



ITEMS FOR DEBATE

COUNCIL MEETING 21 AUGUST 2024

ADOPTION BY EXCEPTION RESOLUTION

<u>RECOMMENDATION</u>	
That that the Committee Recommendations for items 10.1, 10.2, 10.3, 10.4, 10.5, 10.8, 10.9, 10.10, 10.11, 10.12 and 10.13 and Officer Recommendations for items 11.1, 12.1, 14.1, 15.1, and 18.1 be adopted en bloc:	
10.1	Audit and Risk Committee – 24 July 2024 – RFQ61/24: Provision of Internal Audit Services
10.2	Audit and Risk Committee – 24 July 2024 – CEO Regulation 17 Review of Systems and Procedures Recommendations – Implementation Status
10.3	Policy and Legislation Committee – 31 July 2024 – Amendments to the Consolidated Parking Scheme
10.4	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Busselton Jetty – Placement of Memorial Plaques
10.5	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Governance of Meelup Regional Park
10.8	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Community Hire of City Property
10.9	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Leasing of City Premises
10.10	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Management of Complaints of Alleged Breaches of Behaviour
10.11	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Tourism Directional Signage
10.12	Finance Committee – 7 August 2024 – List of Payments Made – June 2024
10.13	Finance Committee – 7 August 2024 – Monthly Financial Report – Year to Date 30 June 2024

11.1	2024/2025 Community Assistance Program Round 1 Outcomes
12.1	EOI to lease, manage and operate re-use shop
14.1	Meeting dates 2024: Waterways Management Committee
15.1	Elected Members Information Bulletin
18.1	Audit and Risk Committee – 24 July 2024 – Progress Update on Findings from OAG General Computer Controls Audit <i>Confidential item</i>

ITEMS TO BE DEALT WITH BY SEPARATE RESOLUTION

Item No.	Item Title	Reason
10.6	Policy and Legislation Committee – 31 July 2024 – Council Policy Review: Asset Management	Pulled from En Bloc by Cr Cox
16.1	Notice of Motion – Vasse River Warning Signs	Notice of Motion

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Item No. 10.7	Council Policy Review: Complaints Management	Pulled by Cr Andrew Macnish	Page xx
<p>ALTERNATIVE RECOMMENDATION</p> <p>That the Council adopts the Complaints Management Policy as per Attachment 1 to replace the current Council policy, inclusive of Committee amendments so that the following points read as follows:</p> <p>5.11 The City accepts anonymous Complaints however the Complaint may not be investigated unless it raises a serious matter, such as an issue that poses a public health or safety risk or an emergency situation, and there is sufficient information to enable the City to conduct an investigation.</p> <p>5.14 Complaints will be acknowledged no later than 5 business days of receipt by the Complaints Management Officer.</p> <p>5.15 The Complaint will be directed to an appropriate Manager/s to resolve, or to the CEO where the Complaint is in regard to a Director, or to the CEO Performance Committee via the Director Corporate Strategy and Performance where the Complaint is in relation to the CEO.</p> <p>5.19 i. internal corrective action (with current point i to become point j).</p> <p>5.20 Where a Complainant is dissatisfied with the way in which a Complaint has been dealt with and/or the final resolution they may refer the Complaint to the CEO. The CEO will determine the appropriate resolution of the outstanding complaint and review the complaint handling process followed. If the Complaint is in relation to the CEO, the Complainant may choose to follow pathways outlined in 5.21.</p> <p>5.21 In circumstances where a Complaint cannot be resolved satisfactorily using internal pathways, the Complainant may choose to refer the Complaint to the Ombudsman for review. The Ombudsman can investigate Complaints about most Western Australian public authorities, including local governments.</p>			
<p><u>REASONS FOR ALTERNATIVE</u></p> <p>The amendment identifies what will occur if a complaint is in relation to a Director or the CEO. If the CEO's performance is the subject of the complaint then there is a committee established to deal with his performance and if need be, make a recommendation to the Council. The Mayor is not the CEO's superior and cannot be relied upon to have the necessary skills in such a situation.</p>			

OFFICER COMMENT

The amendments provide additional clarity, which is supported. However in relation to a complaint regarding the CEO, officers believe that providing the Mayor with the capacity to initially assess the Complaint and refer it to the Council is a more appropriate and effective mechanism, noting that the role of the Mayor under the Act is to liaise with the CEO in relation to the local government's affairs and that the Terms of the Reference for the CEO Performance Committee does not include as an objective considering complaints against the CEO.

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS REQUIREMENT

Pursuant to regulation 11(da) of the *Local Government (Administration) Regulations* 1996, if the amended recommendation is adopted by Council, the above Reasons will be recorded in the Minutes.