure compliance by the local government against the WA Local Government Act (as amended from time to time) through:

- Measurably maximise community participation in the decisions and affairs of the local government;
- Establish a framework for the measured accountable and efficient administration of the Local Government;
- Reducing impost on Councillor efforts;
- Building cooperative trust between the roles of Council and their administrative staff;

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- To measure accountability of the local government in a manner acceptable to the Local Community through instilling measurable consistency across the Local Government’s management of; words, behaviours, deeds, acts, actions, decisions; lists, records, systems, processes, plans, procedures functions, services, activities and resourcing; necessary and required for enablement, facilitation, management, measurement and reporting;
- Measurably reduce the burden on ratepayers by simplifying management guidelines.

Constitutional Non-Compliance

The WA Constitution Act calls for “a system of local government”. A system requires a point of initiation, a continuous activity, and a measured delivered outcome.

The WA Local Government Act., legislates an industry constituted of variable sized, disconnected, commercial enterprises, holding monopolistic governing power and mandatory revenue funding over and from their subservient resident and ratepayer populations.

The body of WA local government legislation does not reflect compliance with the purpose and object prescribed by the WA Constitution Act.

Inherent Principals of Law

These Model Policies embody that the functionality of Local Government; administration of executive local government services; and application of local government enforcements; only demonstrate effectiveness where the principles of ‘Rule of Law’ openly account a measure of community benefit. These Model Policies establish into functional beneficial effect, ‘Rule of Law’ principles as follows:

- That law has not been achieved unless the purpose and object of that part of law in question has been measured and proven to deliver a benefit consistent with the purpose and object of law as a whole.
- While Local Government is seen to be making law; applying that same law made; enforcing that same law made; and measuring or reviewing its own accountability to that law against the purpose and object of law as a whole; Local Government will retain its current and past reputation as an organisation inseparable from access to corrupt application of law.
- That such interpreting the wording of a part of law under the guise that such interpretation was a description of the intention of parliament as to how that law as a whole, should be applied and enforced; is a corruption of the purpose and object of law as a whole.
- A law that is not each of; understood, wanted and endorsed, by those it is to be applied over is an untenable law.

Commerciality of Local Government

Despite prescription within the WA Local Government Act to substantially engage with their community, Local Government bodies corporate in WA currently remain predominantly commercial activity entities, more in open conflict with their communities that providing community benefit.

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Policy Scope

As a “Framework” or “Principal” Policy, this Policy has Universal application across the Local Government’s, interactions, acts, actions and decisions.

Legislated Vision

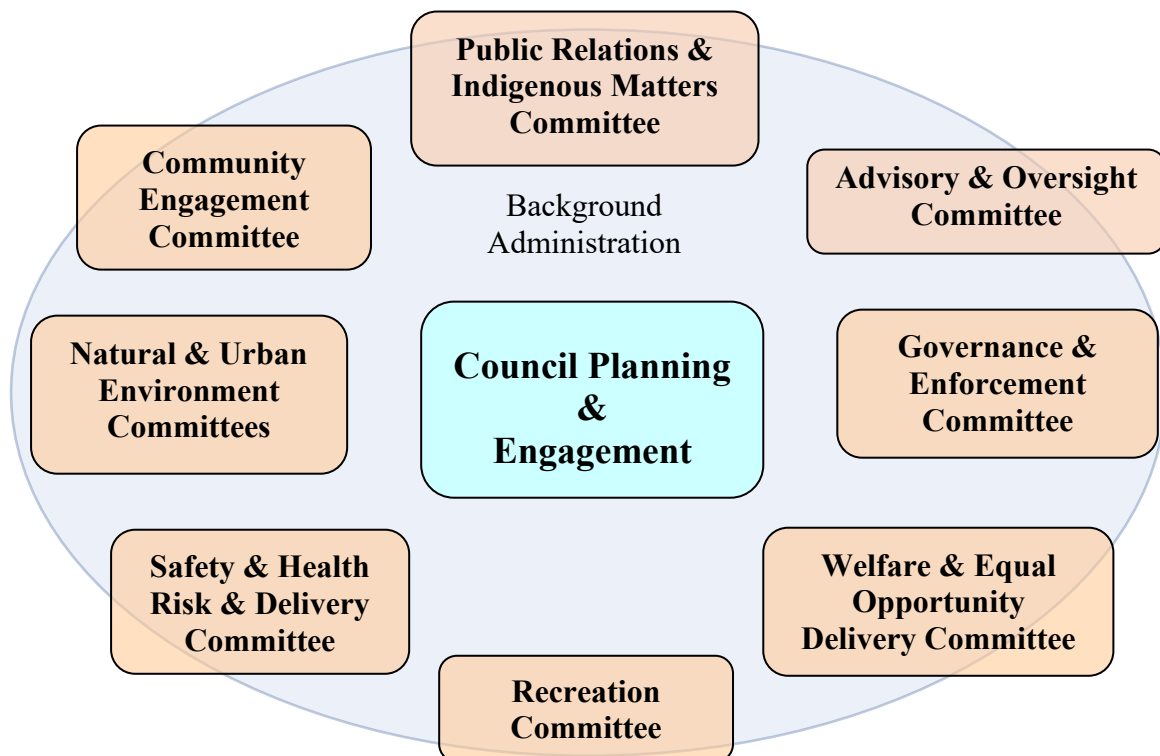
The WA Local Government Act prescribes a Duty of Care is applicable requiring that the Local Governments best endeavours shall be directed to enablement and facilitation of continuous improvement to community participation, across local government decisions, affairs, integration of environmental protection, social advancement and economic prosperity, to achieve the needs of current and future community generations.

[Local Government Act, 1995 Section 1.3. (2) & (3)]

Local Government – Vision

(Engagement Example)

“working together to achieve community wellbeing for today and tomorrow”



Community Engagement Opportunity in Policy Management

Figure 1 - Outline of combined Legislated and Local Government Visions

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Except where specifically otherwise prescribed in law; this Principal Policy determines that the Local Government measures:

1. Acknowledgement and valuing afforded to traditional custodians of the country over which this Local Government has been Legislated to adopt District custodianship responsibilities;
2. Acknowledgement that the, words, behaviours, deeds, acts, actions and decisions of the Officers of the Local Government, demonstrate and define the standard replicated by the members of the Community;
3. Requires Local Government communications whether, visual, written or verbal, to express;
 1. ownership by the Community;
 2. a duty of care to and of the Community;
 3. engagement and inclusion of the Community or its members;
 4. avoidance of segregatory class or other discriminatory terminology;
 5. avoidance of negative imagery arising from bullying, intimidatory, oppressive, insulting or dictatorial terminology;
4. Acknowledges that Community Expectations cannot be met unless and until the Community lead the identification, documentation and measurement of those expectations;
5. Will document and publish to the Community, the manner in which the Local Government will enable, facilitate, manage, measure and report on the outcomes from feedback received from various sources;
6. Will document and publish to the Community, Council expectations with respect to the use of feedback sought or received, to help improve Local Government policies, processes, products, services, events, facilities, and, Community care and respect;
7. Acknowledges that the Local Government Act., prescribes a “Duty of Care” that this Local Government:
 1. Will apply its best endeavours to engage without prejudice, limitation or exclusion, all members of the Community of this District whether, employed, non-employed, ethnicity diverse, or disadvantaged;
 2. Will apply its best endeavours to deliver resolution to conflict, complaint, or dispute through engagement, conciliation or mediation;

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2. Will adopt the same process for developing Policy as is prescribed for developing / managing Local Law. Local Government Act. Sections 3.12.(2)-(4) & (6) are applicable. (Notice of the policy is not required to be copied to the Minister or Governor, nor published in the *Gazette*.)
3. Will address at least the following listed framework subject matters when building the Local Government's suite of Framework policies:
 1. Corporate System Policy;
 2. Community Engagement Policy;
 3. Public Relations Matters Policy;
 4. Governance & Enforcement Matters Policy;
 5. Environment Matters Policy;
 6. Safety, Health and Risk Matters Policy;
 7. Finance & Finance Risk Matters Policy;
 8. Business & Business Risk Matters Policy;
 9. Internal Matters Policy;
 10. Planning Matters Policy;
4. Local Government administrators will develop apply and maintain a document referencing system which identifies the relevant policy or policies applicable to the subject matter of the particular record;
5. Will engage with the Community to provide clear definition, acceptable to the community, for terms and words used in Local Government reports, communications, Local Laws and other instructions;
6. Will engage with the Community to set measurable and achievable baseline objectives of any and all Local Government, Policies, plans, systems, processes, procedures, act, actions and decisions against which each will from time to time be audited and reported to the Community;
7. Will engage with the Community to actively seek measurement of application of continuous improvement to Local Government transparency and accountability across delivery of roles, practices, acts and actions;
8. Will engage with the Community to attribute key performance indicators to actively measure the performance of Elected Officers in achievement of their intended role or duty outcomes;
9. Will require compliance with these Policies to be a measured and assessed component of any contract (including employment contracts), other agreement or undertaking, to which the Local Government is a Party;
10. Will actively engage with the Community to measure and analyse the effectiveness of operational decisions and practices in achievement of their intended outcomes;

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11. Will actively measure, analyse and seek to continuously reduce the impact of State Government impositions on revenue sourced from ratepayers of the District;
12. Will ensure persons employed by or under the control of the Local Government for non-Local Government Act. roles, comply with these Local Government Policies with respect to the manner, voracity and timing of acquittal of their non-Local Government Act. role;
13. Will outline and publish to the Community, Council expectations and authorisations to the Local Government administrators enabling the development of, systems, processes and procedures for the day-to-day acts, actions and resourcing necessary and required for enablement, facilitation, management, measurement and reporting on the outcomes from these Policies;
14. Will establish a limitation of time on all delegations of Council to the CEO or any other person class or party delegated, that such delegation ceases at the time of the first meeting of Council following a general Council election and that the first meeting of the new Council will review and reaffirm or modify as the case may be, those delegations with respect to:
 1. Limitations to the delegation to be included in the written record of the delegation;
 2. Any such delegation not preclude the Council from exercising or performing at any time a power or duty so delegated;
[Sections 58 & 59 of the WA Interpretations Act.]
 3. The exercising or performing by the Council of a power or duty also delegated, is to take precedence over the exercising by the CEO or other person or party, of performance of that same power or duty delegated;
 4. Details of the delegations so made being published to the Community, on the Local Government website;
15. Will publish to the Community, all Local Government policy, plans, systems, processes, procedures and work methods, which in any manner impact on the Community or a member of the Community, whether in a public, private, or commercial capacity;
16. Will preference voluntary codes of practice and standards over Local Law;
17. Will, where the Local Government, references, uses or otherwise requires the following of an Australian/New Zealand, international or other commercial standard; make a copy of that standard available, on request and free of charge to a member of the District Community as much as is permitted by copywrite law.

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19. Acknowledges Policy as Quasi Local Law and may cause any Policy to be established as Local Law;
20. Will engage with the Local Community Advocacy Organisation to appoint Community representation for at least the following Advisory Committees:
 1. Public Relations, Review & Advisory;
 2. Policy Advisory, Review, Compliance and Oversight;
 3. General Governance, Legislative Compliance and Enforcement Matters;
 4. Financial Management, Audit, Risk and Compliance Committee;
 5. Environment, Advisory & Oversight;
 6. Waste Reduction and Management, Oversight, Education and Advisory;
 7. Community, Road Safety, & Emergency Management Review & Advisory;
 8. Volunteer Advisory and Oversight;
 9. Community Engagement Initiatives Review & Advisory;
 10. Arts and Culture Review & Advisory;
 11. Indigenous Matters, Review & Advisory;
21. Will, when mailing the Candidate and postal vote information for an ordinary Council Election, include an invitation for registered electors of the District to nominate through their Local Community Advocacy organisation, for membership on a listed Local Government Committee;
22. Will publish in its Annual Report, the measurement and analysis of compliance and functionality performance of the Local Government's Policies;

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Appendices to this Policy- Guidance and Explanatory Notes.

Introducing Corporate System

This Suite of Framework Policies accumulates knowledgeable contributions from Community subject matter experts of fields including; Town Planning; Corporate, Governance, Law, Management, & Engineering; Lawyers; ex Local Government Mayor's, & Councillors; Technical Management specialists; Public Health and Safety specialists; and Not for Profit Volunteer management specialists.

These policies are framed within the Local Government Act as current at December 2020.

The content of these Policies addresses the Aspirations published in the “*City of Melville - Strategic Community Plan 2020-2030*” and associated comment raised by the Community during surveys for that Plan.

The content of these Policies also addresses the 6 priority components given in the “*City of Melville – Corporate Business Plan 2020-2024*.”

The content of these Policies also addresses matters published in either or both the “*City of Melville - Strategic Community Plan 2020-2030*” and “*City of Melville – Corporate Business Plan 2020-2024*” and which are not otherwise addressed.

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Administrative Structure – Power & Authority of Council

Numbers reference prescription in the Local Government Act. giving Legislated Power & Authority to Council:

“Local Governments to be run by Elected Councils”
[1.3.(1)(d), 1.3.(2), 1.3.(3), 2.6]

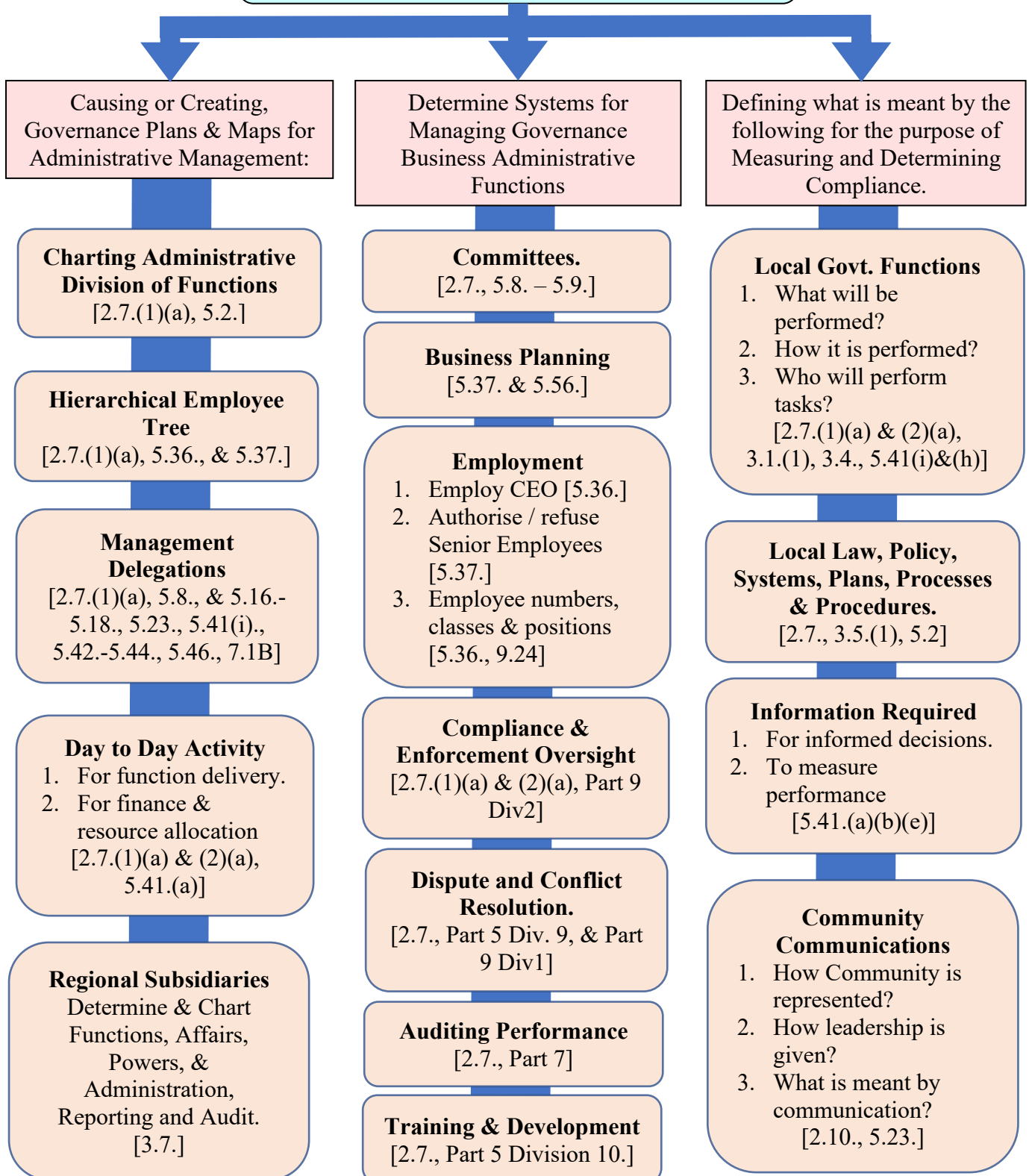


Figure 3 - Power & Authority of Council to Create Administrative Structure

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Administrative Structure – Power & Authority of Council to Oversee Employment

[WA Local Government Act]

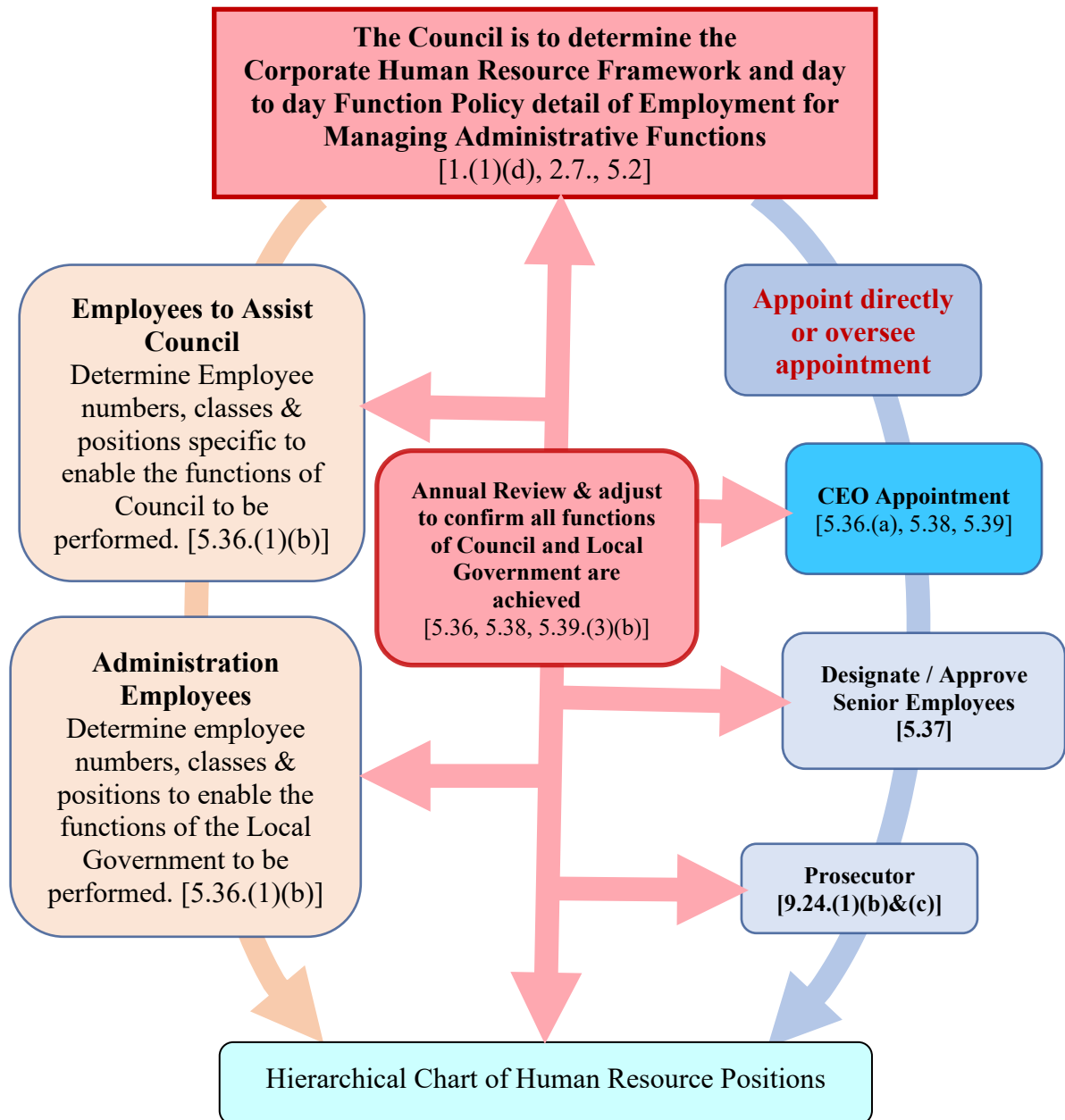


Figure 4 - Council Authority to Oversee Human Resources

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Administrative Structure Human Resources Role of CEO

[WA Local Government Act]

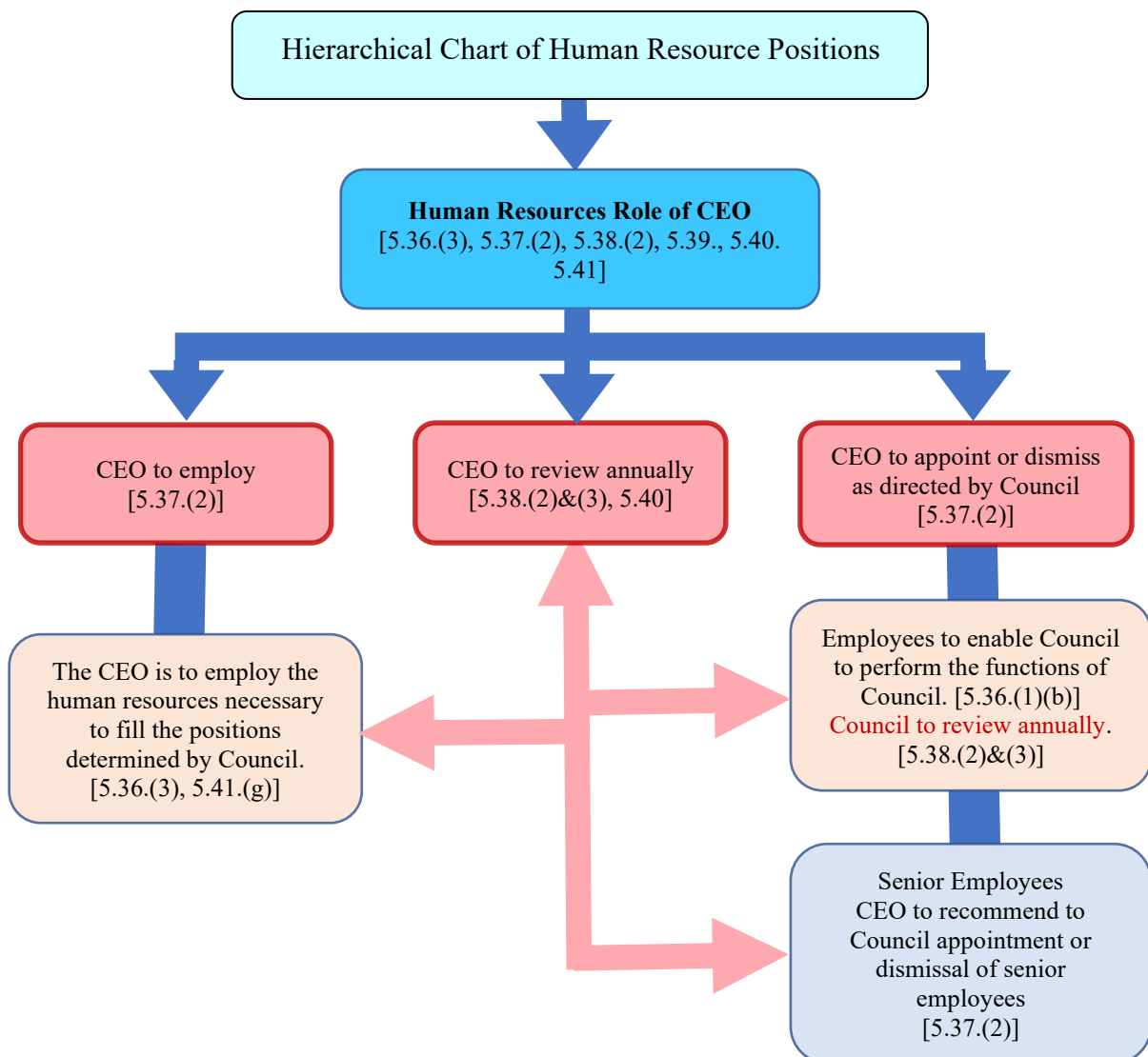


Figure 5 - Human Resources Role of CEO

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Model Administrative Divisions Corporate Management

Model Divisions for a Local Government Administration <i>(The breakdowns in this chart reflect subject and not workload)</i>				
Director Divisions				
Public Relations Community Engagement	Governance Enforcement Integrity Health & Safety	Environment Urban Planning	Corporate Services Human Resources Internal Matters	External Business Services
Topics Included <i>(collated from existing examples of policy)</i>				
Honorary Freeman. Events. Civic Ceremonies. Naming. Traditional Owners. Citizenship. Arts & Culture. Cultural Awareness. Privacy. Social Media. Facility & Asset Use. Deputations. Neighbour Dev Hub. Volunteering. Homelessness. Disability Access / Inclusion. Stakeholder Engagement. Feedback. Complaints Management. Committees. Question Time.	Conduct. Quasi-Judicial Role. Fraud & Corruption. Related Party Compliance Enforcements. Parking. Road Safety. School Parking. Bullying & Disc. Risk Management. OSH. Non-Smoking. Food Handling. Leisure Facilities. Physical Activity. Injury & Rehab. Healthier F. & Drink. Violence Prevention. Emergency Event. Security. IP Use. Workplace-Phone Use. Surveillance. CCTV.	Legislated Urban Planning. Asset Management. Waste Minimisation. Water usage Sustainability. Environment. Urban Forrest. Street Trees. Verge Treatment. Public Spaces.	Fwd. Bus. Planning. Financial Risk. Allocations. Investments. Loans. Grants. Disaster Appeals. Borrowings. Accounting. Ex Gratia. Severance. Allowances. Hardship. Meeting Rooms. Prof. Dev. Acting. Recognition. Legal Represent. Term of Office. Prayer. Nom. WALGA. Appointments. Vehicle Use. Meeting Recs. Records Mgt.	Bus. Continuity. Land & Property. Procurement. Street Numbering. Path. Crossover. Householder services Discretionary Serv. Quality. Execution of Docs. Drone Use.
Manager Divisions				
Civic Management. Engagement. Culture & History. Community Records. Public Access, FOI. Volunteer Centre. Dispute Resolution. Committee Support.	Standards & Protocol. Interpretation of Law. Enforcements. Safety, Health & Rehab. Road Safety. Discrimination. Emergency Events. Security.	Building Planning. Building Construction. Public Space Managt. Road access Planning. Urban Environment. Natural Environment.	Finance Communications. Internal Records. Human Resources. Staff Support. Training. Council Ward Offices. Internal improvement.	Contract Management. Service Delivery. Maintenance. Ranger Services.
Responsible for				
Strategic 10year Community Plan. Engagement reporting to Council	Accountability and performance reporting to Council	Strategic Urban Plans. Sustainability Performance reporting to Council.	Strategic 4 year Corp Business Plan. Admin performance reporting to Council.	Performance reporting to Council.

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Local Government – Circle of Communications

[WA Local Government Act]

LIAISE
CONTRIBUTE
QUESTION

DIRECT & REPORT BACK
IMPOSE UPON

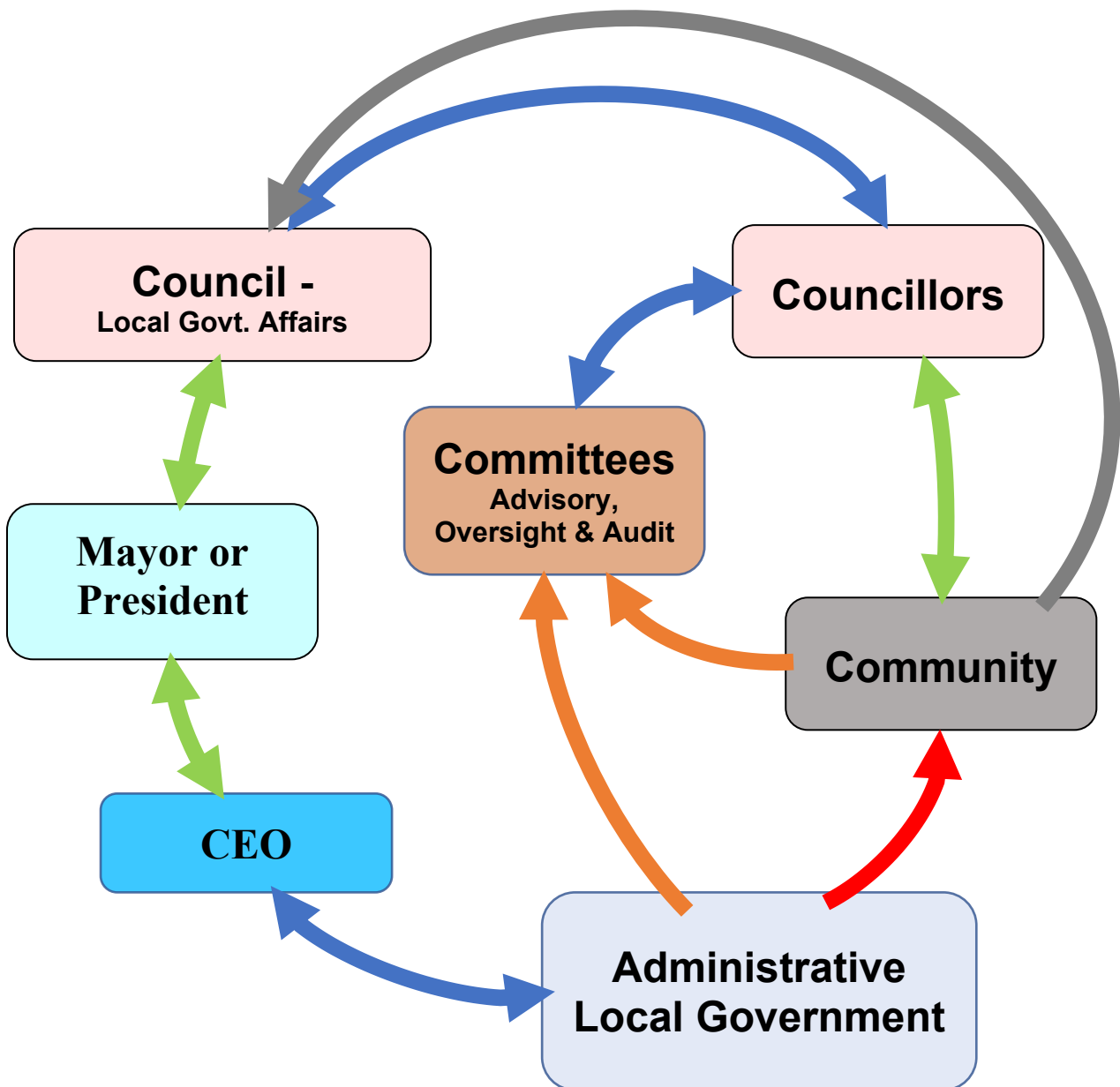


Figure 6 - Existing Legislated Communication Directives

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Undermining of Council Authority

This Policy recognises that the State Government has in legislated impositions outside the Local Government Act, dictated enforcement roles on Local Government Administrators, and through that created an undermining of the authority of Council and its Councillors, to effectively govern the Local Government.

These impositions require the Local Government to use ratepayer revenue to employ staff and provide and maintain resources to these staff to carry out enforcements which cause reputational harm to the Council while enhancing the unaudited power of Local Government Administrators.

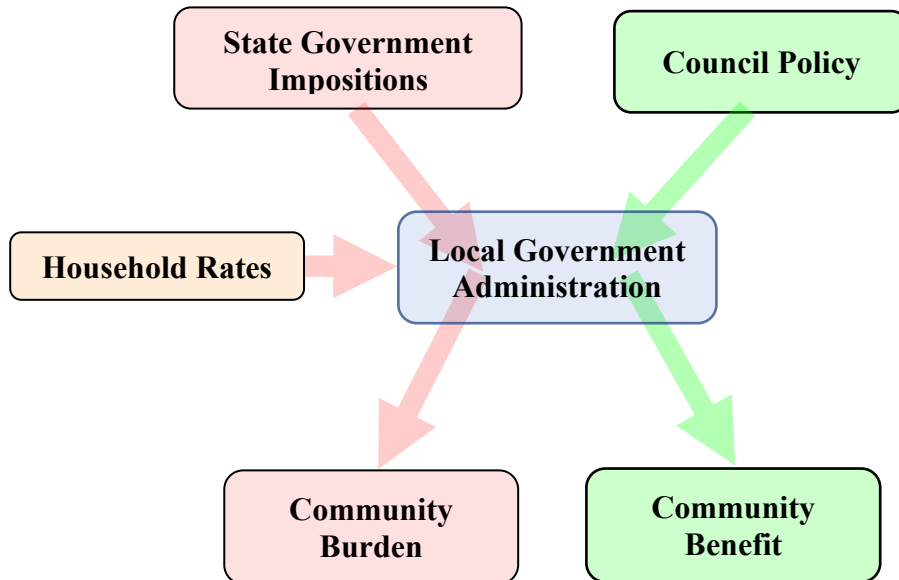


Figure 7 - Community Burden from State Impositions

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Delegation of a Component of a Policy

The Council by absolute majority may (subject to there being no lawful impediment to do so) delegate responsibility for application, enforcement, outcome measurement or reporting, any component of a Local Government Policy as the Council sees fit. The legislated process for recording, reporting and publishing such delegation shall be followed.

Authorisation of Policy

The Local Government Act. 1995, section 2.7, directs that the Local Government Council:

- Governs the Local Government, Local Government affairs; and
- Is responsible for the performance of the Local Government, Local Government functions; and
- Determines the Local Government, Local Government policies.

Section 5.2. of the Act further prescribes that *“the council of a local government is to ensure that there is an appropriate structure for administering the local government”*

By these legislated directives, the Local Government is required to “authorise” any and all, Local Government Policy which in turn guide and direct the manner, standards and application of and for, ‘day to day’ activity of the Local Government.

Any Local Government Policy, System, Plan, Process or Procedure, which is not approved by Council or that is inconsistent with, respect of the subject matter of the relevant Framework Policy is void and on identification, is to be brought to the attention of the Council’s, Policy, Advisory, Audit and Compliance Committee at the earliest practical opportunity.

Nothing in the Act. prevents these Policies from being made into Local Laws.

Publication and Display of Policies

Where the Local Government has a need or requirement to display a component of a larger Policy then the CEO may cause an extract of a Principal Policy be taken for that specific purpose, provided that the extract is identified as an extract of the Principal Policy, and includes reference to where that full policy can be found.

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Advisory, Governance, Oversight and Audit, Committees Constitution and Tenure

Part 5 – Division 2 - Subdivision 2, Local Government Act 1995

The Committees of this part are not decision-making Committees as described in Section 5.10. (3) of the Act. and similarly, are not “Audit” committees for the purposes of Section 7.1A. of the Local Government Act 1995.

1. When establishing an Advisory, Governance, Oversight and Audit Committee, the Council will engage with the Local Community Advocacy Organisation to provide fair and equitable Community representation to ensure openness, transparency and engagement to achieve the objectives for which the Committee was constituted.
2. The Council may:
 - a. at any time it sees fit, appoint committees of elected members, employees and other persons;
 - b. at any time it sees fit, discharge, alter or reconstitute any committee;
 - c. following a general election of Councillors, determine who shall be reappointed as committee members of those committees going forward.
1. Each committee is:
 - a. answerable only to the Council; and
 - b. is to comply with any direction or requirement of Council;
 - c. is to report on its activities when, and to the extent, manner and format required by the Council.
2. Unless a Committee is constituted as a “decision making Committee” under the Act., or that there is an extraordinary reason a Committee should not have members of the Community in its constitution, each and every Committee shall include a number of Community members, as close as is practical, equal to the sum of members who are Elected or Employee Members.
3. The tenure of Committee members is governed by section 5.11 of the Local Government Act and cannot in any case exceed beyond the next following ordinary election of Councillors.
4. Each incoming Council will review all committees which existed immediately prior to the ordinary Council elections and determine which if any are to be reappointed, what new Committees the Council desires to be appointed and which committees shall be discontinued.
5. Each committee immediately prior to “termination” and at any other time required by Council, shall provide a report to Council and which report shall be published on the Local Government website. (Privacy and confidential information redacted)
6. A member of the District Community who is a member of a Local Government Committee (except where the member is a co-opted expert) may not be a concurrent member of more than one other Committee.
7. A Committee, with the approval of an absolute majority of Council, may at any time, co-opt subject matter “expert” member(s) as is practical at the time and for the specific purpose of that time and for the duration of value the expert provides to the Committee.

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8. Subject to Part 5, Division 2, Subdivision 2, of the Local Government Act 1995, a committee may determine its own procedures.
9. To the extent of matters overlapping committee objectives, those committees with overlapping matters, will engage with each other to the extent of such overlap and determine among themselves which committee shall report what component of each matter of overlap. In the event of disagreement, each committee shall report separately.
10. The CEO will cause to be kept, a register of all committees detailing:
 - their constitution;
 - membership;
 - Co-opted membership
 - Instructions, roles and duties prescribed by Council

Policy, Advisory, Audit and Compliance Committee

The Council will establish and maintain a Policy Advisory, Audit and Compliance Committee, whose role will be to:

1. report to Council on the value of the content of the Local Government's Policies:
 - their consistency with Law;
 - Their consistency with other Policies;
 - how well they are applied and complied with; and
2. Review and recommend corrections and improvements:
 - At least every eight (8) years (to maintain consistency with the legislated requirement to review Local Laws);
 - When Parliamentary-Legislative or Executive Regulation change has occurred, and which affects the content of the Local Government Policy(ies);
 - When audit or other measuring of the outcome from application of a Policy identifies a generated rift or other failure to achieve the intended outcome;
 - When a Policy is identified as being inconsistent with a higher law;
 - When an inconsistency between Policies is identified;
 - Any other time the Council believes a change has occurred or an amendment is deemed necessary to ensure the Policy retains its best effectiveness with respect to the intentions of the Local Government Act or such other legislation as is in force at the time.

The Committee is to endeavour to include among its membership, a number of Community members at least equal to the combined number of elected and employee members.

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Appendix I – Definitions

For the purpose of this policy the following terms are applied to mean;

Access

- A) - Means by virtue of equal opportunity for any member of the district Community irrespective of their physical capacity shall be afforded the same degree of access as any person without physical impediment. And
b) – Means any person who is mentally challenged but retains the capacity to understand and contribute to the relevant discussion at hand, shall be afforded such support and tolerance as enables their access or contribution to equate in relative terms to that of a person not mentally challenged.

Accountability;

Means, the repair or rectification, to at least the original or prescribed condition, of a harm done or in its place a monetary equivalent compensation.
Accountability of an accountable person is to be tied to the employment contract of that person.

Accountable Person;

Means a person (including an executor) who has been delegated responsibility to ensure a policy, role, or position of authority is/was appropriately applied to achieve the measures so defined to confirm conformity with the instructed outcome.

Affairs

Includes both of the below - Definition Extracts - Commonwealth Corporation Act – Affairs of a Body Corporate and Business Affairs of a Body Corporate

Consider

Means to assess and analyse for the purpose of making an informed decision

Deputation – [Sections 2.10.(c) & 5.24 of the Local Government Act 1995]

Means a group of one and up to three persons seeking to present a submission, to Council or a Committee reporting to Council. The Deputation may represent themselves or others. See Policy 002 – Community Engagement

District

Means the Local Government District as defined in the Local Government Act. 1995;

Doing acts

See inserted following - Definition Extract - Commonwealth Corporation Act

Economic prosperity;

Includes effort given to encourage, enable, enhance or deliver reduction of financial impost on ratepayers and license holders;

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Employee

Has the meaning given by the WA Occupational Safety and Health Act 1984;

Environment;

means: the surroundings, weather or other conditions in which a person, animal, or plant lives or operates and includes; urban, residential, public, recreational, constructed, natural and semi-natural areas;

Environmental Protection;

Means as far as is practicable, to achieve consistency of vegetation across the district to preserve, rehabilitate and protect, pre-European residency biodiversity values. Including both natural and urbanised areas;

Feed-back

May, on its face, be complimentary, inert, value adding or destructive and may arise from or be caused by, and by that be categorised as;

1. Normal day to day communications arising during the application of normal day to day transactions of business, service or internal process;
2. Comment returned following a request by the Local Government for Community or other party response. This may be via the Local Government website or other communication method;
3. Complimentary, insightful or in disagreement by a party against the applied outcome from a normal day to day transacted business matter or internal process;
4. Disputation arising from inadequate or inappropriate enforcement or inadequate or inappropriate, biased or disrespectful application of rules, regulations, approvals, or compulsorily delivered service;
5. Absence or discouragement of Community care, respect or denial of engagement;
6. Prejudiced application or involuntary imposition on Community or another party, of rules, regulations, requirements, services or other matters, for which the receiving party did not endorse, had no input nor control of, or which application or imposition, lacked visible Community benefit.

Harm;

Shall have the meaning applied or implied by the WA Occupational Safety and Health Act and applies whether the subject of the harm is human, living creature or inanimate object, structure, environment, policy or thing;

Informed Decision

Means a decision based on the best available unbiased information balanced both for and against the matter to the decision. Information in the form of personal opinion is deemed to be biased information and is not to be considered as a contribution toward informed decision making.

Interfere or Interfering

Means to cause harm to, or detriment in some way that has been measured to demonstrate or evidence, detraction from benefit to the Community;

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Involvement in the decision-making process:

includes complaint and dispute resolution processes and delegation of decision-making processes. *[these sections of the Local Government Act apply - 1.3.(2), 1.9., 2.10.-2.12., 3.25., 3.58., 4.32., 4.35., 5.7., 5.10., 5.16., 5.17., 5.20., 5.25., 5.33., 5.41., 5.43., 5.45., 5.61., 5.67.-5.71B, 6.68, 6.76-6.78, 7.1C, 8.41, Part 9,]*

Matters for which the Local Government has Control:

Includes matters which the Local Government enforces on behalf of others or is required by other legislation, to be applied or enforced by the Local Government

Measured

Means a collection of data enabling demonstration of historic trends and/or the open and transparent analysis of similar contemporaneous events.

NFP

Means Not for Profit

Oversee

to watch over and direct (an undertaking, a group of workers, etc.) in order to ensure a satisfactory outcome or performance

synonyms: administer, administrate, conduct, control, direct, govern, guide, manage, operate, overlook, preside (over), regulate, run, steward, superintend, supervise

[\[Merriam-Webster Dictionary\]](#)

Policy

Means: - a system of deliberate principles to guide decisions for rational outcomes
- statements of intent, implemented as a procedure or protocol
- are political, managerial, financial, or administrative tools used to reach explicit goals

[\[https://en.wikipedia.org/wiki/Policy\]](https://en.wikipedia.org/wiki/Policy)

Reported

Unless otherwise expressly stated, Means reported to Council

Resolution

Means an ending of a disagreement or complaint in a manner acceptable to each party involved. It should be noted that a court decision may not resolve a complaint or disagreement. Section 1(3) of the Local Government Act places an obligation on the Local Government to apply “*its best endeavours*” to achieve resolution.

Review

Means to examine and analyse, feedback, performance and functionality and provide informed decision on the efficacy of the item reviewed.

“Rule of Precedence”

A rule authorised at a later date shall be read as taking precedence over a conflicting rule of an earlier authorisation date.

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Social advancement;

Means effort given to encourage, enable, enhance or deliver harmony among members of the Community.

Speaking on Behalf of Local Government

Means

Stakeholder

Means a person who has an interest in the matter at hand whether that be a nearby resident or ratepayer, Community service club member, sports player, commercial entity, NFP service supplier, or sponsor. Stakeholder may include a State or Federal government officer or member of parliament but does not include a political party representative.

The Local Government Values: (or words to this effect)

mean a measurable value, reported to council in demonstration of an intended outcome.

Transparent

means measured and reported to a public record.

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Affairs of a Body Corporate

Definition Extract - Commonwealth Corporation Act

For the purposes of section 2.7 of the Local Government Act and any other use of the term – “the local government’s affairs” (or words to this effect) means, as extracted from Part 1.2, Division 7, Sections 52, 53 & 53AA, of the Commonwealth Corporations Act. 2001 as follows.

Doing acts

- (a) Is a reference to doing an act or thing includes a reference to causing or authorising the act or thing to be done.

Affairs of a Body Corporate includes:

- (b) the promotion, formation, membership, control, business, trading, transactions and dealings (whether alone or jointly and including transactions and dealings as agent, bailee or trustee), property (whether held alone or jointly and including property held as agent, bailee or trustee), liabilities (including liabilities owed jointly and liabilities as trustee), profits and other income, receipts, losses, outgoings and expenditure of the body; and
- (c) the internal management and proceedings of the body; and
- (d) any act or thing done (including any contract made and any transaction entered into) by or on behalf of the body, or to or in relation to the body or its business or property
- (e) matters concerned with the ascertainment of the persons who are or have been able to control or materially to influence the policy of the body; and
- (f) where the body has made available interests in a managed investment scheme — any matters concerning the financial or business undertaking, scheme, common enterprise or investment contract to which the interests relate; and
- (g) matters relating to or arising out of the audit of, or working papers or reports of an auditor concerning, any matters referred to in a preceding paragraph.

Business Affairs of a Body Corporate

Include (without limitation):

- (a) any of the body’s affairs; and
- (b) matters concerned with ascertaining the corporations with which the body is or has been connected.

References Applicable to all Policies

DLGSC (2019) *The Role of a Council Member* <https://www.dlgsc.wa.gov.au/local-government/local-governments/council-elections/the-role-of-a-council-member>

MRSC. (2017). *Local Government Policy Making Process*. Municipal Research & Services Centre, Washington, USA. www.MRSC.org

WA Gov. *Auditing in WA*. <https://audit.wa.gov.au/auditing-in-wa/audit-program/>

WA Treasury. *Better Regulation*. <https://www.wa.gov.au/organisation/departments-of-treasury/better-regulation>

CoM (2020) *City of Melville - Strategic Community Plan 2020-2030*.

CoM (2020) *City of Melville – Corporate Business Plan 2020-2024*.

This template is adapted from existing Local Government Policies as at 2020

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Appendix II- Legislation References

The following are the Local Government Legislation and Regulation “In Force” as at November 2020. (Excluding delegations on Local Government given in other legislation.)

Local Government Act 1995	074 of 1995
Local Government Grants Act 1978	004 of 1978
Local Government (Miscellaneous Provisions) Act 1960	084 of 1960 (9 Eliz. II No. 84)

Local Government (Administration) Regulations 1996	24 Jun 1996	p. 2799-826
Local Government (Audit) Regulations 1996	24 Jun 1996	p. 2827-32
Local Government (Constitution) Regulations 1998	26 Jun 1998	p. 3449-74
Local Government (COVID-19 Response) Order 2020		SL 2020/57
Local Government (Elections) Regulations 1997	14 Feb 1997	p. 905-1005
Local Government (Employee Superannuation) Regulations 2016	25 Oct 2016	p. 4871-4
Local Government (Financial Management) Regulations 1996	24 Jun 1996	p. 2681-750
Local Government (Functions and General) Regulations 1996	24 Jun 1996	p. 2771-97
Local Government (Long Service Leave) Regulations	16 Dec 1977	p. 4655-60
Local Government (Parking for People with Disabilities) Regulations 2014	10 Oct 2014	p. 3691-9
Local Government (Regional Subsidiaries) Regulations 2017	20 Jan 2017	p. 689-713
Local Government (Rules of Conduct) Regulations 2007	21 Aug 2007	p. 4203-16
Local Government (Uniform Local Provisions) Regulations 1996	24 Jun 1996	p. 2833-46