# PROPOSING NEW POLICIES, AMENDING EXISITING POLICIES AND RESCINDING OBSOLETE POLICIES

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# PROPOSING NEW POLICIES, AMENDING EXISTING POLICIES AND RESCINDING OBSOLETE POLICIES

## 1. The purpose of this policy is

To document the process for proposing new policies, amending existing policies and rescinding obsolete policies.

## 2. Policy statement

A policy is a formal statement of Council's position covering the principles it will adopt in administering its statutory responsibilities and promotes consistency of approach and administrative efficiency.

A policy is established by the resolution of Council.

The General Manager is empowered under Section 335 of the Local Government Act for the 'day to day' management of Council and "organisational policies" on staffing and operational processes are covered by Operational Management Procedures. They are not Council policies and are not covered by this policy.

## 3. Principles

The following principles will be followed when proposing new policies, and amending or rescinding Policies.

### 3.1 New policies or amending existing policies

Policy proposals must be clearly expressed, and give proper consideration to legal or other implications.

The Policy officer will ensure any proposed amendment to an existing policy (clause 3.2 deals with minor amendments to existing policies), or a proposal for a new policy:

- Is concise and clearly worded
- Is presented in the standard Brewarrina Shire Council policy template format
- Does not conflict with any existing policy, and if it does, recommends the necessary amendments or rationalisation of all affected policies
- Considers any legal and any financial or administrative implications

*Council can make a resolution to place the draft policy on exhibition (with or without amendment) or reject the amendments or new policy.*
*Draft policies adopted for exhibition must be exhibited for public comment for a minimum period of fourteen (14) days unless a statutory exhibition period is provided. At a minimum, public exhibition must consist of advertising in the Brewarrina News, exhibiting the policy at the Brewarrina library and posting a copy of the policy onto the intranet.*

*At the closure of the exhibition period a report detailing the submissions received will be made to Council. Council by resolution will adopt or reject the amendments or new policy.*

### 3.2 Minor Amendments to Policies

Amendments to existing policies must accord with clause 3.1 of this policy, unless the amendments are minor in nature.

Amendments minor in nature include the following:

- Changes to the format of the Policy
- Changes to the Policy Number
- Changes to Policy Owners or those responsible for implementing the policy as a result of an organisational restructure/realignment

The General Manager can approve minor amendments to policies if in his opinion the amendment does not:

- Change the intent of the policy.
- Impact upon the community.
- Result in a conflict with any existing policy
- Have legal or financial implications.

### 3.3 Rescinding Policies

Policies can only be rescinded by a formal resolution of Council.

## 4. Who is responsible for implementing this policy?

The responsibility for implementing this policy is with the General Manager.

People who have responsibilities under this policy are:

- Policy Officer
- Managers
- Council
- All staff

**5. Review**

This policy shall be reviewed annually to ensure that it meets the requirements of legislation and the needs of Council.

**6. Legislation and references**

For information on the legislation relating to policies, see the *Local Government Act 1993, Sections 12 and 232* and the *Freedom of Information Act 1989, Section 6*.

| Subject | Current Policy | Amendment | Justification |
|---|---|---|---|
| Administrative Amendments to Policies | Requires that all amendments be submitted to Council for adoption | The general manager is authorised to approve minor amendments of an administrative nature such as:<br>• Changes to the format of the Policy<br>• Changes to the Policy Number<br>• Changes to Policy Owners or those responsible for implementing the policy as a result of an organisational restructure/realignment | To ensure that minor amendments are dealt with efficiently and do not waste valuable Council time. |
| Minimum Requirements for Public Exhibition | Prescribes a minimum period for public exhibition (i.e. 14 days). It outlines nothing further about how policies should be exhibited. | The amended policy outlines the minimum requirements for public exhibition including advertising in the Brewarrina News and also refers to Council's Community Consultation Matrix and Toolkit | To ensure the community is aware of draft policies on exhibition so that they have an opportunity to comment on issues that affect them prior to adoption. |
| Interim Policy | Interim policies could be made by Council resolution without considering a formal policy proposal. | The provision be deleted | Policies should only be established following professional advice from Council officers that explore all the issues prior to adopting such a position. This avoids the situation of a "policy on the run" at Council meetings without all options being addressed in a report. |