

PE5 – Adoption of Draft Compliance Policy

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TRIM 2440

EXECUTIVE SUMMARY

- The purpose of this report is to resubmit the Draft Compliance Policy, for adoption.
- Council resolved to place the Draft Compliance Policy on public exhibition at its meeting on 18 April 2017 with consideration to be given to any submissions prior to it being resubmitted to Council for adoption.
- The Draft Compliance Policy was placed on public exhibition for a period of twenty-eight (28) days from 10 May 2017 until 6 June 2017, with an additional 14 days allocated for submissions. The Draft Policy was exhibited in Council's foyer, the library as well as the website. No submissions were received during this period.
- It is recommended that the Draft Compliance Policy, previously considered by Council on 18 April 2017 with the minor amendments, be adopted by Council.

REPORT

Council's Compliance Policy was first adopted in August 2010. Minor amendments were made to the Policy in March 2015.

The purpose of this Policy is to provide consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement based upon severity.

The revised Policy outlines matters to be considered at the various stages of the enforcement process from receipt and investigation of reports alleging unlawful activity, the triaging of these reports, actions and enforcement option(s) if any to be undertaken.

CONSULTATION

The revised Policy is broadly based on the Model Policy prepared for local councils by the NSW Ombudsman which outlines clear guidelines and protocols for council staff in the management of councils' regulatory activities. Other NSW councils with compliance and enforcement policies were also consulted.

The document was circulated to Council's Planners, Building Surveyors and Compliance Staff for review with their comments included in the Draft Policy.

Report of Planning and Economy to the Ordinary Meeting of Council held on Monday 18 September 2017

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FINANCIAL IMPLICATIONS

This matter has no financial impact on Council's adopted budget or forward estimates.

ATTACHMENTS INCLUDED IN A SEPARATE BOOKLET

1. Summary of Changes Table - Compliance Policy
2. Draft Compliance Policy

RECOMMENDATION

That the Draft Compliance Policy, previously considered by Council on 18 April 2017 and consequently placed on public exhibition be adopted by Council with the following minor amendments:

- The term "Tree Preservation Order" and acronym "TPO" to be replaced with "Development Control Plan - Tree Removal" and acronym "DCP".