

PE5 – Revision of Compliance Policy

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Revision of Compliance Policy

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TRIM 2440

EXECUTIVE SUMMARY

- The Compliance Policy was adopted by Council on 16 August 2010 with the most recent amendment occurring on 16 March 2015.
- The intent of the Policy is to establish clear guidelines and protocols for the management of Council's regulatory activities.
- A Model Compliance and Enforcement Model Policy was issued by the Ombudsman's Office in December 2015. The revision of Council's Compliance Policy is broadly based on this Model Policy.
- It is recommended that:
 - Council place the Draft Compliance Policy on public exhibition for twenty-eight (28) days with a further submission period of fourteen (14) days following the expiration of the exhibition period.
 - Following the expiry of the exhibition period and amendments if necessary as a result of submissions received, that the draft Compliance Policy be resubmitted to Council for adoption.

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 structure for consistency and transparency in decision making and to facilitate a proportional approach to compliance and enforcement.

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 Council's 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 appropriate comments included in the Draft Policy.

Report of Planning and Economy to the Ordinary Meeting of Council held on Tuesday
18 April 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. Draft Compliance Policy
2. Summary of Changes Table – Compliance Policy

RECOMMENDATION

1. That Council place the Draft Compliance Policy on public exhibition for twenty-eight (28) days with a further submission period of fourteen (14) days following the expiration of the exhibition period.
2. That following the expiry of the exhibition period and amendments if necessary as a result of submissions received, that the draft Compliance Policy be resubmitted to Council for adoption.