



Policy and Legislation Committee

Minutes

Wednesday 31 July 2024



Our Vision

Where environment, lifestyle and opportunity meet

Community Aspirations



KEY THEME 1

Environment

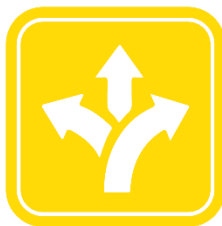
An environment that is valued, conserved and enjoyed by current and future generations.



KEY THEME 2

Lifestyle

A place that is relaxed, safe and friendly, with services and facilities that support positive lifestyles and wellbeing.



KEY THEME 3

Opportunity

A vibrant City with diverse opportunities and a prosperous economy.



KEY THEME 4

Leadership

A Council that connects with the community and is accountable in its decision making.

MINUTES

Minutes of a meeting of the Policy and Legislation Committee held in the Council Chambers,
Administration Building, Southern Drive, Busselton, on Wednesday 31 July 2024 at 10:00 am.

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1 OFFICIAL OPENING

The meeting opened at 10:00am.

The Presiding Member welcomed Elected Members, staff, guests and members of the public to the Policy and Legislation Committee meeting of 31 July 2024.

The Presiding Member acknowledged the Wadandi and Bibbulmun people as the traditional custodians of this region and paid respects to Elders past and present.

This meeting was audio recorded for minute taking purposes.

2 ATTENDANCE

PRESIDING MEMBER	MEMBERS
Cr Jodie Lee	Cr Mikayla Love
	Cr Jarrod Kennedy
	Cr Anne Ryan (Deputy)
	Cr Val Kaigg (Deputy)

OFFICERS	
Mr Oliver Darby	Director Infrastructure and Environment
Mr Gary Barbour	Director Community Planning
Ms Sarah Pierson	Director Corporate Strategy and Performance
Mr Trevor Ayers	Manager Economic Development and Property
Ms Rachel Runco	Manager Community Safety
Mr Tim Allingham	Manager Systems and Information
Mr Ben Whitehill	Manager Legal, Governance and Risk
Mr Trent van Beem	Asset Planning Coordinator
Mr Joe Casperz-Loney	Environmental Management Officer
Ms Jo Barrett-Lennard	Governance Officer

APOLOGIES
Mayor Phill Cronin
Cr Kate Cox

PUBLIC
Nil

3 DISCLOSURES OF INTEREST

DISCLOSURES OF FINANCIAL INTEREST

Nil

DISCLOSURES OF IMPARTIALITY INTEREST

Nil

4 PUBLIC QUESTION TIME

4.1 RESPONSES TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4.2 QUESTION TIME FOR PUBLIC

Nil

5 CONFIRMATION AND RECEIPT OF MINUTES

5.1 Policy and Legislation Committee 15 May 2024

COMMITTEE DECISION

PL2407/15 Moved Cr Jarrod Kennedy, seconded Cr Mikayla Love

That the minutes of the Policy and Legislation Committee meeting 15 May 2024 be confirmed as a true and correct record (as published at 26 July 2024 on the [City of Busselton's website](#) inclusive of any confidential material published on the restricted internal Docs on Tap application)

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

6 REPORTS

6.1 Amendments to the Consolidated Parking Scheme

Strategic Theme:	Key Theme 2: Lifestyle 2.2 Work with key partners to facilitate a safe, healthy and capable community. Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
Directorate:	Community Planning
Reporting Officer:	Manager Community Safety - Rachel Runco
Authorised By:	Director Community Planning - Gary Barbour
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. CPS Proposed Amendments Busselton Foreshore Carparks [6.1.1 - 1 page] 2. CPS Proposed Amendments Busselton Coastal Carparks [6.1.2 - 22 pages] 3. CPS Proposed Amendments Busselton On-Street Restrictions [6.1.3 - 10 pages] 4. CPS Proposed Amendments Busselton Boat Trailer Parking [6.1.4 - 7 pages] 5. Proposed Restrictions through PPA Dunsborough Woolworths Carpark [6.1.5 - 1 page]

COMMITTEE RECOMMENDATION

PL2407/16 Moved Cr Mikayla Love, seconded Cr Anne Ryan

That the Council pursuant to clause 2.1 of the *City of Busselton Parking Local Law 2020* approves the following amendments to the Consolidated Parking Scheme:

1. Designation of two Busselton foreshore carparks, as shown in attachment 6.1.1, as “2-hour parking, 9am - 5pm”.
2. Designation of the following coastal carparks, as identified in attachment 6.1.2, as “No Parking or Stopping, Road or Verge, Midnight to 4am, Dec – Feb”:
 - a. Cape Clairaut carpark and road reserve
 - b. Injidup carpark and portion of Wyadup road reserve
 - c. Formalised Smith beach carparks
 - d. Yallingup main beach carpark
 - e. Dawson Drive carpark, Yallingup
 - f. Farm Break Lane, Bunker Bay
 - g. Eagle Bay hall (except proposed boat trailer parking)
 - h. All formalised carparks Eagle Bay-Meelup Road

- i. Meelup Beach Carparks
 - j. Castle Rock Carpark
 - k. Dunsborough foreshore carparks, Geographe Bay Road
 - l. Dunsborough Yacht Club
 - m. Quindalup Boat Ramp (except proposed boat trailer parking)
 - n. Abbey Boat Ramp (except proposed boat trailer parking)
 - o. Holgate Road Carpark, Broadwater
 - p. Geographe Bay Road Carpark, opposite Mandalay, Broadwater
 - q. Dolphin Boat Ramp (except proposed boat trailer parking)
 - r. King Street Beach Carpark
 - s. Carparks Busselton foreshore between Foreshore Parade and Carey street
 - t. Busselton Marine Rescue, and Geographe Bay Road between Georgette St and Ford Rd
 - u. Layman Road Carparks, Wonnerup
3. Designation of the following roads as shown in attachment 6.1.3 as *“No Stopping Road or Verge”*:
- a. Western side of Forth Street and Northern side of Geographe Bay Road, Abbey
 - b. Northern side of Geographe Bay Road, Quindalup
 - c. Eastern side Smiths Beach Road – Yallingup
 - d. Southern side of Margaret Street – West Busselton
 - e. Both sides of Hannay Lane, Dunsborough
4. Designation of the following roads as shown in attachment 6.1.3 as *“2-hour Park 9am – 5pm”*:
- a. Queen Street (North of Marine Terrace)
 - b. Foreshore Parade
 - c. Geographe Bay Road
5. Designation of Southern Drive, as shown in attachment 6.1.3 as *“1-hour Parking, 8am-5pm Mon –Fri”*.
6. Designation of two parking bays at Old Dunsborough Boat ramp as shown in attachment 6.1.3 as *“5-minute Standing”*.
7. Designation of identified bays as *“Boat Trailer Parking Only. Midnight to Noon between Dec – May”*, as identified in attachment 6.1.4, at the following boat ramps:
- a. Eagle Bay Boat ramp.
 - b. Old Dunsborough Boat ramp.
 - c. Quindalup Boat Ramp – Southern side of Geographe Bay Road.
 - d. Abbey Boat Ramp.
 - e. Dolphin Road Boat Ramp.
 - f. Busselton Marine Rescue.
 - g. Geographe Marina.
8. Designation of portions of 1-48/50 and 1-42 Dunn Bay Road (Woolworth’s Carpark) carparks, as shown in attachment 6.1.5, as *“3-hour parking, 9am - 5pm”*.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

OFFICER RECOMMENDATION

That the Council pursuant to clause 2.1 of the City of Busselton Parking Local Law 2020 approves the following amendments to the Consolidated Parking Scheme:

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 - d. Yallingup main beach carpark
 - e. Dawson Drive carpark, Yallingup
 - f. Farm break Lane, Bunker Bay
 - g. Eagle Bay hall (except proposed boat trailer parking)
 - h. All formalised carparks Eagle Bay-Meelup Road
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 - p. Geographe Bay Road Carpark, opposite Mandalay, Broadwater
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6. Designation of two parking bays at Old Dunsborough Boat ramp as shown in attachment 6.1.3 as *“5-minute Standing”*.
7. Designation of identified bays as *“Boat Trailer Parking Only. Midnight to Noon between Dec – May”*, as identified in attachment 6.1.4, at the following boat ramps:
 - a. Eagle Bay Boat ramp.
 - b. Old Dunsborough Boat ramp.
 - c. Quindalup Boat Ramp – Southern side of Geographe Bay Road.
 - d. Abbey Boat Ramp.
 - e. Dolphin Road Boat Ramp.
 - f. Busselton Marine Rescue.
 - g. Geographe Marina.
8. Designation of portions of 1-48/50 and 1-42 Dunn Bay Road (Woolworth’s Carpark) carpark, as shown in attachment 6.1.5, as *“3-hour parking, 9am - 5pm”*.

EXECUTIVE SUMMARY

This report presents several proposed changes to the *Consolidated Parking Scheme* (CPS) pursuant to Clause 2.1 of the *City of Busselton Parking Local Law 2020* (Parking Local Law).

These changes have been proposed in recognition of the need to increase the turnover and access to parking in high demand locations and improve the efficiency of compliance and monitoring.

STRATEGIC CONTEXT

The proposed changes to the consolidated parking scheme as highlighted through this report support achievement of the Council’s strategic objective to facilitate a safe, healthy and capable community through open, ethical and transparent decision making. It is considered by officers that implementation of the proposed amendments will support a reduction in community amenity impacts related to parking issues in the identified locations.

BACKGROUND

The CPS is an administrative document and series of maps that detail parking restrictions across the district. Restrictions include timed parking zones, no parking/no stopping zones, and special purpose parking zones including disabled parking bays, loading zones, taxi zones, and bus zones. The current version of the CPS was endorsed by the Council in February 2018 (C1802/21) however, there have been some minor amendments to the CPS since that time.

This report seeks to implement several amendments to the CPS to improve the management of parking in the identified locations where there is an increase in usage in the peak tourism periods or during events.

OFFICER COMMENT

The proposed parking control designations have been developed with consideration to feedback from the community during the peak summer period and subsequent assessments of parking and traffic behaviour in locations raised by the community. Locations where City officers identified parking issues of sufficient concern to require management were also considered.

This report proposes changes to the consolidated parking scheme by five categories:

1. Busselton Foreshore Carparks
2. Coastal Carparks
3. On Street Restrictions
4. Boat Trailer Parking
5. Private Parking Agreement - Dunsborough Woolworths Carpark

Busselton Foreshore Carparks

Introduction of “2-hour parking, 9am - 5pm” in the following carparks as displayed in attachment 6.1.1:

1. Eastern portion of Busselton foreshore carpark accessed off West Street (Nth of Signal Park)
2. Busselton foreshore carpark accessed off Foreshore Parade (Nth of Hilton Hotel)

Currently neither of these carparks have parking restrictions applied meaning currently users can park all day. The proposed introduction of 2-hour time restrictions in these two key foreshore carparks in closest proximity to key attractions will see introduction of consistency of parking controls with the Busselton City Centre.

Creating consistency in parking regulations enables visitors to the district to better understand the pattern of parking controls applied in popular locations, whilst also supporting a regular turnover and availability of parking bays.

Coastal Carparks

Attachment 6.1.2 displays coastal carparks that City officers recommend introducing ‘No Parking or Stopping between Midnight and 4am, December – February’. These carparks are in the following locations:

1. Cape Clairaut carpark and road reserve
2. Injidup carpark and portion of Wyadup road reserve
3. Formalised Smith beach carparks
4. Yallingup main beach carpark
5. Dawson Drive carpark, Yallingup
6. Farm break Lane, Bunker Bay
7. Eagle Bay hall (except proposed boat trailer parking)
8. All formalised carparks Eagle Bay-Meelup Road
9. Meelup Beach Carparks
10. Castle Rock Carpark
11. Dunsborough foreshore carparks, Geographe Bay Road
12. Dunsborough Yacht Club
13. Quindalup Boat Ramp (except proposed boat trailer parking)
14. Abbey Boat Ramp (except proposed boat trailer parking)
15. Holgate Road Carpark, Broadwater

16. Geographe Bay Road Carpark, opposite Mandalay, Broadwater
17. Dolphin Boat Ramp (except proposed boat trailer parking)
18. King Street Beach Carpark
19. Carparks Busselton foreshore between Foreshore Parade and Carey Street
20. Busselton Marine Rescue, and Geographe Bay Road between Georgette St and Ford Rd
21. Layman Road Carparks, Wonnerup

Over the peak summer period the City received complaints in relation to illegal camping in these locations and the associated negative impacts to the amenity of the areas from noise, littering, human waste and difficulty in the broader community and visitors in accessing these locations. By introducing '*No Parking or Stopping between Midnight and 4am, December – February*' in these key locations it will improve the ability of City Rangers to efficiently manage this issue through the enforcement of parking controls.

On Street Restrictions

The report proposes new on street restrictions in several locations across the municipal area as identified in attachment 6.1.3.

Introduction of No Stopping Road or Verge:

1. West side Forth Street and North side Geographe Bay Road, Abbey
2. North side Geographe Bay Road, Quindalup
3. West side Smiths Beach Road – Yallingup
4. South side Margaret Street – West Busselton
5. South-west side Hannay Lane, Dunsborough
6. West side Prowse Way, Dunsborough

Over the 2023-24 peak period the City received frequent complaints about the negative impacts of parking in these locations impeding traffic flow, restricting the ability of the waste services vehicles accessing properties, blocking of footpath access or having a negative impact to the abutting natural vegetation due to partial parking on the verge. As such following review and consideration by City Ranger and Engineering Officers it is proposed to introduce a blanket no stopping or parking road or verge as identified in each location in attachment 6.1.3.

Introduction of 2 hour parking:

1. Queen Street (North of Marine Terrace)
2. Foreshore Parade
3. Geographe Bay Road

The proposed introduction of 2-hour time restrictions along these streets will support consistency with other proposed parking controls within this location and will support a regular turnover and availability of parking bays.

Introduction of 1 hour parking 8am – 5pm Monday - Friday:

1. Southern Drive, Causeway Rd to City Administration Building carpark.

City officers have identified these bays are often unavailable for visitors to the City administration building resulting in informal and at times illegal parking in this vicinity. The proposed introduction

of 1-hour time restrictions in this location will support a regular turnover and availability of parking bays servicing visitors accessing the building.

Introduction of 5-minute standing bays:

1. Old Dunsborough Boat ramp

City officers have received feedback about informal and illegal parking occurring in this vicinity, associated with vehicles accessing the boat ramp. It is considered that the provision of 5-minute bays may help to address this issue, allowing boat ramp users space to secure boats onto trailers, whilst at the same time freeing up access to the boat ramp for other users wishing to launch or bring in boats.

Boat Trailer Parking

Introduction of *'Boat Trailer Parking Only. Midnight to Noon between 1 December – 1 May'*, as identified in attachment 6.1.4, at the following boat ramps:

1. Eagle Bay Boat ramp
2. Old Dunsborough Boat ramp
3. Quindalup Boat Ramp – Southern side of Geopraphe Bay Road
4. Abbey Boat Ramp
5. Dolphin Road Boat Ramp
6. Busselton Marine Rescue
7. Geopraphe Marina

Over the past few summers, with growth in population and visitors to the region, a growing trend has been identified that light vehicles without trailers are increasingly utilising delineated trailer parking at boat ramp carparks at all times of the day, restricting the ability for vehicles towing boats to safely park in these locations after launching boats. As such introduction of the proposed restriction of use of such bays to vehicles with boat trailers at the time of day most popular with people launching boats will improve the management and access to such parking.

Private Parking Agreement – Dunsborough Woolworths Carpark

The report proposes introduction of *"3-hour parking, 9am - 5pm"* restrictions for the portions of lots 1-48/50 and 1-42 Dunn Bay Road, Dunsborough (Woolworths Carpark) as identified in attachment 6.1.5.

Under clause 1.6 of the Parking Local Law, through agreement in writing between the local government and the owner or occupier of a parking facility or station the provisions of the local law will apply to that facility or station. City officers have been approached by representatives of the owners of the portions of land as identified in attachment 6.1.5 in relation to implementation of such an agreement. The Director of Community Planning as an authorised officer under the Local Law has the authority to sign and accept these agreements on behalf of the Local Government, however prior to application of restrictions applied under clause 2.1 of the Parking Local Law the restrictions to be applied require the endorsement of the Council.

Statutory Environment

Pursuant to the *Road Traffic Code 2000* the City has adopted the *Parking Local Law 2020* (Local Law), which provides for the City to designate and police parking and traffic restrictions within roadways and vehicle parking areas.

The designation of parking stalls, stations and areas is provided for within Part 2 of the Local Law, pursuant to which the City has adopted the CPS as a series of plans which identify these designations.

Parking designations adopted under the Local Law and shown in the CPS are given effect through:

- The installation of signage and line marking in accordance with the Code, supplemented by the detailed guidance provided within the relevant Australian Standard (1742.11-1999); and
- The publication of notice of the adopted designations, as required under the Parking Local Law.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted policy:

Policy:

[Compliance and Enforcement](#)

Financial Implications

City officers expect that the general changes to signage and line marking that will be required to implement the proposed parking management changes will cost in the order of \$5,000.

External Stakeholder Consultation

The review of parking controls in the identified locations was triggered by feedback received by community over the summer period in relation to parking issues.

The City put a broad request for the community to send through any locations of concern via a social media post 4 January 2024. The feedback provided from this process, combined with other reported and assessed concerns informed the locations prioritised for review/amendment.

In accordance with the Local Law the provision of public notice of changes to parking designations is required. This will occur in a local newspaper and on the City's website, in accordance with the resolution of the Council.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could choose not to implement all the proposed amendments to the CPS

CONCLUSION

Officers are recommending that the Council approves the recommended amendments to the consolidated parking scheme pursuant to clause 2.1 of the Parking Local Law.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Public notice of amendments	30 September 2024
Line marking and signage installation	As soon as practicable following public notice period

Proposed 2 Hour Parking



Proposed Amendment Area

 2 Hours

Busselton Foreshore

 Scale at A4 - 1:2,500

Map Produced on 12/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Cape Clairault

 Proposed Amendment Area



Scale at A4 - 1:1,658



Map Produced on 17/6/2024
GIS Section, City of Busselton



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Injidup

 Proposed Amendment Area



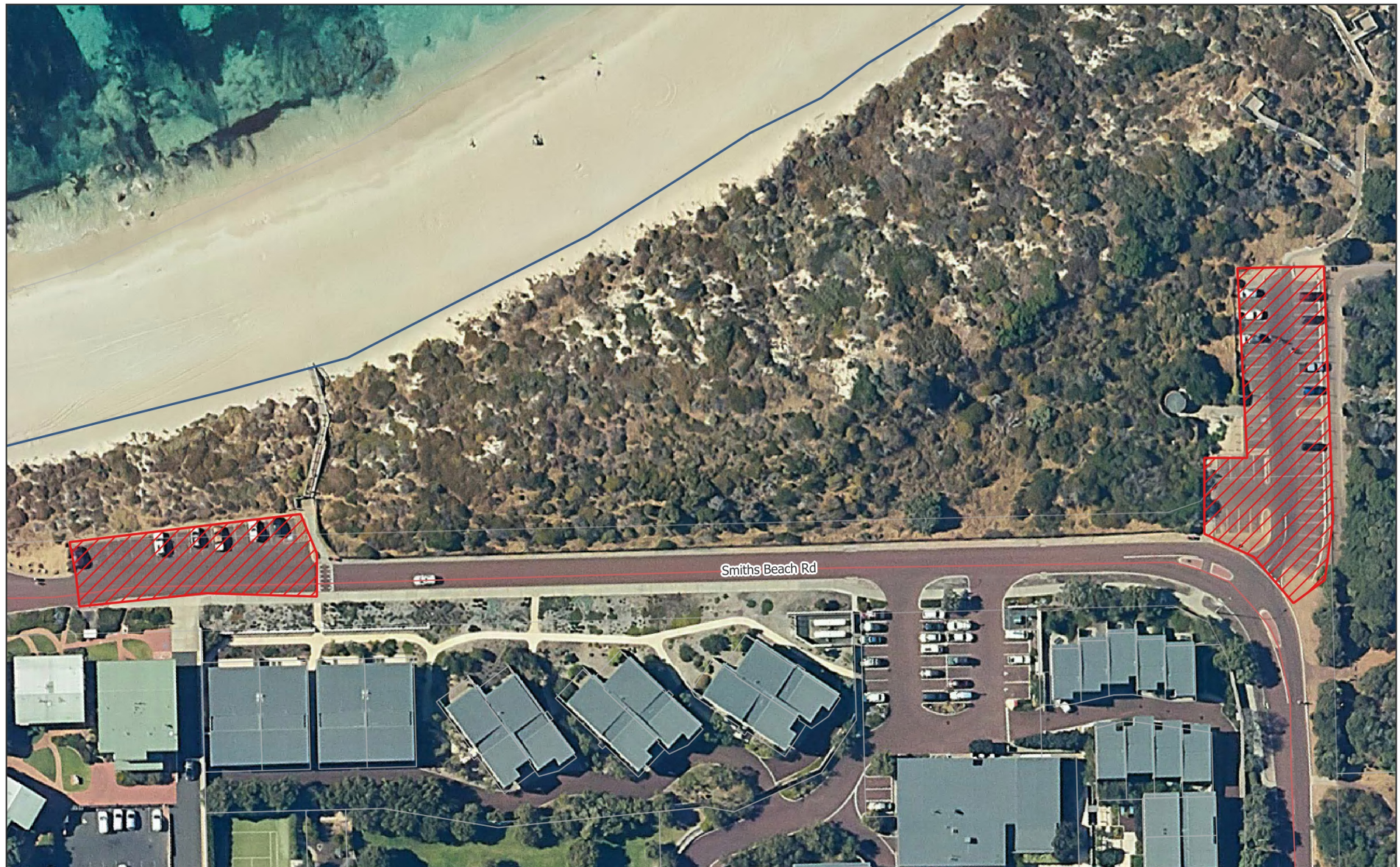
Scale at A4 - 1:1,460



Map Produced on 17/6/2024
GIS Section, City of Busselton



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Smiths Beach

 Proposed Amendment Area



Scale at A4 - 1:1,073



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carpark – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Yallingup

 Proposed Amendment Area



Scale at A4 - 1:2,134



Map Produced on 17/6/2024
GIS Section, City of Busselton



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Bunker Bay

 Proposed Amendment Area



Scale at A4 - 1:549



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Eagle Bay Hall

 Proposed Amendment Area



Scale at A4 - 1:359



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Eagle Bay

 Proposed Amendment Area



Scale at A4 - 1:3,776



Map Produced on 17/6/2024
GIS Section, City of Busselton



Coastal Carpark – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Point Picquet

 Proposed Amendment Area



Scale at A4 - 1:671



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Meelup

 Proposed Amendment Area



Scale at A4 - 1:1,729



Map Produced on 17/6/2024
GIS Section, City of Busselton



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Castle Rock

 Proposed Amendment Area



Scale at A4 - 1:465



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Dunsborrough Foreshore

 Proposed Amendment Area



Scale at A4 - 1:1,511



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Dunsborough Foreshore

 Proposed Amendment Area



Scale at A4 - 1:4,001



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Dunsborough Yacht Club

 Proposed Amendment Area



Scale at A4 - 1:496



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Quindalup Boat Ramp

 Proposed Amendment Area



Scale at A4 - 1:872



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographe Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Abbey Boat Ramp

 Proposed Amendment Area



Scale at A4 - 1:716



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Holgate Rd - Broadwater

 Proposed Amendment Area



Scale at A4 - 1:258



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Information Systems

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Geographe Bay Rd - Broadwater (opp Mandalay)

 Proposed Amendment Area



Scale at A4 - 1:216



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographe Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Dolphin Boat Ramp

 Proposed Amendment Area



Scale at A4 - 1:301



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



King St - West Busselton

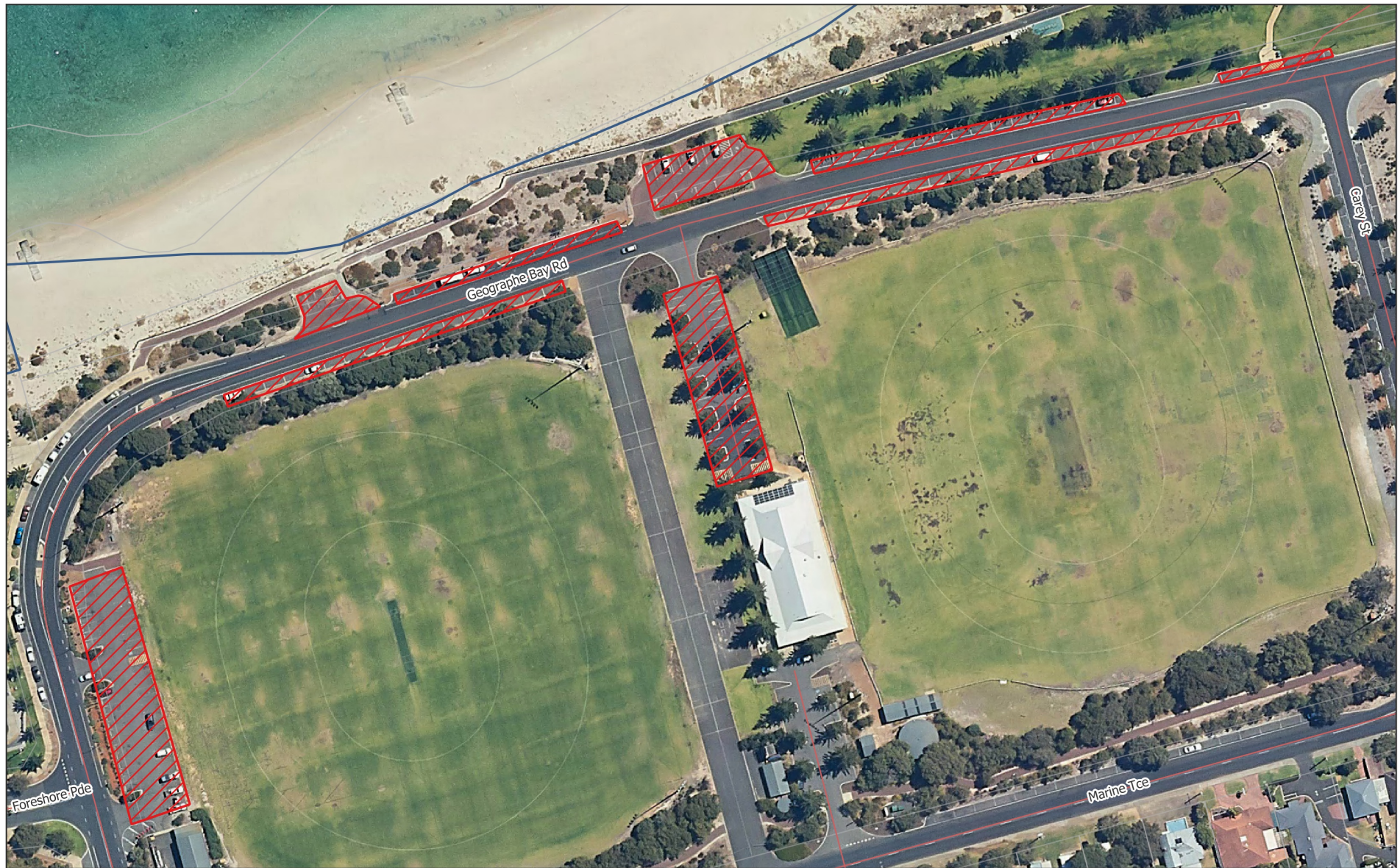
 Proposed Amendment Area



Scale at A4 - 1:284



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Geographe Bay Rd - Busselton

 Proposed Amendment Area



Scale at A4 - 1:1,549



Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographe Bay

Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Foreshore East - BSN Marine Rescue

 Proposed Amendment Area



Scale at A4 - 1:2,197



Map Produced on 18/6/2024
GIS Section, City of Busselton



Coastal Carparks – No Parking or Stopping between 12am – 4am (1 Dec to 1 Feb)



Layman Rd - Wonnerup

 Proposed Amendment Area



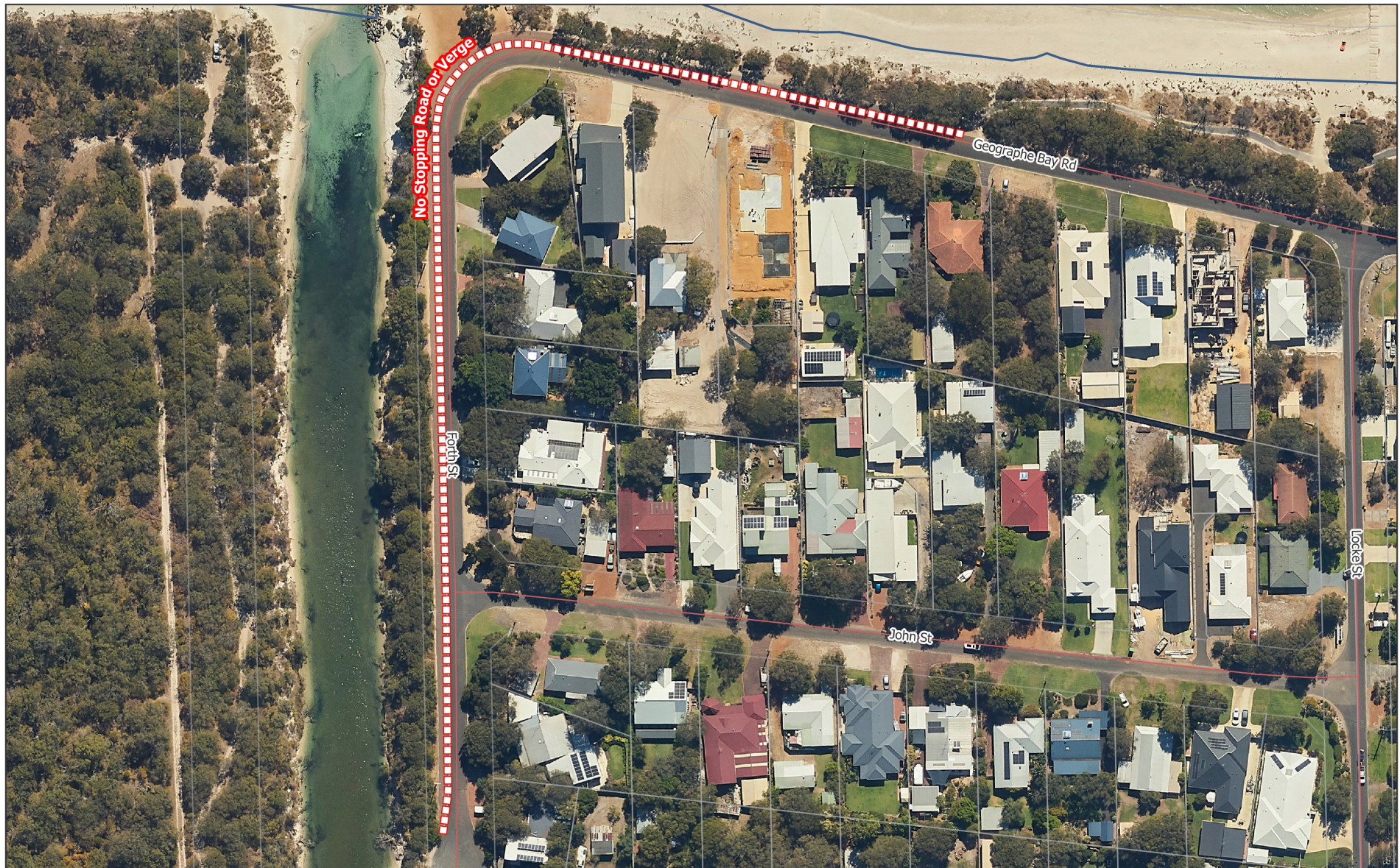
Scale at A4 - 1:3,365



Map Produced on 17/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



Proposed Amendment

□□□□ No Stopping Road or Verge

Forth St and Geographe Bay Rd - Abbey



Scale at A4 - 1:1,502



Map Produced on 12/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



Proposed Amendment
No Stopping Road or Verge

Geographe Bay Rd - Quindalup

Scale at A4 - 1:5,284

Map Produced on 12/6/2024
GIS Section, City of Busselton
City of Busselton
Geographe Bay

Proposed On Street Restrictions



Proposed Amendment

□□□□ No Stopping Road or Verge

Geographe Bay Rd - Quindalup



Scale at A4 - 1:9,642



Map Produced on 12/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



Proposed Amendment

□□□□ No Stopping Road or Verge

Smiths Beach - Yallingup



Scale at A4 - 1:4,581



Map Produced on 12/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



Proposed Amendment

2 Hours

Busselton Foreshore

Scale at A4 - 1:1,811

Map Produced on 12/6/2024
GIS Section, City of Busselton
City of Busselton
Geographical Bay

Proposed On Street Restrictions



Proposed Amendment

5 Minutes

Dunsborough Boat Ramp



Scale at A4 - 1:222



Map Produced on 12/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



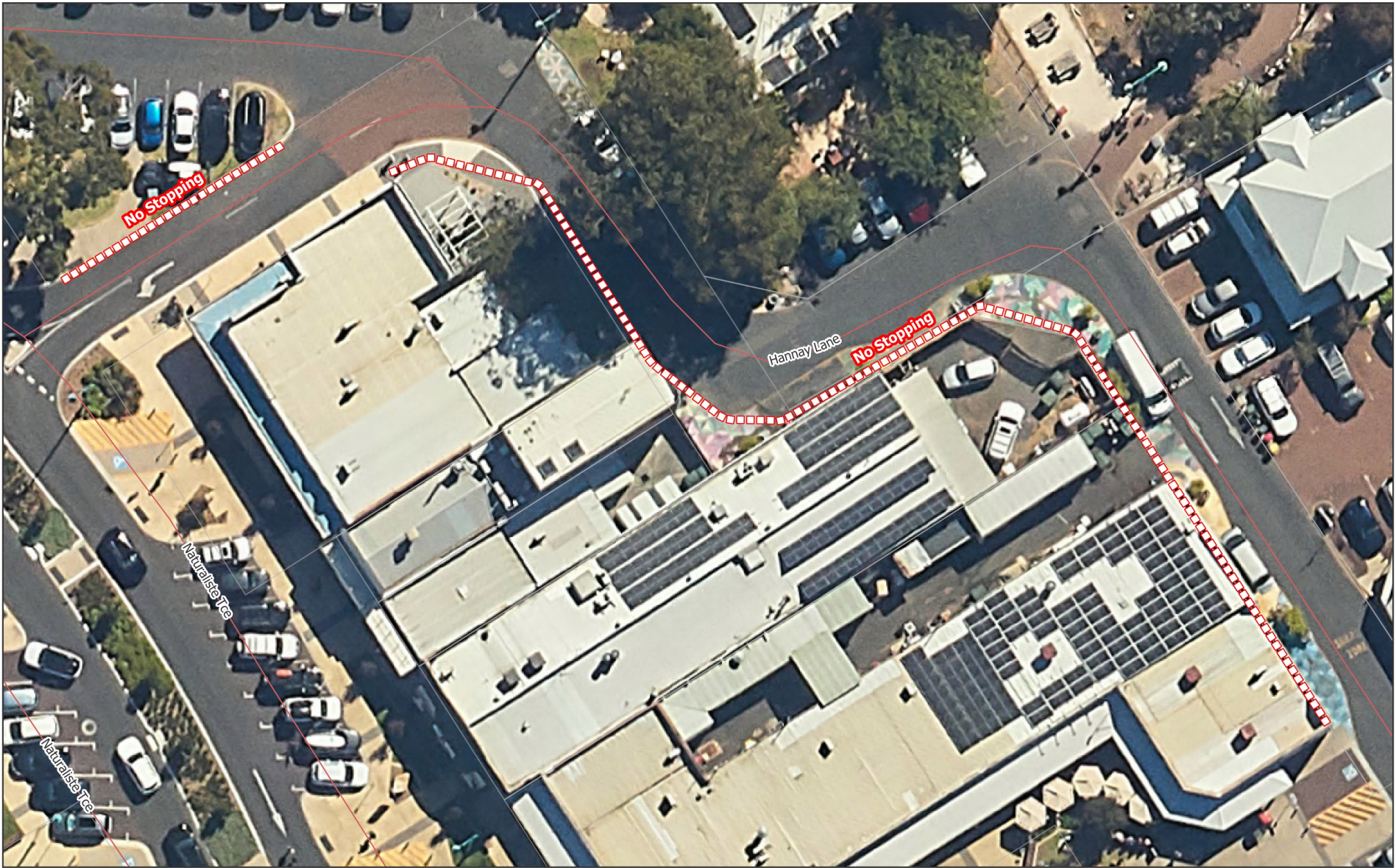
Proposed Amendment
No Stopping

Margaret St - West Busselton

Scale at A4 - 1:993

Map Produced on 12/6/2024
GIS Section, City of Busselton
City of Busselton
Geographic Busselton

Proposed On Street Restrictions



Proposed Amendment
No Stopping

Hannay Ln - Dunsborough

Scale at A4 - 1:403

Proposed On Street Restrictions



Proposed Amendment

□□□□ No Stopping Road or Verge

Prowse Way - Dunsborough



Scale at A4 - 1:475



Map Produced on 12/6/2024
GIS Section, City of Busselton



Proposed On Street Restrictions



Proposed Amendment

1 Hour

Southern Dr - Busselton

Scale at A4 - 1:423

Map Produced on 12/6/2024
GIS Section, City of Busselton
City of Busselton
Geographic Information Systems

Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Eagle Bay Boat Ramp



Scale at A4 - 1:600



Map Produced on 17/6/2024
GIS Section, City of Busselton



Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Dunsborough Boat Ramp



Scale at A4 - 1:750



Map Produced on 17/6/2024
GIS Section, City of Busselton



Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Quindalup Boat Ramp

 Scale at A4 - 1:1,000 

Map Produced on 17/6/2024
GIS Section, City of Busselton

City of Busselton
Geographic Bay

Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Abbey Boat Ramp



Scale at A4 - 1:750



Map Produced on 17/6/2024
GIS Section, City of Busselton



Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Dolphin Rd Boat Ramp



Scale at A4 - 1:1,000



Map Produced on 17/6/2024
GIS Section, City of Busselton



Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Busselton Marine Rescue



Scale at A4 - 1:723



Map Produced on 17/6/2024
GIS Section, City of Busselton



Boat Trailer Parking only between 12am - 12pm (1 Dec - 1 May)



Proposed Amendment Area

 Boat Trailer Parking

Geographe Marina



Scale at A4 - 1:1,200



Map Produced on 17/6/2024
GIS Section, City of Busselton



Proposed 3 Hour Parking



Proposed Amendment Area

 3 Hours

Dunsborough



Scale at A4 - 1:2,500



Map Produced on 24/7/2024
GIS Section, City of Busselton



6.2 Council Policy Review: Busselton Jetty - Placement of Memorial Plaques

Strategic Theme:	Key Theme 2: Lifestyle 2.1 Recognise, respect and support community diversity and cultural heritage.
Directorate:	Economic and Business Development
Reporting Officer:	Executive Support Officer - Tiffany Sweatman
Authorised By:	Director Economic and Business Development - Maxine Palmer
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. DRAFT Busselton Jetty Placement of Memorial Plaques [6.2.1 - 2 pages] 2. DRAFT Busselton Jetty Placemement of Memorial Plaques tracked [6.2.2 - 3 pages]

COMMITTEE RECOMMENDATION

PL2407/17 Moved Cr Val Kaigg, seconded Cr Anne Ryan

That the Council adopt the amended Council Policy: Placement of Memorial Plaques (Attachment 1) to replace the current policy, with the policy having been reviewed as part of the City's ongoing policy review cycle.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

OFFICER RECOMMENDATION

That the Council adopt the amended Council Policy: Placement of Memorial Plaques (Attachment 1) to replace the current policy, with the policy having been reviewed as part of the City's ongoing policy review cycle.

EXECUTIVE SUMMARY

The purpose of the Council Policy: Busselton Jetty – Placement of Memorial Plaques (Policy) is to set out the special circumstances by which a memorial plaque may be located on the Busselton Jetty (Jetty). The Policy has been reviewed to consider different and new ways of recognising a person's contribution to the Busselton Jetty, and is presented to the Council for adoption.

STRATEGIC CONTEXT

Outlining the process and rationale for the naming of memorial plaques on and around the Busselton Jetty assists the Council to make well informed decisions that respect community contributions and the culture and heritage of the City and its residents. Regular review of City

policies ensures strategic guidance remains relevant and appropriate, and contributes to the good governance of the City.

BACKGROUND

At the Busselton Jetty Reference Group (BJRG) meeting on 17 May 2024, the issue of increasingly limited space on the Jetty for memorial plaques was discussed. This was prompted by a further two requests for memorial plaques from community members. Different ways of commemorating contributions to the Jetty were considered including using the area around the crane digital memorials in the Interpretive Centre and proposed new Marine Discovery Building.

The Policy has been updated to reflect the BJRG's recommendations for the Council's consideration.

OFFICER COMMENT

The BJRG have proposed amendments to the Policy to provide more flexibility in determining the location and type of memorial, including digital plaques or other forms of appropriate recognition. The assessment criteria has also been reduced from twenty years association with the Jetty to ten years.

Statutory Environment

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* (the Act), it is the role of the Council to determine the local government's policies. The Council does this on recommendation of a committee it has established pursuant to section 5.8 of the Act.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Busselton Jetty – Placement of Memorial Plaques](#)

Financial Implications

Not Applicable

External Stakeholder Consultation

The BJRG consists of representatives from Busselton Jetty Inc. (BJI), the CEO and Chair or their proxy. BJI support the proposed changes to the Policy.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could:

1. Decide to retain the Policy in its current form.
2. Decide to make additional amendments

CONCLUSION

This report recommends that Council adopt the amended Council Policy: Busselton Jetty – Placement of Memorial Plaques, to replace the current policy.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Busselton Jetty – Placement of Memorial Plaques
Responsible Directorate: Economic and Business Development **Version:** DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to set out the special circumstances by which a memorial plaque may be located on the Busselton Jetty.

2. SCOPE

- 2.1. This Policy is applicable to requests for the placement of new memorial plaques; and the maintenance and replacement of existing plaques on the Busselton Jetty.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled “Busselton Jetty – Placement of Memorial Plaques”

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 3 OPPORTUNITY	3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.

5. POLICY STATEMENT

Applications for placement of new memorial plaques

- 5.1. An application for placement of a new memorial plaque on the Busselton Jetty must be made in writing to the City and must include:
- Details of the person the plaque relates to;
 - Information as to how the proposal meets the assessment criteria outlined at 5.2 below; and
 - Details of proposed text for the plaque.
- 5.2. Applications will be assessed against the following criteria:
- That the person being honoured has been instrumental in the development of the Busselton Jetty or undertook activities that contributed in a significant way to the Busselton Jetty;
 - The level of demonstrated community support with respect to honouring the person in this manner. Letters of support must be provided with the proposal;
 - That the person was a resident of the City of Busselton for at least ten years; and
 - That the person made a significant contribution to the local community through their involvement with the Busselton Jetty. A significant contribution could include:
 - Ten or more years association with the Busselton Jetty; or

- ii. Actions by the individual to protect, restore, enhance, or maintain the Busselton Jetty that produced substantial long-term improvements for the community or area.
- 5.3. All applications for a memorial plaque will be referred by the City to the Busselton Jetty Reference Group.
- 5.4. An application for a memorial plaque must be supported by the Busselton Jetty Reference Group prior to the City's approval.
- 5.5. Busselton Jetty Inc. may suggest to the Busselton Jetty Reference Group that recognition of the person nominated may be in a different location or take the form of a digital plaque or some other form of appropriate recognition.
- 5.6. The Busselton Jetty Reference Group will determine the location, placement and type of memorial plaque.

Requirements for new memorial plaques

- 5.7. The applicant is responsible for the supply and delivery of the plaque to the City, which must be provided in a format approved by the City.
- 5.8. Plaques located on the Busselton Jetty structure will be affixed in consecutive order or in the order decided by the City.
- 5.9. All costs associated with the supply and fitting of the plaques will be borne by the applicant. Fees payable for the installation of plaques are set out in the City's annual schedule of fees and charges.

Maintenance and replacement of memorial plaques

- 5.10. The City will not be responsible for the maintenance of individual plaques and reserves the right to remove or relocate plaques at its sole discretion, should they present poorly. In such cases, the applicant will be notified of the removal and may reapply for a new memorial plaque in accordance with this Policy.
- 5.11. The City reserves the right to remove unauthorised plaques.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Nil

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	28 June 2017	Resolution #	C1706/001



Council Policy

Council Policy Name: Busselton Jetty – Placement of Memorial Plaques

Responsible Directorate: Finance ~~Economic and Corporate~~
Services ~~Business Development~~

Version: Adopted ~~DRAFT~~

1. PURPOSE

- 1.1. The purpose of this Policy is to set out the special circumstances by which a memorial plaque ~~is to may~~ be located on the Busselton Jetty ~~with the approval of the City of Busselton.~~

2. SCOPE

- 2.1. This Policy is applicable to requests for the placement of new memorial plaques; and the maintenance and replacement of existing plaques on the Busselton Jetty.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled “Busselton Jetty – Placement of Memorial Plaques”

4. STRATEGIC CONTEXT

- 4.1. ~~This Policy links to Strategic Theme 3. — OPPORTUNITY — A vibrant City with diverse opportunities and a prosperous economy, of the City’s Strategic Community Plan June 2021 and specifically the following Strategic Priority:~~

- ~~a. 3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.~~

Strategic Theme	Strategic Priority
<u>KEY THEME 3</u> <u>OPPORTUNITY</u>	<u>3.3: Continue to promote the District as the destination of choice for events and unique tourism experiences.</u>

5. POLICY STATEMENT

- 5.1. ~~Approval to place memorial plaques on the Busselton Jetty is limited to special circumstances as described in this Policy.~~

- 5.2. ~~Approval to place memorial plaques will only be given if all of the requirements of the Policy are met. Any proposal which does not meet these requirements will not be considered.~~

- ~~5.3.5.1. — The City reserves the right to remove unauthorised plaques.~~

Applications for placement of new memorial plaques

- 5.4.5.2. _____ An application for placement of a new memorial plaque on the Busselton Jetty must be made in writing to the City and must include:

- a. ~~details~~Details of the person the plaque relates to;
- b. ~~justification for~~Information as to how the proposal ~~that~~ meets the assessment criteria (~~see outlined at 5.52 below~~); and
- c. ~~details~~Details of proposed text: for the plaque.

Criteria for assessment of new memorial plaques

~~5.5.5.3.~~ Proposals~~Applications~~ will be assessed against the following criteria:

- a. ~~Whether~~That the person being honoured has been instrumental in the development of the Busselton Jetty or undertook activities that contributed in a significant way to the Busselton Jetty;
- b. ~~There is~~The level of demonstrated community support with respect to honouring the person in this manner. Letters of support must be provided with the proposal;
- c. ~~The~~That the person was a resident ~~in~~of the City of Busselton for at least ten ~~(10)~~ years; and
- d. ~~There was~~That the person made a significant contribution ~~made by the person~~ to the local community through their involvement with the Busselton Jetty. A significant contribution could include:
 - i. ~~Twenty (20)~~Ten or more years association with the Busselton Jetty; or
 - ii. Actions by the individual to protect, restore, enhance, or maintain the Busselton Jetty that produced substantial long-term improvements for the community or area; ~~or~~
 - iii. ~~Evidence of works undertaken being of a unique and significant nature for the benefit of the community.~~

Busselton Jetty Reference Group

5.4. All applications for a memorial plaque ~~must be~~will be referred by the City to ~~and supported by~~ the Busselton Jetty Reference Group. ~~Applications not~~

5.5. An application for a memorial plaque must be supported by the Busselton Jetty Reference Group ~~will~~ prior to the City's approval.

5.6. Busselton Jetty Inc. may suggest to the Busselton Jetty Reference Group that recognition of the person nominated may be in a different location or take the form of a digital plaque or some other form of appropriate recognition.

~~5.6.5.7.~~ The rejectedBusselton Jetty Reference Group will determine the location, placement and type of memorial plaque.

Requirements for new memorial plaques

~~5.7.~~ The Applicant~~applicant~~ is responsible for the supply and delivery of the plaque to the City ~~of Busselton~~, which must be provided in ~~the following a~~ format:

- ~~a.~~ size: 200mm x 200mm;
- ~~b.~~ material: permabrass;

5.8. ~~text: as approved by Council;~~the City.

- ~~a.~~ a hole in each corner.

All plaques will be placed at Section 3 of the

5.9. Plaques located on the Busselton Jetty ~~by City of Busselton staff (or its contractors) and~~structure will be affixed in consecutive order or ~~at in~~ the ~~discretion of order decided by~~ the City.

5.10. All costs associated with the supply and fitting of the plaques will be borne by the ~~Applicant~~applicant. Fees payable for the installation of plaques are set out in the ~~City of Busselton's Annual Fees and Charges Schedule contained in the City budget and which is also available on the City's website~~annual schedule of fees and charges.

~~5.11. Approved plaques will be permitted for a maximum of a 20-year term. At the expiry of the maximum term, the applicant (or his/her agent) will be advised in writing (where records are held by the City) and may reapply for a further term of 20 years.~~

Maintenance and replacement of memorial plaques

~~5.12.~~5.11. The ~~City of Busselton~~ will not be responsible for the maintenance of individual plaques and reserves the right to remove or relocate plaques at its sole discretion, should they present poorly. In such cases, the applicant ~~(or his/her agent)~~ will be notified of the removal and may reapply for a new memorial plaque in accordance with this Policy.

~~5.13. The City of Busselton will undertake annual inspections to determine the condition of each plaque and will notify the owner (where records exist) or advertise locally to advise any plaques found in poor condition. These will be removed from the Jetty and stored by the City and will require the owner to reapply for placement.~~

Accountability

~~5.14. Minutes of the Meeting of the Busselton Jetty Reference Group are included in the Councillors' Information Bulletin which is included on the Council Agenda papers available for the examination.~~

~~5.15.~~5.12. The City reserves the right to remove unauthorised plaques.

6. RELATED DOCUMENTATION / LEGISLATION

6.1. Nil

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	28 June 2017	Resolution #	€1706/001
Previous Adoption	DATE	28 June 2017 N/A	Resolution #	C1706/001 N/A

6.3 Council Policy Review: Governance of Meelup Regional Park

Strategic Theme:	Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
Directorate:	Corporate Strategy and Performance
Reporting Officer:	Director Corporate Strategy and Performance - Sarah Pierson
Authorised By:	Director Infrastructure and Environment - Oliver Darby
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. DRAFT Governance of Meelup Regional Park [6.3.1 - 2 pages] 2. DRAFT Governance of Meelup Regional Park tracked changes [6.3.2 - 3 pages]

COMMITTEE RECOMMENDATION

PL2407/18 Moved Cr Jarrod Kennedy, seconded Cr Mikayla Love

That the Council adopts the Governance of Meelup Regional Park Policy as per Attachment 1 to replace the current policy.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

OFFICER RECOMMENDATION

That the Council adopts the Governance of Meelup Regional Park Policy as per Attachment 1 to replace the current policy.

EXECUTIVE SUMMARY

This report presents for the Council's readoption Council Policy 'Governance of Meelup Regional Park' (the Policy), with the Policy having been reviewed as part of the City's ongoing review process. No substantive changes are recommended.

STRATEGIC CONTEXT

The regular review of Council policies ensures strategic guidance remains relevant and appropriate, and aids in the good governance of the City.

BACKGROUND

It is the function of the Policy and Legislation Committee to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing cycle of policy review, whereby all policies

of the Council will be reviewed every 3 years, with the aim of determining the ongoing strategic importance and applicability of the policy.

The Policy was first endorsed by the Council on 27 August 2019, as a broad governance document outlining the way in which the Meelup Regional Park Management Committee (the Committee) and the more informal Meelup Regional Park Working Group (the Working Group) (the membership of which is the same) operate. The Council resolved (resolution C1908/172) to establish an overarching Council policy, and a new Working Group terms of reference, in addition to the Committee terms of reference (which was last reviewed in October 2023).

OFFICER COMMENT

Having reviewed the policy, no substantive changes are recommended, with the Policy considered to be of continuing relevance while there continues to be both a committee and a working group. Minor administrative and wording updates have been made.

Statutory Environment

The Meelup Regional Park Committee is created pursuant to the *Local Government Act 1995* (the Act), specifically a resolution of the Council pursuant to sections 5.8, 5.9(2)(d) and 5.17(1)(c) of the Act.

Section 5.9(2)(d) of the Act sets out that, *inter alia*, a committee may comprise; “*Council members and other persons*”.

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* (Act), it is the role of the Council to determine the local government’s policies.

Relevant Plans and Policies

Meelup Regional Park is Reserve 21629 and is Crown Land over which the City has a management order. The reserve purpose is ‘Conservation and Recreation’. The City has the power to lease over the reserve, for a maximum period of 21 years and is subject to the approval of the Minister for Lands (or their delegate), provided that any such lease is consistent with the reserve purpose. It is an ‘A-Class’ reserve, which means that any change to the management order requires Parliamentary consent.

Financial Implications

Not Applicable.

External Stakeholder Consultation

Officers sought feedback on the operation of the existing Policy from members of the Committee and Working Group at the Working Group’s July 2024 meeting. Feedback from Committee and Working Group members was that the governance structures for Meelup Regional Park as defined in the existing Policy were generally working well.

Risk Assessment

An assessment of the potential implications has been undertaken using the City’s risk assessment framework, with risks associated considering any controls already in place. There are no risks identified of a medium or greater level associated with the officer recommendation.

Options

As an alternative to the proposed recommendation the Council could:

1. Choose to rescind the Policy; or
2. Adopt the Policy with further amendments.

CONCLUSION

A review of the Policy has been undertaken, with no substantive changes proposed. The Policy is recommended for readoption by the Council.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Governance of Meelup Regional Park

Responsible Directorate: Infrastructure and Environment

Version: DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the governance arrangements for Meelup Regional Park, ensuring that the Park is managed in an effective and inclusive manner consistent with the Management Plan.

2. SCOPE

- 2.1. This Policy is applicable to Council, the Committee, Working Group, employees and the broader community with respect to the governance of Meelup Regional Park, that is, decisions related to the planning, management, development, use or promotion of the Park, but not including day-to-day decision-making or service delivery relating to the maintenance of infrastructure or landscaped areas, collection of waste, or similar.

3. DEFINITIONS

Term	Meaning
Committee	Meelup Regional Park Committee, as described in the Policy and generally as set out in the Committee Terms of Reference
Friends Group	Friends of Meelup Regional Park Incorporated.
Management Plan	the <i>Meelup Regional Park Management Plan July 2010</i> , or subsequent or amended plan.
Park	Meelup Regional Park ('A Class' Reserve 21629, managed by the City of Busselton for the purposes of 'Conservation and recreation', as well as road reserves that pass through Reserve 21629).
Policy	this City of Busselton Council policy titled "Governance of Meelup Regional Park"
Working Group	Meelup Regional Park Working Group, as described in the Policy and generally as set out in the Working Group Terms of Reference

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 1 ENVIRONMENT	1.1: Ensure protection and enhancement of environmental values is a central consideration in land use planning; 1.2: Work with the community to manage and enhance natural areas and reserves and their biodiversity; and 1.4: Respond to the impacts of climate change on the City's coastlines through informed, long-term planning and action.

5. POLICY STATEMENT

- 5.1. The Park is a strategic asset with significant ecological, cultural and recreational values to both the local community and the broader State of Western Australia. The City has a responsibility to provide appropriate stewardship to maintain those values into the future.

- 5.2. The objectives of this Policy are:
- to set out arrangements for the appropriate governance of the Park which will assist the Council in providing the stewardship to maintain the Park's significant ecological, cultural and recreational values into the future.
 - to facilitate considerations relevant to the governance of the Park, including environmental, amenity, recreational, cultural, community, social, economic and financial considerations; and
 - to further build and maintain productive working relationships between the Council, City officers, community, volunteers, users of the Park, and other stakeholders.
- 5.3. To achieve these objectives the Council will establish (subject to formal consideration by the Council, usually in the period immediately preceding each ordinary election):
- a committee pursuant to Sections 5.8 and 5.9(2)(d) of the *Local Government Act 1995*, to be known as the Meelup Regional Park Committee;
 - a working group, to be known as the Meelup Regional Park Working Group; and
 - the members of the Committee shall generally be members of the Working Group and vice versa.
- 5.4. To achieve these objectives, the City will also:
- notify the Working Group before making any decisions relating to the governance of the Park within the scope of this Policy; and
 - consult with the Working Group and, in the circumstances set out in the Committee Terms of Reference, obtain a decision or recommendation of the Committee, in relation to matters considered strategically important to the governance of the Park.
 - seek to support the establishment of and maintain an ongoing partnership with the Friends Group;
- 5.5. The roles of the Committee and Working Group with respect to the governance of the Park shall be broadly as follows:
- the purpose of the Committee is to consider matters that require a formal decision of the Committee and/or the Council, as set out in the Committee Terms of Reference; and
 - the purpose of the Working Group is to discuss and resolve matters in an informal, open, creative and constructive manner, as set out in the Working Group Terms of Reference.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. [Meelup Regional Park Committee Terms of Reference](#)
- 6.2. [Meelup Regional Park Working Group Terms of Reference](#)
- 6.3. Meelup Regional Park Management Plan

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	27 August 2019	Resolution #	C1908/172



Council Policy

Council Policy Name: Governance of Meelup Regional Park

Responsible Directorate: ~~Planning~~~~Infrastructure and~~
~~Development Services~~Environment

Version: ~~Adopted~~DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the governance arrangements for Meelup Regional Park, ensuring that the Park is managed in an effective and inclusive manner consistent with the Management Plan.

2. SCOPE

- 2.1. This Policy is applicable to Council, the Committee, Working Group, employees and the broader community with respect to the governance of Meelup Regional Park, that is, decisions related to the planning, management, development, use or promotion of the Park, but not including day-to-day decision-making or service delivery relating to the maintenance of infrastructure or landscaped areas, collection of waste, or similar.

3. DEFINITIONS

Term	Meaning
Committee	Meelup Regional Park Committee, as described in the Policy Statement and generally as set out in the Committee Terms of Reference
Friends Group	Friends of Meelup Regional Park Incorporated.
Management Plan	the <i>Meelup Regional Park Management Plan July 2010</i> , or subsequent or amended plan as may be approved by the Minister for Lands pursuant to Section 49 of the Land Administration Act 1997.
Park	Meelup Regional Park ('A Class' Reserve 21629, managed by the City of Busselton for the purposes of 'Conservation and recreation', as well as road reserves that pass through Reserve 21629).
Policy	this City of Busselton Council policy titled "Governance of Meelup Regional Park"
Working Group	Meelup Regional Park Working Group, as described in the Policy Statement and generally as set out in the Working Group Terms of Reference

4. STRATEGIC CONTEXT

- 4.1. ~~This Policy links to Strategic Theme 1. ENVIRONMENT – An environment that is valued, conserved and able to be enjoyed by current and future generations, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:~~
- ~~a. 1.1: Ensure protection and enhancement of environmental values is a central consideration in land use planning;~~
 - ~~b. 1.2: Work with the community to manage and enhance natural areas and reserves and their biodiversity; and~~
 - ~~c. 1.4: Respond to the impacts of climate change on the City's coastlines through informed, long term planning and action.~~

Strategic Theme	Strategic Priority
KEY THEME 1 ENVIRONMENT	<u>1.1: Ensure protection and enhancement of environmental values is a central consideration in land use planning;</u> <u>1.2: Work with the community to manage and enhance natural areas and reserves and their biodiversity; and</u> <u>1.4: Respond to the impacts of climate change on the City's coastlines through informed, long-term planning and action.</u>

5. POLICY STATEMENT

5.1. The Park is a strategic asset with significant ecological, cultural and recreational values to both the local community and the broader State of Western Australia. The City has a responsibility to provide appropriate stewardship to maintain those values into the future.

~~5.2. Given the above, the City considers it important that appropriate governance arrangements are established and maintained for the Park, and this Policy sets out those arrangements.~~

5.3.5.2. The objectives of this Policy are:

- to set out arrangements for the appropriate governance of the Park which will assist the Council in providing the stewardship to maintain the Park's significant ecological, cultural and recreational values into the future.
- to ~~ensure that the full range of~~facilitate considerations relevant to the governance of the Park ~~are considered~~, including environmental, amenity, recreational, cultural, community, social, economic and financial considerations; and
- to further build and maintain productive working relationships between the Council, City officers, community, volunteers, users of the Park, and other stakeholders.

5.4.5.3. To achieve these objectives ~~the~~ Council will establish (subject to formal consideration by the Council, usually in the period immediately ~~following~~preceding each ordinary election):

- a committee pursuant to Sections 5.8 and 5.9(2)(d) of the *Local Government Act 1995*, to be known as the Meelup Regional Park Committee;
- a working group, to be known as the Meelup Regional Park Working Group; and
- the members of the Committee shall generally be members of the Working Group and vice versa.

5.5.5.4. To achieve these objectives, the City will also:

- notify the Working Group before making any decisions relating to the governance of the Park within the scope of this Policy; and
- consult with the Working Group and, in the circumstances set out in the Committee Terms of Reference, obtain a decision or recommendation of the Committee, in relation to matters considered strategically important to the governance of the Park.
- seek to support the establishment of and maintain an ongoing partnership with the Friends Group;

5.6.5.5. The roles of the Committee and Working Group with respect to the governance of the Park shall be broadly as follows:

- the purpose of the Committee is to consider matters that require a formal decision of the Committee and/or the Council, as set out in the Committee Terms of Reference; and
- the purpose of the Working Group is to discuss and resolve matters in an informal, open, creative and constructive manner, as set out in the Working Group Terms of Reference.

6. RELATED DOCUMENTATION / LEGISLATION

~~6.1. Meelup Regional Park Committee Terms of Reference~~

~~6.2. Meelup Regional Park Working Group Terms of Reference~~

6.1. Meelup Regional Park Committee Terms of Reference

6.2. Meelup Regional Park Working Group Terms of Reference

6.3. Meelup Regional Park Management Plan

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	27 August 2019	Resolution #	C1908/172
Previous Adoption	DATE	27 August 2019N/A	Resolution #	C1908/172N/A

6.4 Council Policy Review: Asset Management

Strategic Theme:	Key Theme 2: Lifestyle 2.12 Provide well maintained community assets through robust asset management practices.
Directorate:	{Corporate Strategy and Performance}
Reporting Officer:	{Director Corporate Strategy and Performance} - {Sarah Pierson}
Authorised By:	Chief Executive Officer – Tony Nottle
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. Officer - DRAFT Council Policy Asset Management [6.4.1 - 2 pages] 2. DRAFT Asset Management - tracked changes [6.4.2 - 3 pages] 3. Committee - DRAFT Asset Management [6.4.3 - 2 pages]

COMMITTEE RECOMMENDATION

PL2407/19 Moved Cr Val Kaigg, seconded Cr Jarrod Kennedy

That the Council adopts the Asset Management Policy as per Attachment 1 to replace the current policy, inclusive of Committee amendments so that the following points read as follows:

- 1.1 The purpose of this Policy is to outline the principles which guide the City of Busselton in the management of its infrastructure assets, with the objective being to ensure they are well maintained, and responsibly and sustainably managed.**
- 5.5 The Chief Executive Officer has overall responsibility for developing an asset management strategy to be adopted by the Council and advising the Council of the status and effectiveness of asset management within the City.**

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

Reasons: The Committee proposed amendments to the Policy to clarify that the asset management strategy is to be adopted by the Council, to highlight that the objective of the Policy includes the sustainable management of City assets.

OFFICER RECOMMENDATION

That the Council adopts the Asset Management Policy as per Attachment 1 to replace the current policy.

EXECUTIVE SUMMARY

This report presents an amended Council Policy: Asset Management (the Policy), in line with the City's ongoing review process.

The Policy is of ongoing relevance and importance and is recommended for re-adoption by Council, with minor amendments to streamline its readability (for instance removing defined terms where something has a common meaning or can be described in the body of the Policy) and to ensure it is a strategic guidance document.

STRATEGIC CONTEXT

The regular review of Council policies ensures strategic guidance remains relevant and appropriate aiding good governance.

An Asset Management Policy is a key component of an Asset Management Framework as set out in the Department of Local Government, Sport and Cultural Industries (DLGSC) Integrated Planning and Reporting Framework (IPRF). The aim of the Framework is "to enhance the sustainable management of local government assets by encouraging 'whole of life' and 'whole of organisation' approaches and the effective identification and management of risks associated with the use of assets". A robust Asset Management Framework can assist the City in planning and managing its assets to achieve long-term aspirations of the community and has direct linkages with the City's Long Term Financial Planning.

BACKGROUND

The function of the Policy and Legislation Committee is to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing policy review cycle, whereby all policies of the Council will be reviewed every 3 years, with the aim to determine the ongoing strategic importance and applicability.

An asset management policy was first adopted by the Council on 8 October 2008 (C0810/303) and subsequently reviewed and updated in 2016 (C1609/233).

The City's knowledge of its infrastructure asset-base and its asset management capability has matured since the 2016 review, resulting in refinement and updates of the principles underpinning its asset management approach.

In November 2019, the Policy was further reviewed and resolved upon by the Council (resolution C1911/235), taking into account the results of the Governance System Review conducted in 2017. This review recommended that the Council's policies should be revised to eliminate operational details and serve as strategic guidance documents.

OFFICER COMMENT

The Policy is considered of ongoing relevance and strategic importance, providing overarching guidance and direction for the development of an asset management strategy and asset management plans.

The policy principles remain relevant; primarily that the acquisition, maintenance and renewal of assets to meet current community expectations should not pass a burden to future generations in

terms of maintenance and renewal backlogs, and that whole of life costs are considered when making decisions in relation to assets.

Minor amendments have been made to streamline the Policy's readability – for instance removing defined terms where something has a common meaning or can be described in the body of the Policy and to better align with the recommendations of the DLGSC Integrated Planning and Reporting Asset Management Framework Guidelines.

The policy scope has been refined by removing point 2.2, with point 2.1 considered to be sufficient: *"the management of all infrastructure assets owned and / or directly managed by the City"*.

Clause 5.6 has been updated to reflect the commitment of Council to ensure sustainable management of City infrastructure in line with long term community needs, with reference to specific plans and strategies removed as these are components of the overarching Integrated Planning and Reporting Framework which the City operates under.

Statutory Environment

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* it is the role of the Council to determine the local government's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of the Act.

All local governments are required to plan for the future of their district under Section 5.56 (1) of the *Local Government Act 1995*.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

[Corporate Business Plan 2022-2026](#)
[Asset Management Plan](#)

Policy:

[Footpaths and Cycleways Funding](#)

Financial Implications

There are no direct financial implications with the adoption of the Policy.

External Stakeholder Consultation

Not applicable

Risk Assessment

An assessment of the potential implications has been undertaken using the City's risk assessment framework, with risks associated considering any controls already in place. There are no direct risks of a medium or greater level.

Options

As an alternative to the proposed recommendation the Council could:

1. Choose not to adopt the amended Policy; or
2. Adopt the Policy with further amendments.

CONCLUSION

The Policy reflects and guides the City's strategic asset management approach, with an ongoing focus on continuous improvement and development of its asset management capability. Readoption of the Policy will reaffirm the Council's commitment to the long-term sustainability of its infrastructure assets.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Asset Management

Responsible Directorate: Infrastructure and Environment

Version: **DRAFT** officer recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles which guide the City of Busselton in the management of its infrastructure assets, with the objective being to ensure they are well maintained, and responsibly managed.

2. SCOPE

- 2.1. This Policy is applicable to the management of all infrastructure assets owned and / or directly managed by the City, whether constructed, purchased or donated. This includes roads, bridges, footpaths, cycle ways, stormwater drains, park and recreation space components, and buildings.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "Asset Management"

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.12: Provide well maintained community assets through robust asset management practices.

5. POLICY STATEMENT

- 5.1. The City recognises its responsibility to provide and maintain infrastructure assets that service the needs of the community in a manner that does not place undue economic, social, or environmental burden on future generations.
- 5.2. Asset management is the systematic and coordinated activities and practices of an organisation to deliver on the management of its assets optimally and sustainably through the cost-effective lifecycle management of its assets.
- 5.3. This Policy and the following principles will inform the City's strategic asset management planning:
- assets are to be acquired, maintained and renewed to adequately meet present-day community expectations and pass to future generations with minimal backlog of maintenance and renewal works;
 - asset management plans will be informed by service standards determined by the City for the construction, maintenance and operations of assets technical lifecycle requirements and statutory requirements for local government financial planning and reporting;
 - decisions to implement new assets, major upgrades or accept donated assets are to be informed by whole of life costs; and

- d. the City will continuously develop its asset management capability through the implementation of resourcing, systems and practices enabling effective data collection, storage, sharing and evaluation of asset data, knowledge, and information.

- 5.4. Asset management strategy and plans will form part of an iterative Integrated Planning, Budgeting and Reporting framework with reviews generally undertaken on a three yearly cycle.
- 5.5. The Chief Executive Officer has overall responsibility for developing an asset management strategy and plans and advising Council of the status and effectiveness of asset management within the City.
- 5.6. Council will continue to provide stewardship for asset management by supporting allocation of resources and funding to achieve the principles of the Policy and long-term community needs.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995 (WA), Section 5.56(1) and (2)
- 6.2. WA Local Government (Administration) Regulations 1996
- 6.3. International Infrastructure Management Manual (IPWEA)
- 6.4. Australian Accounting Standards Board AASB13 Fair Value Measurement
- 6.5. Asset Management Strategy and Overall Asset Management Plan
- 6.6. Strategic Community Plan, Corporate Business Plan, Workforce Plan and Long-Term Financial Plan
- 6.7. Policy: Footpaths and Cycleways Funding

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	27 November 2019	Resolution #	C1911/235



Council Policy

Council Policy Name: Asset Management
Responsible Directorate: Engineering and Works Services
Infrastructure and Environment

Version: Adopted~~Draft~~

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles which guide the City of Busselton in the management of its infrastructure assets, with the objective being to ensure they are well maintained and responsibly and sustainably managed.

2. SCOPE

- 2.1. This Policy is applicable to the management of all infrastructure assets owned and /or directly managed by the City, whether constructed, purchased or donated. This includes roads, bridges, footpaths, cycle ways, stormwater drains, park &and recreation space components, buildings, and facilities.
- ~~2.2. Reserve (land) areas under management order with the City are not included in the scope of this policy, however, included is the physical infrastructure they contain such as footpaths, furniture, roads, seawalls, jetties, boat ramps, drains, and any facilities.~~

3. DEFINITIONS

Term	Meaning
Service Standards	defines standards for the construction, maintenance and operation of types of assets (i.e. roads, footpaths)
Asset Management Capability	the combined capacity and ability of a system to meet a specified objective in all its aspects. This includes all the assets and associated personnel, resources and services which are required to meet the objective (i.e. Service Standard)
Policy	this City of Busselton Council policy titled "Asset Management"

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
<u>KEY THEME 2 LIFESTYLE</u>	<u>2.12: Provide well maintained community assets through robust asset management practices.</u>

- ~~4.1. This Policy links to Strategic Theme 2. — LIFESTYLE — A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:~~
- ~~a. 2.12: Provide well maintained community assets through robust asset management practices.~~

5. POLICY STATEMENT

- 5.1. The City recognises its responsibility to provide and maintain infrastructure assets that service the needs of the community in a manner that does not place undue economic, social, or environmental burden on future generations.

~~5.2. In order to achieve this objective the City is committed to implementing a coordinated and integrated approach to asset management that aligns with and supports the City to achieve its Strategic Community Plan objectives.~~

~~5.2. Asset management is the systematic and coordinated activities and practices of an organisation to deliver on the management of its assets optimally and sustainably through the cost-effective lifecycle management of its assets.~~

~~5.3. This Policy is to be used as a guide for strategic asset management, with and the following principles will inform the City's strategic to guide the development of the City's asset management planning strategy:~~

- ~~a. assets are to be acquired, maintained and renewed to adequately meet present-day community expectations and pass to future generations with minimal backlog of maintenance and renewal works;~~
- ~~b. community expectations will be quantified informed through the implementation of Sservice Sstandards determined for the construction, maintenance and operations of assets' technical lifecycle requirements and statutory requirements for local government financial planning and reporting informed by asset lifecycle activities and incorporated into the asset management and long term financial plans;~~
- ~~c. decisions to on implementation of new assets, major upgrades or acceptance of donated assets are is to be informed by whole of life costslifecycle costing analysis to determine the true cost of operating and maintaining the asset;~~
- ~~d. the City will continuously develop its-it's Aasset mManagement Ccapability (to meet statutory obligations and reporting requirements) through the implementation of resourcing, systems and practices enabling effective data collection, storage, sharing and evaluation of asset data, knowledge and information.~~

~~5.4. This Policy and asset management strategy will be supported by Aasset management strategy and plans covering the City's infrastructure assets. These documents will form part of an iterative Integrated Planning Budgeting and Reporting framework with living process, subject to ongoing review and update. Rreviews generally will be undertaken on a three yearly cycle, unless otherwise stated for a particular item.~~

~~5.5. The Chief Executive Officer and Senior Management Group have overall responsibility for developing an asset management strategy and, to be adopted by the Council plans and operational practices and for informing and advising the Council on the status and effectiveness of asset management within the City.~~

~~5.5.5.6. Council will continue to provide stewardship for asset management by supporting allocation of resources and funding to achieve the principles of this Policy and long term community needs.~~

~~5.6. Council will formalise the short, medium and long term strategic direction of asset management through adoption of its Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan, annual budget, asset management strategy and asset management plans.~~

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. International Infrastructure Management Manual – 2015
- 6.2. Australian Accounting Standards Board AASB13 Fair Value Measurement
- 6.3. Asset Management Strategy and Overall Asset Management Plan
- 6.4. Strategic Community Plan, Corporate Business Plan, Workforce Plan and Long Term Financial Plan
- 6.5. Policy: Footpaths and Cycleways Funding

7. REVIEW DETAILS

Review Frequency	3 yearly
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Council Adoption	DATE	27 November 2019	Resolution #	C1911/235
Previous Adoption	DATE	27 November 2019 14 September 2016	Resolution #	C1911/235 C1609/233



Council Policy

Council Policy Name: Asset Management

Responsible Directorate: Infrastructure and Environment

Version: **DRAFT**
committee
recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles which guide the City of Busselton in the management of its infrastructure assets, with the objective being to ensure they are well maintained, and responsibly and sustainably managed.

2. SCOPE

- 2.1. This Policy is applicable to the management of all infrastructure assets owned and / or directly managed by the City, whether constructed, purchased or donated. This includes roads, bridges, footpaths, cycle ways, stormwater drains, park and recreation space components, and buildings.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "Asset Management"

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.12: Provide well maintained community assets through robust asset management practices.

5. POLICY STATEMENT

- 5.1. The City recognises its responsibility to provide and maintain infrastructure assets that service the needs of the community in a manner that does not place undue economic, social, or environmental burden on future generations.
- 5.2. Asset management is the systematic and coordinated activities and practices of an organisation to deliver on the management of its assets optimally and sustainably through the cost-effective lifecycle management of its assets.
- 5.3. This Policy and the following principles will inform the City's strategic asset management planning:
- assets are to be acquired, maintained and renewed to adequately meet present-day community expectations and pass to future generations with minimal backlog of maintenance and renewal works;
 - asset management plans will be informed by service standards determined by the City for the construction, maintenance and operations of assets technical lifecycle requirements and statutory requirements for local government financial planning and reporting;
 - decisions to implement new assets, major upgrades or accept donated assets are to be informed by whole of life costs; and

- d. the City will continuously develop its asset management capability through the implementation of resourcing, systems and practices enabling effective data collection, storage, sharing and evaluation of asset data, knowledge, and information.

- 5.4. Asset management strategy and plans will form part of an iterative Integrated Planning, Budgeting and Reporting framework with reviews generally undertaken on a three yearly cycle.
- 5.5. The Chief Executive Officer has overall responsibility for developing an asset management strategy to be adopted by the Council and advising Council of the status and effectiveness of asset management within the City.
- 5.6. Council will continue to provide stewardship for asset management by supporting allocation of resources and funding to achieve the principles of the Policy and long-term community needs.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Local Government Act 1995 (WA), Section 5.56(1) and (2)
- 6.2. WA Local Government (Administration) Regulations 1996
- 6.3. International Infrastructure Management Manual (IPWEA)
- 6.4. Australian Accounting Standards Board AASB13 Fair Value Measurement
- 6.5. Asset Management Strategy and Overall Asset Management Plan
- 6.6. Strategic Community Plan, Corporate Business Plan, Workforce Plan and Long-Term Financial Plan
- 6.7. Policy: Footpaths and Cycleways Funding

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	27 November 2019	Resolution #	C1911/235

6.5 Council Policy Review: Complaints Management

Strategic Theme:	Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
Directorate:	Corporate Strategy and Performance
Reporting Officer:	Director Corporate Strategy and Performance - Sarah Pierson
Authorised By:	Chief Executive Officer – Tony Nottle
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. Proposed Council Policy Complaints Management [6.5.1 - 5 pages] 2. Current Council Policy Complaints Management [6.5.2 - 2 pages] 3. Committee DRAFT Policy Complaints Management [6.5.3 - 2 pages]

The officer recommendation was moved, there was opposition and debate ensued.

SUBSTANTIVE MOTION

Moved Cr Anne Ryan, seconded Cr Jodie Lee

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:

- 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.
- 5.14** Complaints will be acknowledged no later than 5 business days of receipt by the Complaints Management Officer.
- 5.19** i. internal corrective action (with current point i to become point j).
- 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.

During debate, Cr Anne Ryan moved an amendment to the substantive motion.

AMENDMENT

PL2407/20 Moved Cr Anne Ryan, seconded Cr Jodie Lee

That the Council considers 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:

- 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.
- 5.14** Complaints will be acknowledged no later than 5 business days of receipt by the Complaints Management Officer.
- 5.19** i. internal corrective action (with current point i to become point j).
- 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.

LOST 2 / 3

FOR: Cr Jodie Lee and Cr Anne Ryan

AGAINST: Cr Jarrod Kennedy, Cr Val Kaigg and Cr Mikayla Love

The amendment was lost.

Debate resumed on the substantive motion.

The motion was carried.

COMMITTEE RECOMMENDATION

PL2407/21 Moved Cr Anne Ryan, seconded Cr Jarrod Kennedy

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:

- 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.
- 5.14** Complaints will be acknowledged no later than 5 business days of receipt by the Complaints Management Officer.
- 5.19** i. internal corrective action (with current point i to become point j).
- 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.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

Reasons: The committee proposed amendments to the Policy to clarify conditions and further appropriate channels of action.

OFFICER RECOMMENDATION

That the Council adopts the Complaints Management Policy as per Attachment 1 to replace the current Council policy.

EXECUTIVE SUMMARY

This report presents an amended Council Policy: 'Complaints Management' (the Policy), with the Policy having been reviewed (a) as part of the City's ongoing review process and (b) in response to a Council resolution (C2406/155) requesting (in part) that the CEO undertake a review of the City's complaints handling processes. Review of the strategic framework in relation to complaints management is seen as the first step in this review.

The Policy is recommended for re-adoption by the Council, with the Policy defining what a complaint is within the scope of the Policy (noting that complaints dealt with under the *Local Government Act 1995* (the Act) as listed under clause 2.3 of this Policy are not in scope), and the approach that the City will take to the management of complaints as defined.

STRATEGIC CONTEXT

The regular review of Council policies ensures strategic guidance remains relevant and appropriate and aids in the good governance of the City. Complaints managed in accordance with the principles of respect, transparency, fairness, accountability and responsiveness; and an emphasis placed on continuous improvement.

Effective complaint management is fundamental to quality service provision.

BACKGROUND

It is the function of the Policy and Legislation Committee to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing cycle of policy review, whereby all policies of the Council will be reviewed every 3 years, with the aim of determining the ongoing strategic importance and applicability of the Policy.

A Complaints Handling policy was first implemented on 24 April 2012 (resolution C1204/104) as a guide for Council and the City to manage complaints.

The Policy was last reviewed in August 2020 (C2008/078), in accordance with recommendations of the 2017 Governance Service Review (GSR), which recommended that council policies be strategic in nature, setting out the what and the why and not contain operational level detail (the how). Accordingly, the operational detail was removed from the Policy. The Policy was also retitled 'Complaints Management' which was considered a more appropriate description of the purpose and scope of the Policy.

OFFICER COMMENT

The Policy is of ongoing relevance and strategic importance, providing overarching guidance and direction for the City of Busselton's approach to the collection, recording, reporting and management of complaints, relating to the City's operations.

As outlined in the Policy statement, complaints are, and should be, considered as an opportunity for continuous improvement in the provision of quality service to customers. Responsive and effective complaints management approaches can improve the reputation of an organisation and strengthen public confidence in an organisation's administrative processes; supporting and promoting a culture of continuous improvement.

With a recent increased focus on complaints management the Council has recently resolved (C2406/155):

That the Council re-iterates its resolution C2402/39 and clarifies that all three action items for moving forward contained therein (3 a), b), c)), be implemented.

C2402/39 part 3 outlined:

That the Council:

....

3. Refers the opportunity identified in the officer's report of a risk-based approach to communications and capitalising on the value offered primarily from complaints to its Audit

and Risk Committee (ARC) to consider (but not be limited to) the following options moving forward:

a. the CEO undertake a review of the City's complaint handling process and provide a report to the ARC outlining the risks and opportunities for improvement of the current process as it relates to customer service.

b. the CEO to engage an independent auditor to undertake a review of the City's complaint handling processes and provide a report to the ARC outlining the risks and opportunities for improvement.

c. the CEO include complaints handling as an area for audit in any future internal audit plan (noting that there is a report scheduled for the March ARC meeting that will address an internal audit plan).

The first step in reviewing the City's complaints handling is to review and re-establish the strategic framework in relation to complaints management.

To ensure that the Policy is contemporary with current industry practice, officers reviewed complaints documentation from multiple peer local government organisations, including the Cities of Stirling, Mandurah and Bunbury, and the Shire of Serpentine-Jarrahdale. The City also reviewed guidance from the Ombudsman. The following were largely consistent across the policy frameworks:

- The definition of a complaint, aligned to the Ombudsman and AS/NZS 10002:2014 - *Guidelines for Complaint Management in Organizations*;
- Further definition of what is, and what is not a complaint within the scope of the Policy;
- Information on the ways in which someone can raise a complaint with the City;
- How the City will manage complaints, including anonymous complaints (and highlighting the differences in their management);
- Potential outcomes from the complaint management process; and
- Definition of vexatious, frivolous and malicious complaints, and how the City will manage them.

With this in mind, the Policy presented includes the following definition of a complaint:

An expression of dissatisfaction made to the City of Busselton about its products, services, employees or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

A complaint is not:

- a request for service;
- a request for information;
- the lodging of an appeal in accordance with a standard procedure or policy;
- a freedom of information enquiry;
- an allegation of a breach of the law by a third party; or
- an expression of dissatisfaction with a decision.

This aligns to the AS/NZS 10002:2014 and to the Ombudsman's guidance. It is in essence the same definition used in the current council policy, although the current policy excludes anonymous complaints; aligned to other policies reviewed, the proposed policy instead provides for anonymous complaints but notes they will only be investigated where raising a serious matter and sufficient information is provided to do so.

The Policy has been amended to distinguish between a complaint matter that can be resolved by an employee as part of their day-to-day interactions and a complaint that requires further action and resolution, with two categories:

- Complaints about a level of service or lack of service
- Complaints about conduct of officers or contractors engaged by the City

The Policy then sets out in some detail the process by which a person can lodge a complaint (with various channels available to cater for broad community needs including a complaint form on the City's website) and the City's approach to managing that complaint, generally that:

- All complaints will be referred to the Complaints Management Officer for centralised recording;
- All complaints will be acknowledged within 5 business days;
- Complaints will be directed to an appropriate Manager/s to resolve;
- Complaints will be resolved where possible within 10 working days of receipt. Complainants will be advised if there will be a delay and provided updates on the progress of the investigation at least every 10 working days; and
- On completion, the complainant will be advised of the outcome in writing. If the complaint is not upheld the complainant will be advised why.

While Council Policies typically provide strategic level guidance, the importance of having a clear and well set out complaints management approach at a council policy level is recognised, and hence the Policy has been expanded (as compared to the current Council policy) to include more detailed information. The Policy will additionally be supported with internal operational guidance for employees and the roll out of training in relation to the referral and handling of a complaint.

Included in the Policy are provisions in relation to vexatious, frivolous and malicious complaints. The City does not currently have any formal policy guidance in relation to vexatious complainants, and notes that these provisions are generally included within other local government complaint frameworks, either within a complaints policy or as a stand-alone policy. The provision of clear guidelines for both the CEO and the community in relation to unreasonable complaints, or where there is nothing further which can reasonably be done to rectify a real or perceived concern. There are instances where a complainant is not accepting of the response provided or able to be provided by the local government, and it is important that the Policy recognises this.

Please note that given the level of change a track change version has not been included.

Statutory Environment

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* (the Act), it is the role of the Council to determine the local government policies. The Council does this on recommendation of a Committee it has established in accordance with section 5.8 of the Act.

Relevant Plans and Policies

There are no relevant plans or policies, however, the officer recommendation aligns with the Customer Experience Charter.

Financial Implications

There are no direct financial implications with the adoption of the Policy.

External Stakeholder Consultation

Not applicable.

Risk Assessment

An assessment of the potential implications has been undertaken using the City's risk assessment framework, with risks associated considering any controls already in place. There are no risks of a medium or greater level.

An effective complaint management system and, as part of that, a strategic framework that provides confidence that complaints are dealt with effectively is an important way of monitoring and mitigating any risks to the reputation of the City of Busselton and its administration.

Options

As an alternative to the proposed recommendation the Council could:

1. Choose not to adopt the amended Policy; or
2. Adopt the Policy with further amendments.

CONCLUSION

The Policy reflects and guides the City's complaints management approach, with an ongoing focus on clear accountabilities for complaint handling. Re-adoption of the Policy as amended will reaffirm the Council's commitment to continuous improvement to quality service and an effective complaint management system.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Council Policy updated on the City's website	Within two weeks of adoption

Council Policy

Council Policy Name: Complaint Management

Responsible Directorate: Corporate Strategy and Performance

Version: **DRAFT** officer recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the City of Busselton's approach to Complaints management.

2. SCOPE

- 2.1. This Policy applies to Complaints received by the City of Busselton, as defined.
- 2.2. This Policy does not include Complaints dealt with under the *Local Government Act 1995* or associated regulations, specifically being:
- Part 4 - Division 9, Electoral Process
 - Part 4 - Division 10, Validity of Elections
 - Part 4 - Division 11, Electoral Offences
 - Part 5 - Division 6, Disclosure of Financial Interests and Gifts, and
 - Part 5 - Division 9, Conduct. Please refer to the Management of Complaints of Alleged Breaches of Behaviour Council Policy.

3. DEFINITIONS

Term	Meaning
Complaint	An expression of dissatisfaction made to the City of Busselton about its products, services, employees or the handling of a Complaint, where a response or resolution is explicitly or implicitly expected or legally required. A complaint is not: - a request for service; - a request for information; - the lodging of an appeal in accordance with a standard procedure or policy; - a freedom of information enquiry; - an allegation of a breach of the law by a third party; or - an expression of dissatisfaction with a decision.
Complainant	An individual who lodges a Complaint with City of Busselton.
Complaints Management Officer	Customer Service Coordinator or Manager Systems and Information
Policy	This policy titled 'Complaints Management'

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 4 LEADERSHIP	4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.
	4.4: Govern a professional organisation that is healthy, capable and engaged.

5. POLICY STATEMENT

- 5.1. The City of Busselton is committed to the provision of quality services and regards Complaints as an opportunity for continuous improvement.
- 5.2. Complaints will be managed in accordance with the following principles:
- Objective and Fair: the City will review all Complaints in a fair and unbiased manner, based on facts;
 - Respect and Privacy: the City will be respectful and ethical in the management of Complaints and will, as far practicable, protect information from unauthorised access, loss or misuse;
 - Accountability: the City will be accountable for its Complaints management processes and outcomes; and
 - Responsive: the City will respond to all Complainants in a timely fashion and will regularly communicate and inform parties involved.

Types of Complaints

- 5.3. Complaints received by officers in their day-to-day interactions and where an immediate resolution can be provided will not be recorded or have any formal complaint management approaches applied.
- 5.4. Complaints that cannot be resolved immediately, and where it is clear that the customer is seeking further resolution, will be recorded in the City's Customer Request Management (CRM) system and managed as in accordance with the approaches set out in this Policy.
- 5.5. Complaints will be recorded as either:

Complaints about service levels, or a lack of service	Complaints regarding the provision of a service or product.
Complaints about conduct of officers or contractors engaged by the City	Complaints regarding officer or contractor conduct.

Lodging of Complaints

- 5.6. A Complaint may be lodged through any of the following channels.
- Using the form on the 'Contact Us' page on the City of Busselton website: www.busselton.wa.gov.au/council/contact-us.aspx
 - In person during at the City of Busselton Administration Office at 2 Southern Drive, Busselton, WA between 08:30 and 16:30 on normal business days.
 - By telephone: 08 9781 0444 between 08:30 and 16:30 on normal business days.
 - By email to city@busselton.wa.gov.au.
 - By post to:

City of Busselton
2 Southern Drive
Busselton
WA 6280

- 5.7. Where a Complaint is made verbally, it will be recorded by the receiving officer and confirmed in writing with the Complainant.
- 5.8. At a minimum, the following information is to be supplied in order to effectively manage the Complaint
 - a. Complainant name and address (and organisation being represented, if relevant);
 - b. Complainant telephone number and / or email address;
 - c. Date and location of the situation causing the Complaint;
 - d. A description of the basis of the Complaint.
- 5.9. As part of the Complaint resolution process, the City may request additional information to substantiate a Complaint.
- 5.10. Complaints made to Elected Members will be provided to the CEO for processing in accordance with this Policy. They will not receive priority treatment over other Complaints.

Anonymous Complaints

- 5.11. The City accepts anonymous Complaints however the Complaint will 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.
- 5.12. The City is unable to verify information or communicate the outcome of the complaint without knowing the full identity of the complainant.

Complaints Management Approach

- 5.13. Complaints requiring further resolution (as per point 5.4) will be referred to the Complaints Management Officer for recording.
- 5.14. Complaints will be acknowledged within 5 business days of receipt by the Complaints Management Officer.
- 5.15. The Complaint will be directed to an appropriate Manager/s to resolve.
- 5.16. Investigations into Complaints will be conducted in accordance with natural justice principles, with due consideration given to the rights of all parties involved.
- 5.17. Complaints will be resolved, where possible, within 10 working days of receipt. Complainants will be advised if there will be a delay and provided updates on the progress of the investigation at least every 10 working days.
- 5.18. On completion, the Complainant will be advised of the outcome in writing (this may, where appropriate, follow a phone call or face-to-face meeting). Where possible, the City will ensure the customer is satisfied before closing the Complaint in the CRM system. If the Complaint is not upheld the Complainant will be advised why.

Complaint Outcomes

- 5.19. When a Complaint is upheld, the City will determine if a remedy is appropriate, which may include:
 - a. an explanation;
 - b. an apology;
 - c. mediation;
 - d. a change in decision;
 - e. a change to policy, procedure or practice;
 - f. a correction of records;
 - g. refund of a fee;
 - h. the remission of a penalty;

- i. referral to an external agency for further investigation.
- 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.
- 5.21. In circumstances where a Complaint cannot be resolved satisfactorily using internal pathways, the Complainant may choose to refer the Complaint to an appropriate external agency for review. The Ombudsman can investigate Complaints about most Western Australian public authorities, including local governments.

Expectations of Complainants

- 5.22. To help the City meet its customer service commitments, we ask customers to:
- a. Respect the rights of other customers;
 - b. Provide accurate and complete information so responses are appropriate to the enquiry; and
 - c. Cooperate with City officers to solve problems.
- 5.23. The City will not tolerate behaviours such as shouting, the use of abusive or obscene language, intimidation or acting in a threatening manner towards City officers.

Vexatious, Frivolous and Malicious Complaints

- 5.24. While Council endeavours to respond to all Complaints, there are times when there is nothing further which can reasonably be done to assist or rectify a real or perceived concern.
- 5.25. The CEO may refuse to respond to or manage a Complaint if they consider:
- a. there is nothing further which can reasonably be done to assist or rectify a real or perceived problem, and the Complainant has been advised of this previously;
 - b. The Complaint is trivial or frivolous;
 - c. the Complaint is made for the purpose of hurting another person (their career, their reputation or their livelihood);
 - d. resolution of the Complaint would place disproportionate and unreasonable demands on the City;
 - e. the Complainant is behaving in an unreasonable or abusive manner;
 - f. there is an unreasonable lack of cooperation from the Complainant, an unwillingness and/or inability to cooperate with the City, its employees (or agents);
 - g. the Complainant consistently makes Complaints of a trivial and / or frivolous matters.
- 5.26. The City may restrict, withhold or withdraw the provision of services to unreasonable Complainants by:
- a. only taking calls at specific times on specific days;
 - b. requiring the Complainant to make an appointment to meet with employees;
 - c. limiting all future dealings to writing;
 - d. only responding to future correspondence which provides significant new information about the Complaint or raises new issues which the City believes warrant fresh action; or
 - e. directing all contact to be through a specific employee or area.
- 5.27. The rationale and decision are to be documented and the customer is to be advised in writing of the reasons for the decision, what restrictions apply and for what period. Customers with restricted provision are to be reviewed on an annual basis.
- 5.28. The City may, at its discretion, seek legal advice with respect to implications of the suspected malicious, frivolous or vexatious Complaint.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. City of Busselton Customer Experience Charter
- 6.2. Local Government Act 1995
- 6.3. [Ombudsman Western Australia Guidelines Complaints Management](#)

7. REVIEW DETAILS

Review Frequency		3-yearly		
Council Adoption			Resolution #	
Previous Adoption	12 August 2020		Resolution #	C2008/078

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. City of Busselton Customer Experience Charter
- 6.2. Local Government Act 1995
- 6.3. [Ombudsman Western Australia Guidelines Complaints Management](#)

7. REVIEW DETAILS

Review Frequency		3-yearly		
Council Adoption			Resolution #	
Previous Adoption	12 August 2020		Resolution #	C2008/078



Council Policy

Council Policy Name: Complaints Management

Responsible Directorate: Finance and Corporate Services

Version: Adopted

1. PURPOSE

- 1.1. Council recognises the importance of receiving, acknowledging and resolving Complaints from its community, to improve service provision.
- 1.2. The purpose of this Policy is to provide guidance and set out expectations in relation to the City's Complaints management approach.

2. SCOPE

- 2.1. This Policy is applicable to the receipt and management of all Complaints as defined.
- 2.2. This Policy does not include those complaints dealt with under the *Local Government Act*, specifically being Part 4 - Division 9 Electoral Process, Part 4 - Division 10 Validity of Elections, Part 4 - Division 11 Electoral Offences, Part 5 - Division 6 Disclosure of Financial Interests and Gifts, and Part 5 - Division 9 Conduct of Certain Officials.

3. DEFINITIONS

Term	Meaning
Complaint	an expression of dissatisfaction with a level of service, repeated lack of promised service or response, or the conduct of any person employed by the City of Busselton, which is not anonymous, made to the City of Busselton through its Councillors, the Chief Executive Officer or any of its employees in writing or verbally, where a response or resolution is explicitly or implicitly expected
Policy	this City of Busselton Council policy titled "Complaints Management"

4. STRATEGIC CONTEXT

- 4.1. This Policy links to Strategic Theme 4. LEADERSHIP - A Council that connects with the community and is accountable in its decision making, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:
 - a. 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making; and
 - b. 4.4: Govern a professional organisation that is healthy, capable and engaged.

5. POLICY STATEMENT

- 5.1. The City of Busselton regards the provision of timely, impartial and equitable complaint resolution as a core strategic responsibility, and crucial to ensuring the delivery of quality services.
- 5.2. The City's Code of Conduct and its Customer Service Charter details expectations in relation to employee behaviour and levels of service.
- 5.3. The City will support and promote a culture where complaints are seen as opportunities to learn and improve service delivery.
- 5.4. The City will manage all Complaints in a manner that is:
 - a. focused on the customer with visible and accessible contact points provided for Complaints;
 - b. responsive and empathetic to people who have cultural and language differences, disabilities, literacy issues and requirements relating to remote access;
 - c. objective, fair and neutral;
 - d. confidential wherever possible and respectful of a person's privacy;
 - e. accountable and transparent, with appropriate and efficient record-keeping and decision-making;
 - f. outcome focused and ensures the customer is involved in the entire process until resolution of the Complaint;
 - g. free of reprisals against any person involved in the Complaint management process; and
 - h. accessible and accountable for the continued improvement of the management of Complaints.
- 5.5. A Complaint is not:
 - a. a request for service;
 - b. a request for information;
 - c. the lodging of an appeal in accordance with a standard procedure or policy;
 - d. a freedom of information enquiry;
 - e. an allegation of a breach of the law by a third party; or
 - f. an expression of dissatisfaction with a decision.
- 5.6. The CEO will establish operational practices and mechanisms to facilitate the objectives of this Policy and ensure they are available to the community.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. City of Busselton Customer Service Charter
- 6.2. City of Busselton Code of Conduct
- 6.3. *State Records Act 2000 (WA)*
- 6.4. CUS 100 (OPP) Complaints Handling Practice and Procedure

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	12 August 2020	Resolution #	C2008/078
Previous Adoption	DATE	24 April 2012	Resolution #	C1204/104



Council Policy

Council Policy Name: Complaint Management

Responsible Directorate: Corporate Strategy and Performance

Version: **DRAFT** committee recommendation

1. PURPOSE

1.1. The purpose of this Policy is to outline the City of Busselton's approach to Complaints management.

2. SCOPE

2.1. This Policy applies to Complaints received by the City of Busselton, as defined.

2.2. This Policy does not include Complaints dealt with under the *Local Government Act 1995* or associated regulations, specifically being:

- a. Part 4 - Division 9, Electoral Process
- b. Part 4 - Division 10, Validity of Elections
- c. Part 4 - Division 11, Electoral Offences
- d. Part 5 - Division 6, Disclosure of Financial Interests and Gifts, and
- e. Part 5 - Division 9, Conduct. Please refer to the Management of Complaints of Alleged Breaches of Behaviour Council Policy.

3. DEFINITIONS

Term	Meaning
Complaint	An expression of dissatisfaction made to the City of Busselton about its products, services, employees or the handling of a Complaint, where a response or resolution is explicitly or implicitly expected or legally required. A complaint is not: • a request for service; • a request for information; • the lodging of an appeal in accordance with a standard procedure or policy; • a freedom of information enquiry; • an allegation of a breach of the law by a third party; or • an expression of dissatisfaction with a decision.
Complainant	An individual who lodges a Complaint with City of Busselton.
Complaints Management Officer	Customer Service Coordinator or Manager Systems and Information
Policy	This policy titled 'Complaints Management'

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 4 LEADERSHIP	4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.
	4.4: Govern a professional organisation that is healthy, capable and engaged.

5. POLICY STATEMENT

- 5.1. The City of Busselton is committed to the provision of quality services and regards Complaints as an opportunity for continuous improvement.
- 5.2. Complaints will be managed in accordance with the following principles:
- Objective and Fair: the City will review all Complaints in a fair and unbiased manner, based on facts;
 - Respect and Privacy: the City will be respectful and ethical in the management of Complaints and will, as far practicable, protect information from unauthorised access, loss or misuse;
 - Accountability: the City will be accountable for its Complaints management processes and outcomes; and
 - Responsive: the City will respond to all Complainants in a timely fashion and will regularly communicate and inform parties involved.

Types of Complaints

- 5.3. Complaints received by officers in their day-to-day interactions and where an immediate resolution can be provided will not be recorded or have any formal complaint management approaches applied.
- 5.4. Complaints that cannot be resolved immediately, and where it is clear that the customer is seeking further resolution, will be recorded in the City's Customer Request Management (CRM) system and managed as in accordance with the approaches set out in this Policy.
- 5.5. Complaints will be recorded as either:

Complaints about service levels, or a lack of service	Complaints regarding the provision of a service or product.
Complaints about conduct of officers or contractors engaged by the City	Complaints regarding officer or contractor conduct.

Lodging of Complaints

- 5.6. A Complaint may be lodged through any of the following channels.
- Using the form on the 'Contact Us' page on the City of Busselton website: www.busselton.wa.gov.au/council/contact-us.aspx
 - In person during at the City of Busselton Administration Office at 2 Southern Drive, Busselton, WA between 08:30 and 16:30 on normal business days.
 - By telephone: 08 9781 0444 between 08:30 and 16:30 on normal business days.
 - By email to city@busselton.wa.gov.au.
 - By post to:
City of Busselton
2 Southern Drive
Busselton
WA 6280

- 5.7. Where a Complaint is made verbally, it will be recorded by the receiving officer and confirmed in writing with the Complainant.
- 5.8. At a minimum, the following information is to be supplied in order to effectively manage the Complaint
 - a. Complainant name and address (and organisation being represented, if relevant);
 - b. Complainant telephone number and / or email address;
 - c. Date and location of the situation causing the Complaint;
 - d. A description of the basis of the Complaint.
- 5.9. As part of the Complaint resolution process, the City may request additional information to substantiate a Complaint.
- 5.10. Complaints made to Elected Members will be provided to the CEO for processing in accordance with this Policy. They will not receive priority treatment over other Complaints.

Anonymous Complaints

- 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.
- 5.12. The City is unable to verify information or communicate the outcome of the complaint without knowing the full identity of the complainant.

Complaints Management Approach

- 5.13. Complaints requiring further resolution (as per point 5.4) will be referred to the Complaints Management Officer for recording.
- 5.14. Complaints will be acknowledged no later than 5 business days of receipt by the Complaints Management Officer.
- 5.15. The Complaint will be directed to an appropriate Manager/s to resolve.
- 5.16. Investigations into Complaints will be conducted in accordance with natural justice principles, with due consideration given to the rights of all parties involved.
- 5.17. Complaints will be resolved, where possible, within 10 working days of receipt. Complainants will be advised if there will be a delay and provided updates on the progress of the investigation at least every 10 working days.
- 5.18. On completion, the Complainant will be advised of the outcome in writing (this may, where appropriate, follow a phone call or face-to-face meeting). Where possible, the City will ensure the customer is satisfied before closing the Complaint in the CRM system. If the Complaint is not upheld the Complainant will be advised why.

Complaint Outcomes

- 5.19. When a Complaint is upheld, the City will determine if a remedy is appropriate, which may include:
 - a. an explanation;
 - b. an apology;
 - c. mediation;
 - d. a change in decision;
 - e. a change to policy, procedure or practice;
 - f. a correction of records;
 - g. refund of a fee;

- h. the remission of a penalty;
- i. internal corrective action;
- j. referral to an external agency for further investigation.

- 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.
- 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.

Expectations of Complainants

- 5.22. To help the City meet its customer service commitments, we ask customers to:
- a. Respect the rights of other customers;
 - b. Provide accurate and complete information so responses are appropriate to the enquiry; and
 - c. Cooperate with City officers to solve problems.
- 5.23. The City will not tolerate behaviours such as shouting, the use of abusive or obscene language, intimidation or acting in a threatening manner towards City officers.

Vexatious, Frivolous and Malicious Complaints

- 5.24. While Council endeavours to respond to all Complaints, there are times when there is nothing further which can reasonably be done to assist or rectify a real or perceived concern.
- 5.25. The CEO may refuse to respond to or manage a Complaint if they consider:
- a. there is nothing further which can reasonably be done to assist or rectify a real or perceived problem, and the Complainant has been advised of this previously;
 - b. The Complaint is trivial or frivolous;
 - c. the Complaint is made for the purpose of hurting another person (their career, their reputation or their livelihood);
 - d. resolution of the Complaint would place disproportionate and unreasonable demands on the City;
 - e. the Complainant is behaving in an unreasonable or abusive manner;
 - f. there is an unreasonable lack of cooperation from the Complainant, an unwillingness and/or inability to cooperate with the City, its employees (or agents);
 - g. the Complainant consistently makes Complaints of a trivial and / or frivolous matters.
- 5.26. The City may restrict, withhold or withdraw the provision of services to unreasonable Complainants by:
- a. only taking calls at specific times on specific days;
 - b. requiring the Complainant to make an appointment to meet with employees;
 - c. limiting all future dealings to writing;
 - d. only responding to future correspondence which provides significant new information about the Complaint or raises new issues which the City believes warrant fresh action; or
 - e. directing all contact to be through a specific employee or area.
- 5.27. The rationale and decision are to be documented and the customer is to be advised in writing of the reasons for the decision, what restrictions apply and for what period. Customers with restricted provision are to be reviewed on an annual basis.
- 5.28. The City may, at its discretion, seek legal advice with respect to implications of the suspected malicious, frivolous or vexatious Complaint.

6.6 Council Policy Review: Community Hire of City Property

Strategic Theme:	Key Theme 2: Lifestyle 2.3 Provide well planned sport and recreation facilities to support healthy and active lifestyles. 2.5 Facilitate events and cultural experiences that provide social connection.
Directorate:	Economic and Business Development
Reporting Officer:	Manager Economic Development and Property - Trevor Ayers
Authorised By:	Director Economic and Business Development - Maxine Palmer
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. Officer DRAFT Community Hire of City Property Clean [6.6.1 - 4 pages] 2. DRAFT Community Hire of City Property Tracked Changes [6.6.2 - 4 pages] 3. Committee Recommendation - DRAFT Community Hire of City Property Clean [6.6.3 - 4 pages]

COMMITTEE RECOMMENDATION

PL2407/22 Moved Cr Val Kaigg, seconded Cr Jarrod Kennedy

That the Council adopts the updated Council Policy – Community Hire of City Property (Attachment 1), to replace the current policy, inclusive Committee amendments so that the following points read as follows:

- 5.3 The City provides Sporting Grounds for seasonal hire in support of organised sport and recreational clubs such as:**
- 5.4 The City facilitates the one-off hire of Public Open Spaces for general community use, such as the following parks and beaches:**
- 5.5 The City facilitates the one-off hire of Community Facilities for general community and some commercial use, such as:**
- 5.6 The City facilitates the hire of the Cultural Precinct facilities for community use, such as:**

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

Reasons: The Committee proposed amendments to the Policy to clarify that there may be other spaces in the scope of the Policy, replacing the words 'these include' with 'such as'.

OFFICER RECOMMENDATION

That the Council adopts the updated Council Policy – Community Hire of City Property (Attachment 1), to replace the current policy.

EXECUTIVE SUMMARY

This report presents for the Council's consideration a revised Council Policy for 'Community Hire of City Property' as part of the City's ongoing policy review process.

STRATEGIC CONTEXT

This policy provides a framework for managing the hire of City property for community purposes.

BACKGROUND

The current Community Hire of City Property policy was adopted in September 2022. It is intended to facilitate community access and usage of a range of community facilities, public open spaces and sporting grounds to enable community programs, activities and services that provide a range of positive community outcomes.

OFFICER COMMENT

The existing policy (Attachment 3) has worked well since it was adopted. The amendments recommended bring it in line with changes to the City's operating environment that have occurred since it was adopted. This includes the addition of the Dunsborough Lakes Sporting Precinct and updating the name of the Busselton Performing Arts and Convention Centre to 'Saltwater'.

Statutory Environment

In accordance with Section 2.7(2)(b) of the *Local Government Act 1995* it is the role of the Council to determine the local government's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of that Act.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Community Hire of City Property](#)

Financial Implications

Not Applicable

External Stakeholder Consultation

Not Applicable

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place.

No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could require further amendments to the Policy.

CONCLUSION

A review of the Community Hire of City Property Policy has been undertaken with no substantive changes proposed. The policy is recommended for adoption by Council.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Community Hire of City Property

Responsible Directorate: Economic and Business Development

Version: **DRAFT** officer recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to provide a framework for equitable and consistent community access to City Property for hire.

2. SCOPE

- 2.1. This Policy applies to the hire of City Property for community purposes as well as some commercial use.
- 2.2. This Policy does not relate to events, approved outdoor eating areas, markets, buskers/street entertainers, leasehold use of land owned and managed by the City, or commercial use already covered by Council policy: Commercial use of City Land and Facilities.

3. DEFINITIONS

Term	Meaning
Community Facilities	halls, function venues and community centres owned and /or managed by the City
Co-Presentation	when expenses and ticket income are shared between the venue and the hirer at an agreed % split
City Property	Community Facilities, Public Open Space, and Sporting Grounds
In-Kind Use	provision of the venue and/or staff resources without a fee to the user
Policy	this City of Busselton Council policy titled "Community Hire of City Property"
Public Open Space	parks, beaches and reserves owned and/or managed by the City
Sporting Grounds	ovals, reserves and hard courts owned and/or managed by the City

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.3: Provide well planned sport and recreation facilities to support healthy and active lifestyles.
	2.5: Facilitate and plan for event and cultural experiences that provide social connection.

5. POLICY STATEMENT

- 5.1. To facilitate community access and usage, the City makes available a range of Community Facilities, Public Open Spaces and Sporting Grounds for hire, including one-off and seasonal hire.
- 5.2. The objectives of this Policy are:
- a. provide a framework for the use of City Property which enables community programs, activities and services that provide social, recreational, health and wellbeing outcomes in line with the Council's Strategic Community Plan;
 - b. ensure fair and equitable access and use of City Property to community groups and residents; and
 - c. support priority use of City Property to locally based organisations, groups, and individuals for community purposes that deliver a direct benefit to the district.

Sporting Grounds

- 5.3. The City provides Sporting Grounds for seasonal hire in support of organised sport and recreational clubs. These include:
- a. Barnard Park
 - b. Bovell Park
 - c. Churchill Park
 - d. Lou Weston
 - e. Sir Stewart Bovell Sporting Complex
 - f. Vasse Playing Fields
 - g. Dunsborough Playing Fields
 - h. Dunsborough Lakes Sporting Precinct

Public Open Spaces

- 5.4. The City facilitates the one-off hire of Public Open Spaces for general community use, including the following parks and beaches:
- a. Parks
 - i. Rotary Park
 - ii. Signal Park
 - iii. Mitchell Park
 - iv. Centennial Park
 - v. Dunsborough Lions Park
 - b. Beaches
 - i. Bunker Bay Beach
 - ii. Busselton Beach and Foreshore
 - iii. Dunsborough Beach and Foreshore
 - iv. Eagle Bay Beach
 - v. Meelup Beach
 - vi. Castle Rock Beach
 - vii. Point Piquet
 - viii. Smiths Beach
 - ix. Yallingup Beach

Community Facilities

- 5.5 The City facilitates the one-off hire of Community Facilities for general community and some commercial use. These include:
- a. Undalup Room (City Civic and Administration Building)
 - b. Busselton Community Resource Centre
 - c. Youth & Community Activities Building (YCAB)
 - d. High Street Hall
 - e. Yallingup Hall
 - f. Churchill Park Hall
 - g. Geographe Leisure Centre
 - h. Naturaliste Community Centre
 - i. City of Busselton Libraries

Cultural Precinct

- 5.6 The City facilitates the hire of the Cultural Precinct facilities for community use. These include:
- a. Saltwater (performing arts and convention centre)
 - b. Old Courthouse
 - c. Stables Studios
 - d. Stables Courtyard

General Conditions of Hire

- 5.7 Applications for community hire of City Property will be assessed using criteria such as:
- a. capacity of the venue, facility or public open space;
 - b. compatibility/suitability of the facility or property for the intended usage;
 - c. compatibility of use with other users and the surrounding community;
 - d. demand for the facility or property and usage history;
 - e. alignment of use with objectives of the Council's Community Strategic Plan;
 - f. the principles outlined in this Policy.
- 5.8 Further, specifically with reference to the Cultural Precinct
- b. applications may be made for Co-Presentation of events, opportunities will be at the discretion of the City;
 - c. use of the small meeting room is included with the hire of the Saltwater auditorium for local not-for-profits, community groups and schools; and
 - d. agreements may be negotiated with resident non-for-profit community groups including free use of rehearsal spaces, dressing rooms and green rooms.
- 5.9 The City may limit the use of City Property by groups and organisations to ensure fair and equitable access.
- 5.10 The City may decline requests for bookings that it determines unsuitable.
- 5.11 The City may impose conditions and a bond payment on booking.

- 5.12 Fees and charges for the community hire of City Property will be as per the City's Fees and Charges, reviewed annually. Applications may be made for In-Kind Use, support for this will be at the discretion of the City and dependent on demonstration of significant social benefit.
- 5.13 Venue management booking system, on-line contract of hire forms, facility profiles and terms of use will support the implementation and interpretation of this Policy.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Liquor Licensing Act 1988*
- 6.3. *Shire of Busselton Local Government Property Local Law 2010*
- 6.4. Council Policy: Commercial Use of City Land and Facilities
- 6.5. City of Busselton Contract of Hire Form
- 6.6. Application to Sell and Consume Alcohol
- 6.7. Rules and Regulations – City Venues and Public Open Spaces
- 6.8. Function Facilities for Hire Guidelines

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	21 September 2022	Resolution #	C2209/235



Council Policy

Council Policy Name: Community Hire of City Property

Responsible Directorate: ~~Finance~~Economic and Corporate Services~~Business Development~~

Version: ~~ADOPTED~~Draft

1. PURPOSE

- 1.1. The purpose of this Policy is to provide a framework for equitable and consistent community access to City Property for hire.

2. SCOPE

- 2.1. This Policy applies to the hire of City Property for community purposes: as well as some commercial use.
- 2.2. This Policy does not relate to events, approved outdoor eating areas, markets, buskers/street entertainers, leasehold use of land owned and managed by the City, or commercial use already covered by Council policy: Commercial use of City Land and Facilities.

3. DEFINITIONS

Term	Meaning
Community Facilities	halls, function venues and community centres owned and /or managed by the City
Co-Presentation	when expenses and ticket income are shared between the venue and the hirer at an agreed % split
City Property	Community Facilities, Public Open Space, and Sporting Grounds
In-Kind Use	provision of the venue and/or staff resources without a fee to the user
Policy	this City of Busselton Council policy titled "Community Hire of City Property"
Public Open Space	parks, beaches and reserves owned and/or managed by the City
Sporting Grounds	ovals, reserves and hard courts owned and/or managed by the City

4. STRATEGIC CONTEXT

- ~~4.1. This Policy links to Strategic Theme 2. — LIFESTYLE — A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan and specifically the following Strategic Priorities:~~
- ~~a. 2.1: Recognise, respect and support community diversity and cultural heritage; and~~
- ~~b. 2.5: Facilitate events and cultural experiences that provide social connection.~~

- ~~4.2. This Policy also links to Strategic Theme 3. — OPPORTUNITY — A vibrant City with diverse opportunities and a prosperous economy, of the City's Strategic Community Plan and specifically the following Strategic Priority:~~

~~3.1: Work with key partners to facilitate the activation of our town centres, creating vibrant destinations and consumer choice.~~

Strategic Theme	Strategic Priority
<u>KEY THEME 2</u> <u>LIFESTYLE</u>	<u>2.3: Provide well planned sport and recreation facilities to support healthy and active lifestyles.</u>

	<u>2.5: Facilitate and plan for event and cultural experiences that provide social connection.</u>
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5. POLICY STATEMENT

- 5.1. To facilitate community access and usage, the City makes available a range of Community Facilities, Public Open Spaces and Sporting Grounds for hire, including one-off and seasonal hire.
- 5.2. The objectives of this Policy are:
- a. provide a framework for the use of City Property which enables community programs, activities and services that provide social, recreational, health and wellbeing outcomes in line with the Council's Strategic Community Plan;
 - b. ensure fair and equitable access and use of City Property to community groups and residents; and
 - c. support priority use of City Property to locally based organisations, groups, and individuals for community purposes that deliver a direct benefit to the district.

Sporting Grounds

- 5.3. The City provides Sporting Grounds for seasonal hire in support of organised sport and recreational clubs, such as:
- a. Barnard Park
 - b. Bovell Park
 - c. Churchill Park
 - d. Lou Weston
 - e. Sir Stewart Bovell Sporting Complex
 - f. Vasse Playing Fields
 - g. Dunsborough Playing Fields
 - h. Dunsborough Lakes Sporting Precinct

Public Open Spaces

- 5.4. The City facilitates the one-off hire of Public Open Spaces for general community use, such as the following parks and beaches:
- a. Parks
 - i. Rotary Park
 - ii. Signal Park
 - iii. Mitchell Park
 - iv. Centennial Park
 - v. Dunsborough Lions Park
 - b. Beaches
 - i. Bunker Bay Beach
 - ii. Busselton Beach and Foreshore
 - iii. Dunsborough Beach and Foreshore
 - iv. Eagle Bay Beach
 - v. Meelup Beach
 - vi. Castle Rock Beach
 - vii. Point Piquet
 - viii. Smiths Beach

ix. Yallingup Beach

Community Facilities

~~5.5.~~ **5.5** The City facilitates the one-off hire of Community Facilities for general community and some commercial use, such as:

- a. Undalup Room (City Civic and Administration Building)
- b. Busselton Community Resource Centre
- c. Youth & Community Activities Building (YCAB)
- d. High Street Hall
- e. Yallingup Hall
- f. Churchill Park Hall
- g. Geographe Leisure Centre
- h. Naturaliste Community Centre
- i. City of Busselton Libraries

Cultural Precinct

~~5.6.~~ **5.6** The City facilitates the hire of the Cultural Precinct facilities for community use, such as:

- ~~a. Busselton Performing Arts and Convention Centre (BPACC, working title)~~
- a. Saltwater (performing arts and convention centre)
- b. Old Courthouse
- c. Stables Studios
- d. Stables Courtyard

General Conditions of Hire

~~5.7.~~ **5.7** Applications for community hire of City Property will be assessed using criteria such as:

- a. capacity of the venue, facility or public open space;
- b. compatibility/suitability of the facility or property for the intended usage;
- c. compatibility of use with other users and the surrounding community;
- d. demand for the facility or property and usage history;
- e. alignment of use with objectives of the Council's Community Strategic Plan;
- f. the principles outlined in this Policy.

~~5.8.~~ **5.8** Further, specifically with reference to the Cultural Precinct

- ~~a.~~ applications may be made for ~~In-Kind Use and~~ Co-Presentation of events. ~~The Venue Manager will determine the number of In-Kind Use and Co-Presentation, opportunities available annually will be at the discretion of the City;~~
- ~~a.b.~~ use of the small meeting room is included with In-Kind Use supported where there is demonstration of significant positive social impact; the hire of the Saltwater auditorium for local not-for-profits, community groups and schools; and
- ~~b.~~ fees for the use of meetings rooms within the BPACC will be waived for community hire pre, during and post an event being undertaken in the BPACC Auditorium;
- c. agreements may be negotiated with resident non-for-profit community groups including free use of rehearsal spaces, dressing rooms and green rooms; ~~and.~~

~~5.9.~~ 5.9 The City may limit the use of City Property by groups and organisations to ensure fair and equitable access.

~~5.10.~~ 5.10 The City may decline requests for bookings that it determines unsuitable.

~~5.11.~~ 5.11 The City may impose conditions and a bond payment on ~~bookings~~booking.

~~5.12.~~ 5.12 Fees and charges for the community hire of City Property will be as per the City's Fees and Charges, ~~reviewed annually~~ reviewed annually. Applications may be made for In-Kind Use, support for this will be at the discretion of the City and dependent on demonstration of significant social benefit.

~~5.13.~~ 5.13 ~~Application~~ Venue management booking system, on-line contract of hire forms, ~~information sheets, rules~~facility profiles and ~~condition~~terms of use ~~and guidelines~~ will support the implementation and interpretation of this Policy.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Liquor Licensing Act 1988*
- 6.3. *Shire of Busselton Local Government Property Local Law 2010*
- 6.4. Council Policy: Commercial Use of City Land and Facilities
- 6.5. City of Busselton Contract of Hire Form
- 6.6. Application to Sell and Consume Alcohol
- 6.7. Rules and Regulations – City Venues and Public Open Spaces
- 6.8. Function Facilities for Hire Guidelines

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	21 September 2022	Resolution #	C2209/235
Previous Adoption	DATE	21 September 2022 13 May 2020	Resolution #	C2209/235 C2005/128



Council Policy

Council Policy Name: Community Hire of City Property

Responsible Directorate: Economic and Business Development

Version: **DRAFT**
committee
recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to provide a framework for equitable and consistent community access to City Property for hire.

2. SCOPE

- 2.1. This Policy applies to the hire of City Property for community purposes as well as some commercial use.
- 2.2. This Policy does not relate to events, approved outdoor eating areas, markets, buskers/street entertainers, leasehold use of land owned and managed by the City, or commercial use already covered by Council policy: Commercial use of City Land and Facilities.

3. DEFINITIONS

Term	Meaning
Community Facilities	halls, function venues and community centres owned and /or managed by the City
Co-Presentation	when expenses and ticket income are shared between the venue and the hirer at an agreed % split
City Property	Community Facilities, Public Open Space, and Sporting Grounds
In-Kind Use	provision of the venue and/or staff resources without a fee to the user
Policy	this City of Busselton Council policy titled "Community Hire of City Property"
Public Open Space	parks, beaches and reserves owned and/or managed by the City
Sporting Grounds	ovals, reserves and hard courts owned and/or managed by the City

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.3: Provide well planned sport and recreation facilities to support healthy and active lifestyles.
	2.5: Facilitate and plan for event and cultural experiences that provide social connection.

5. POLICY STATEMENT

- 5.1. To facilitate community access and usage, the City makes available a range of Community Facilities, Public Open Spaces and Sporting Grounds for hire, including one-off and seasonal hire.
- 5.2. The objectives of this Policy are:
- a. provide a framework for the use of City Property which enables community programs, activities and services that provide social, recreational, health and wellbeing outcomes in line with the Council's Strategic Community Plan;
 - b. ensure fair and equitable access and use of City Property to community groups and residents; and
 - c. support priority use of City Property to locally based organisations, groups, and individuals for community purposes that deliver a direct benefit to the district.

Sporting Grounds

- 5.3. The City provides Sporting Grounds for seasonal hire in support of organised sport and recreational clubs, such as:
- a. Barnard Park
 - b. Bovell Park
 - c. Churchill Park
 - d. Lou Weston
 - e. Sir Stewart Bovell Sporting Complex
 - f. Vasse Playing Fields
 - g. Dunsborough Playing Fields
 - h. Dunsborough Lakes Sporting Precinct

Public Open Spaces

- 5.4. The City facilitates the one-off hire of Public Open Spaces for general community use, such as the following parks and beaches:
- a. Parks
 - i. Rotary Park
 - ii. Signal Park
 - iii. Mitchell Park
 - iv. Centennial Park
 - v. Dunsborough Lions Park
 - b. Beaches
 - i. Bunker Bay Beach
 - ii. Busselton Beach and Foreshore
 - iii. Dunsborough Beach and Foreshore
 - iv. Eagle Bay Beach
 - v. Meelup Beach
 - vi. Castle Rock Beach
 - vii. Point Piquet
 - viii. Smiths Beach
 - ix. Yallingup Beach

Community Facilities

- 5.5 The City facilitates the one-off hire of Community Facilities for general community and some commercial use, such as:
- a. Undalup Room (City Civic and Administration Building)
 - b. Busselton Community Resource Centre
 - c. Youth & Community Activities Building (YCAB)
 - d. High Street Hall
 - e. Yallingup Hall
 - f. Churchill Park Hall
 - g. Geographe Leisure Centre
 - h. Naturaliste Community Centre
 - i. City of Busselton Libraries

Cultural Precinct

- 5.6 The City facilitates the hire of the Cultural Precinct facilities for community use, such as:
- a. Saltwater (performing arts and convention centre)
 - b. Old Courthouse
 - c. Stables Studios
 - d. Stables Courtyard

General Conditions of Hire

- 5.7 Applications for community hire of City Property will be assessed using criteria such as:
- a. capacity of the venue, facility or public open space;
 - b. compatibility/suitability of the facility or property for the intended usage;
 - c. compatibility of use with other users and the surrounding community;
 - d. demand for the facility or property and usage history;
 - e. alignment of use with objectives of the Council's Community Strategic Plan;
 - f. the principles outlined in this Policy.
- 5.8 Further, specifically with reference to the Cultural Precinct
- a. applications may be made for Co-Presentation of events, opportunities will be at the discretion of the City;
 - b. use of the small meeting room is included with the hire of the Saltwater auditorium for local not-for-profits, community groups and schools; and
 - c. agreements may be negotiated with resident non-for-profit community groups including free use of rehearsal spaces, dressing rooms and green rooms.
- 5.9 The City may limit the use of City Property by groups and organisations to ensure fair and equitable access.
- 5.10 The City may decline requests for bookings that it determines unsuitable.
- 5.11 The City may impose conditions and a bond payment on booking.
- 5.12 Fees and charges for the community hire of City Property will be as per the City's Fees and Charges, reviewed annually. Applications may be made for In-Kind Use, support for this will be at the discretion of the City and dependent on demonstration of significant social benefit.
- 5.13 Venue management booking system, on-line contract of hire forms, facility profiles and terms of use will support the implementation and interpretation of this Policy.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Liquor Licensing Act 1988*
- 6.3. *Shire of Busselton Local Government Property Local Law 2010*
- 6.4. Council Policy: Commercial Use of City Land and Facilities
- 6.5. City of Busselton Contract of Hire Form
- 6.6. Application to Sell and Consume Alcohol
- 6.7. Rules and Regulations – City Venues and Public Open Spaces
- 6.8. Function Facilities for Hire Guidelines

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	21 September 2022	Resolution #	C2209/235

6.7 Council policy Review: Leasing of City Premises

Strategic Theme:	Key Theme 2: Lifestyle 2.12 Provide well maintained community assets through robust asset management practices. Key Theme 3: Opportunity 3.1 Work with key partners to facilitate the activation of our town centres, creating vibrant destinations and consumer choice.
Directorate:	Economic and Business Development
Reporting Officer:	Manager Economic Development and Property - Trevor Ayers
Authorised By:	Director Economic and Business Development - Maxine Palmer
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. DRAFT Leasing of City Premises [6.7.1 - 3 pages] 2. DRAFT Leasing of City Premises tracked changes [6.7.2 - 3 pages]

COMMITTEE RECOMMENDATION

PL2407/23 Moved Cr Jarrod Kennedy, seconded Cr Val Kaigg

That the Council adopts the amended Council Policy – Leasing of City Premises (as per Attachment 1), to replace the current policy.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

OFFICER RECOMMENDATION

That the Council adopts the amended Council Policy – Leasing of City Premises (as per Attachment 1), to replace the current policy.

EXECUTIVE SUMMARY

This report presents for the Council's consideration a revised Council Policy for 'Leasing of City Premises' as part of the City's policy review program.

STRATEGIC CONTEXT

The Leasing of City Premises policy provides the framework for the grant of a right of exclusive use of City Premises. It supports the provision of well-maintained community assets.

BACKGROUND

The Leasing of City Premises policy was last adopted in May 2020. It provides direction with regards to the use of a grant of exclusive use of City Premises with the exception of residential properties that are subject to joint venture agreements with the State of Western Australia, which are administered in line with the joint venture agreements.

OFFICER COMMENT

The existing policy has provided good guidance for the most part since it was adopted in May 2020. As part of the review, minor amendments have been made to contemplate residential properties that Council leases (see Attachment 2).

Statutory Environment

In accordance with Section 2.7(2)(b) of the Local Government Act 1995 it is the role of the Council to determine the local government's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of that Act.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Leasing of City Premises](#)

Financial Implications

Not Applicable

External Stakeholder Consultation

Not Applicable

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could require further amendments to the Policy.

CONCLUSION

A review of the Commercial Use of City land and Facilities policy has been undertaken with updates to include the City's residential properties made. The policy is recommended for adoption by Council.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Leasing of City Premises

Responsible Directorate: Economic and Business Development

Version: DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to ensure City Premises are managed responsibly to provide a range of benefits to the community and/or a commercial return to the City.

2. SCOPE

- 2.1. This Policy is applicable to any grant of a right of exclusive use of City Premises within the City of Busselton. A Lease may include a Licence which is ancillary to the main purpose of the Lease.
- 2.2. Agreements for occasional, short-term hire or non-exclusive use of Council property are outside of the scope of this Policy.
- 2.3. Agreements relating to residential properties subject to Joint Venture agreements with the State of Western Australia are outside the scope of this Policy.

3. DEFINITIONS

Term	Meaning
City Premises	land and/or buildings owned or managed by the City
Lease	an agreement in which the Landlord (or Lessor) agrees to give the Tenant (or Lessee) the exclusive right to occupy land for a specific term
Licence	a contractual right to use land or buildings for a specified purpose without the right of exclusive possession
Policy	this City of Busselton Council policy titled "Leasing of City Premises"

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.5: Facilitate and plan for event and cultural experiences that provide social connection.
	2.12: Provide well maintained community assets through robust asset management practices.
KEY THEME 3 OPPORTUNITY	3.1: Work with key partners to facilitate the activation of our town centres, creating vibrant destinations and consumer choice.

5. POLICY STATEMENT

- 5.1. A decision to lease City Premises should be based on the achievement or promotion of positive social, economic and environmental outcomes and the most advantageous use.
- 5.2. In considering whether to enter into a Lease for City Premises, the following factors will be considered where relevant:

- a. the ability of the prospective tenant to fund, resource and manage the Lease over the proposed term;
 - b. potential opportunities for future utilisation of the asset;
 - c. the extent and current use of the site and the impact on adjoining premises;
 - d. the need for wider stakeholder consultation;
 - e. impacts on social, economic, and environmental outcomes;
 - f. the potential impact of any related capital works program;
 - g. any statutory restrictions or obligations relating to heritage or conservation of the site.
- 5.3. Relevant additional factors when considering a Lease or Licence to a not for profit organisation or entity include:
- a. the benefit to the community;
 - b. the promotion of public health and wellbeing;
 - c. protection of public land values;
 - d. impacts on social, economic, and environmental outcomes;
 - e. the history, purposes and governance of the organisation.
- 5.4. Relevant additional factors when considering a Lease or Licence to a commercial entity include:
- a. the potential to attract investment and enhance amenities in the district;
 - b. the creation of employment;
 - c. the promotion of tourism;
 - d. economic return;
 - e. impacts on social, environmental, and economic outcomes.

Term

- 5.5. To achieve a balance between the need for security of tenure and utilisation of community resources in an appropriate and effective manner:
- a. the recommended term of a Lease or Licence to not for profit organisations is a period of 5 years with an option to extend the term by a further 5 years;
 - b. subject to meeting certain additional criteria, and where there are exceptional circumstances, Leases and Licences for a duration greater than 5 plus 5 years may be considered in conjunction with additional criteria or conditions such as a review of the leased area, rent or other terms;
 - c. where consistency with the City's business plan, future strategies or overall management requirements would be supported or enhanced, Leases or Licences of a shorter duration may be appropriate;
 - d. the term of commercial and residential Leases will be negotiated on a case by case basis.

Rent

- 5.6. Not for profit Lessees will generally be charged a nominal rent as a contribution towards the administration costs to the City of managing the Lease.
- 5.7. The City reserves the right to negotiate a higher rent where the permitted use of the City Premises enables the lessee to generate periodic or regular income from their activities or the City are responsible for maintenance of all or part of the Premises.
- 5.8. Rent and other payments associated with commercial and residential Leases will be negotiated on a case by case basis.

Form of Lease

- 5.9. The City's standard community group Lease will be used for all Leases to not for profit lessees unless circumstances require otherwise. The need for any specific terms and conditions relative to the unique nature or requirements of the City Premises will also be considered where appropriate.

State Government Agencies and Providers of Essential Services

- 5.10. Leases to State government agencies or organisations providing essential services will generally be granted a longer term reflective of the nature of the service or facility provided. The Lease in such circumstances will require the lessee to take full responsibility for construction and ongoing maintenance of the facility and associated outgoings.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Land Administration Act 1997*
- 6.3. *Residential Tenancies Act 1987*
- 6.4. *Commercial Tenancy (Retail Shops) Agreement Act 1985*
- 6.5. City Guidelines for Tenants (Community and Sporting Groups)
- 6.6. Council Policy 'Commercial Use of City Land and Facilities'
- 6.7. Council Policy 'Community Hire of City Premises'

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	13 May 2020	Resolution #	C2005/127



Council Policy

Council Policy Name: Leasing of City Premises

Responsible Directorate: ~~Finance~~Economic and Corporate Services~~Business Development~~

Version: ~~Adopted~~DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to ensure City Premises are ~~preserved and~~ managed responsibly ~~in a manner that provides to provide~~ a range of ~~quality services and~~ benefits to the community ~~and/or a commercial return to the City.~~

2. SCOPE

- 2.1. This Policy is applicable to any grant of a right of exclusive use of City Premises within the City of Busselton. A Lease may include a Licence which is ancillary to the main purpose of the Lease.
- 2.2. Agreements for occasional, short-term hire or non-exclusive use of Council property are outside of the scope of this Policy.
- 2.3. Agreements relating to residential properties subject to Joint Venture agreements with the State of Western Australia are outside the scope of this Policy.

3. DEFINITIONS

Term	Meaning
City Premises	land and/or buildings owned or managed by the City
Lease	an agreement in which the Landlord (or Lessor) agrees to give the Tenant (or Lessee) the exclusive right to occupy land for a specific term
Licence	a contractual right to use land or buildings for a specified purpose without the right of exclusive possession
Policy	this City of Busselton Council policy titled "Leasing of City Premises"

4. STRATEGIC CONTEXT

- ~~4.1. This Policy links to Strategic Theme 2. — LIFESTYLE — A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priorities:~~
- ~~a. 2.5: Facilitate events and cultural experiences that provide social connection; and~~
- ~~b. 2.12: Provide well maintained community assets through robust asset management practices.~~

Strategic Theme	Strategic Priority
<u>KEY THEME 2 LIFESTYLE</u>	<u>2.5: Facilitate and plan for event and cultural experiences that provide social connection.</u>
	<u>2.12: Provide well maintained community assets through robust asset management practices.</u>
<u>KEY THEME 3 OPPORTUNITY</u>	<u>3.1: Work with key partners to facilitate the activation of our town centres, creating vibrant destinations and consumer choice.</u>

5. POLICY STATEMENT

- 5.1. A decision to lease City Premises should be based on the achievement or promotion of positive social, economic and environmental outcomes and the most advantageous use.
- 5.2. In considering whether to enter into a Lease for City Premises, the following factors will be considered where relevant:
 - a. the ability of the prospective tenant to fund, resource and manage the Lease over the proposed term;
 - b. potential opportunities for future utilisation of the asset;
 - c. the extent and current use of the site and the impact on adjoining premises;
 - d. the need for wider stakeholder consultation;
 - e. impacts on social, economic, and environmental outcomes;
 - f. the potential impact of any related capital works program;
 - g. any statutory restrictions or obligations relating to heritage or conservation of the site.
- 5.3. Relevant additional factors when considering a Lease or Licence to a not for profit organisation or entity include:
 - a. the benefit to the community;
 - b. the promotion of public health and wellbeing;
 - c. protection of public land values;
 - d. impacts on social, economic, and environmental outcomes;
 - e. the history, purposes and governance of the organisation.
- 5.4. Relevant additional factors when considering a Lease or Licence to a commercial entity include:
 - a. the potential to attract investment and enhance amenities in the district;
 - b. the creation of employment;
 - c. the promotion of tourism;
 - d. economic return;
 - e. impacts on social, environmental, and economic outcomes.

Term

- 5.5. To achieve a balance between the need for security of tenure and utilisation of community resources in an appropriate and effective manner:
 - a. the recommended term of a Lease or Licence to not for profit organisations is a period of 5 years with an option to extend the term by a further 5 years~~;~~
 - b. subject to meeting certain additional criteria, and where there are exceptional circumstances, Leases and Licences for a duration greater than 5 plus 5 years may be considered in conjunction with additional criteria or conditions such as a review of the leased area, rent or other terms~~;~~
 - c. where consistency with the City's business plan, future strategies or overall management requirements would be supported or enhanced, Leases or Licences of a shorter duration may be appropriate~~;~~
 - d. the term of commercial and residential Leases will be negotiated on a case by case basis.

Rent

- 5.6. Not for profit Lessees will generally be charged a nominal rent as a contribution towards the administration costs to the City of managing the Lease.
- 5.7. The City reserves the right to negotiate a higher rent where the permitted use of the City Premises enables the lessee to generate periodic or regular income from their activities or the City are responsible for maintenance of all or part of the Premises.
- 5.8. Rent and other payments associated with commercial and residential Leases will be negotiated on a case by case basis.

Form of Lease

- 5.9. The City's standard community group Lease will be used for all Leases to not for profit lessees unless circumstances require otherwise. The need for any specific terms and conditions relative to the unique nature or requirements of the City Premises will also be considered where appropriate.

State Government Agencies and Providers of Essential Services

- 5.10. Leases to State government agencies or organisations providing essential services will generally be granted a longer term reflective of the nature of the service or facility provided. The Lease in such circumstances will require the lessee to take full responsibility for construction and ongoing maintenance of the facility and associated outgoings.

6. RELATED DOCUMENTATION / LEGISLATION

6.1. *Local Government Act 1995*

6.2. *Land Administration Act 1997*

~~6.3. *Leasing Residential Tenancies Act 1987*~~

~~6.4. *Commercial Tenancy (Retail Shops) Agreement Act 1985*~~

~~6.3-6.5. *City Guidelines for Tenants (Community and Sporting Groups)*~~

~~6.4. *Council Policy 'Commercial Use of City Premises Operational Practice Land and Facilities'*~~

~~6.6. *Council Policy 'Community Hire of City Premises'*~~

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	13 May 2020	Resolution #	C2005/127
Previous Adoption	DATE	13 May 2020 July 2016	Resolution #	C2005/127 C1607/167

6.8 Council Policy Review: Management of Complaints of Alleged Breaches of Behaviour

Strategic Theme:	Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
Directorate:	Corporate Strategy and Performance
Reporting Officer:	Governance and Risk Coordinator - Tegan Robertson
Authorised By:	Director Corporate Strategy and Performance - Sarah Pierson
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. DRAFT Management of Complaints of Alleged Breaches of Behaviour [6.8.1 - 4 pages] 2. DRAFT Management of Complaints of Alleged Breaches of Behaviour - tracked changes [6.8.2 - 4 pages]

COMMITTEE RECOMMENDATION

PL2407/24 Moved Cr Mikayla Love, seconded Cr Jarrod Kennedy

That the Council adopts the Council Policy: Management of Complaints of Alleged Breaches of Behaviour as per Attachment 1 to replace the current policy.

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

OFFICER RECOMMENDATION

That the Council adopts the Council Policy: Management of Complaints of Alleged Breaches of Behaviour as per Attachment 1 to replace the current policy (attachment 3).

EXECUTIVE SUMMARY

In April 2024, the Council reviewed the City's complaints management framework and resolved (C2404/102) to disband the Behaviour Complaints Committee and have complaints dealt with by the Council as a whole. The Council Policy: Management of Complaints of Alleged Breaches of Behaviour (the Policy) has been subsequently reviewed and updated, and is presented for Council adoption at Attachment 1.

STRATEGIC CONTEXT

A well functioning framework for the management of alleged breaches of behaviour by Council and Committee members supports strategic priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

BACKGROUND

On 10 November 2021, the Council resolved to establish the Behaviour Complaints Committee and adopt the Behaviour Complaints Policy, for the purpose of dealing with complaints submitted under Part 3, clause 13 of the City of Busselton Code of Conduct for Council Members, Committee Members and Candidates (Elected Members Code of Conduct). Collectively these created the framework for the management of behaviour complaints including how a complaint is made and how a complaint is dealt with (e.g. assessment, findings, action plans etc.).

On 18 October 2023, as part of the committee review process, the Council endorsed the Behaviour Complaints Committee Terms of Reference which stated that the Council will appoint all elected members to the committee. At the special meeting on 25 October 2023, elected members were asked to resolve on committee appointments. No elected members were required to formally nominate for the Behaviour Complaints Committee given the Council's Terms of Reference stating that its membership was all elected members. At the meeting Councillors Macnish and Ryan expressed concerns about being appointed to a committee they had not nominated for. The Council resolved 7-2 (with Councillors Macnish and Ryan voting against) to make the committee appointments, which included appointing all elected members to the Behaviour Complaints Committee, as per its terms of reference.

After the 25 October 2023 special meeting, Cr Ryan sought to resign from the Behaviour Complaints Committee, giving notice to the CEO on 3 November 2023. Cr Macnish also sought to resign from the Behaviour Complaints Committee, giving notice to the CEO on 6 November 2023.

At the ordinary Council meeting on 15 November 2023 the Council resolved that the CEO provide a further report on the relevance of retaining/replacing the Behaviour Complaints Committee. At the special meeting on 29 November 2023 at 4:30pm the Council resolved to remove all appointed members from the Behaviour Complaints Committee pending the further review contemplated by the 15 November 2023 resolution.

At the ordinary Council meeting on 17 April 2024, the Council were provided a report outlining the outcomes of a review of the behaviour complaints management framework by officers. Upon consideration, the Council resolved (C2404/102):

That the Council disband the Behaviour Complaints Committee (and have complaints dealt with by the Council as a whole). Consequential documents to be re-worded to reflect this.

OFFICER COMMENT

The Policy has been updated to remove references to the Behaviour Complaints Committee and reflect (per Council resolution C2404/102) that complaints of alleged breaches of behaviour by Council and Committee members will be provided the Council to determine:

- To dismiss the complaint in accordance with clause 14.1 of the Code;
- To find the alleged breach has occurred and decide no further action is required;

- To find the alleged breach has occurred, decide that further action is required and request that the Complaints Officer prepare an action plan; or
- To find that the alleged breach has not occurred.

It is also recommended that the Policy be amended to remove access to mediation. Most recently mediation has cost approximately \$3,000 (ex GST) per complaint. The cost of mediation is relatively high and has not delivered value to the complaints management process (i.e. no mediated outcomes), therefore it is recommended it is removed as an option through the complaint management process.

Further minor amendments are also recommended to streamline the Policy's readability.

Statutory Environment

Section 5.103 of the *Local Government Act 1995* (the Act) [Model code of conduct for council members, committee members and candidates] provides that regulations must prescribe a Model code of conduct for council members, committee members and candidates (Model Code) and must include:

- a) general principles to guide behaviour; and
- b) requirements relating to behaviour; and
- c) provisions specified to be rules of conduct; and
- d) may include provisions about how to deal with alleged breaches of the behaviour requirements.

Section 5.104 of the Act provides that a local government must prepare and adopt by absolute majority a code of conduct to be observed by council members, committee members and candidates, and which incorporates the Model Code. The *Local Government (Model Code of Conduct) Regulations 2021* prescribe the Model Code of Conduct for Council Members, Committee Members and Candidates. The City's Elected Members Code of Conduct complies with these requirements.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Management of Complaints of Alleged Breaches of Behaviour](#)

Financial Implications

Not applicable.

External Stakeholder Consultation

Not applicable.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could:

1. Not adopt the amended Policy.
2. Adopt the policy with further Amendments.

CONCLUSION

The amended Policy at attachment 1 is recommended for adoption by the Council, as it supports a well-functioning framework for the management of alleged breaches of behaviour by Council and Committee members.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City's website	Within two weeks of adoption



Council Policy

Council Policy Name: Management of Complaints of Alleged Breaches of Behaviour
Responsible Directorate: Corporate Strategy and Performance **Version:** DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the City's approach to the management of complaints relating to alleged breaches of the behaviour requirements in Part 3 of the City of Busselton Code of Conduct for Council Members, Committee Members and Candidates (the Code).

2. SCOPE

- 2.1. This Policy is applicable to complaints about alleged breaches of the behaviour requirements in Part 3 of the Code, and should be read in conjunction with the Code.
- 2.2. A breach of Part 4 of the Code is a minor breach under section 5.105(1) of the Act, and is not the intended subject of this Policy. The following are inappropriate to be dealt with under this Policy:
- a. complaints made with the intent of addressing personal grievances or disagreements;
 - b. complaints made to express dissatisfaction with a council or committee member's lawfully made decisions or performance of their role;
 - c. minor breaches under section 5.105(1) of the Act;
 - d. serious breaches under section 5.114 of the Act; and
 - e. allegations of corruption.

3. DEFINITIONS

Term	Meaning
Act	the <i>Local Government Act 1995</i>
Complaints Officer	a person authorised in writing by Council resolution or by the CEO exercising delegated authority under clause 12.3 of the Code to receive complaints and withdrawals of complaints and in accordance with this Policy.
Complainant	a person lodging a complaint
Assessor	an impartial third party, appointed by the CEO, with the skills, knowledge and experience to assess complaints in accordance with this Policy.
Policy	this City of Busselton Council policy titled "Management of Complaints of Alleged Breaches of Behaviour".
Respondent	the council or committee member to whom a complaint relates

4. STRATEGIC CONTEXT

- 4.1. This Policy links to Key Theme 4 - Leadership of the City's Strategic Community Plan 2021-2031 and specifically the Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

5. POLICY STATEMENT

- 5.1. The Code provides requirements for the behaviour of council members, committee members and candidates.
- 5.2. The Code sets out requirements for:
 - a. making a complaint;
 - b. dealing with a complaint;
 - c. dismissal of a complaint; and
 - d. withdrawal of a complaint.
- 5.3. This Policy further outlines how the City will deal with a complaint of alleged breaches of the behavioural requirements set out in the Code.

Complaint Submission and Response

- 5.4. A complaint must be submitted to the Complaints Officer and cannot be submitted anonymously.
- 5.5. The Complaints Officer, within 7 days of receiving a complaint:
 - a. will contact the Complainant acknowledging that the complaint has been received;
 - b. will outline the process that will be followed and the application of confidentiality;
 - c. will provide the Respondent with a copy of the complaint, including the name of the Complainant; and the City's response form.
- 5.6. The Respondent will complete and submit the response form to the Complaints Officer within 7 days of receiving notification from the Complaints Officer.
- 5.7. If more than one complaint is received that relates to the same alleged behaviour, the Complaints Officer may determine to progress those complaints concurrently.

Assessment of the Complaint

- 5.8. Within 7 days of receiving a response from the Respondent, the Complaints Officer will undertake a review of the complaint to determine:
 - a. whether it must be dismissed under Clause 14.1 of the Code; or
 - b. whether the complaint will be referred to an Assessor; or
 - c. whether the alleged behaviour breach has occurred.
- 5.9. Where a complaint is to be referred to an Assessor, the Complaints Officer must engage an Assessor within 14 days of receiving a response from the Respondent.
- 5.10. The Assessor must provide to the Complaints Officer a report containing a determination within 21 days of receiving a copy of the complaint and response.
- 5.11. In assessing the complaint, the Assessor may request the Complaints Officer to search for any relevant records in the City's record management system.

Council finding

- 5.12. Following the completion of the assessment, the Complaints Officer must present each complaint to the Council in a confidential report at the next practicable ordinary Council meeting. The report is to include:
 - a. a copy of the complaint and any supporting attachments;
 - b. a copy of the response and any supporting attachments;
 - c. the report of the Assessor where relevant;

- d. a recommendation from the Complaints Officer as to whether or not a breach of behaviour has occurred;
 - e. a recommendation from the Complaints Officer as to whether any further action is required.
- 5.13. Based on the Complaints Officer's report, and the evidence presented, the Council must either:
- a. dismiss the complaint in accordance with clause 14.1 of the Code;
 - b. find the alleged breach has occurred and decide no further action is required;
 - c. find the alleged breach has occurred, decide that further action is required and request that the Complaints Officer prepare an action plan; or
 - d. find that the alleged breach has not occurred.
- 5.14. In deciding whether to implement an action plan, the Council should consider:
- a. the nature and seriousness of the breach(es);
 - b. any submission made by the person to whom the complaint relates;
 - c. whether the person to whom the complaint relates breached the Code knowingly or carelessly;
 - d. whether the person to whom the complaint relates has breached the Code on previous occasions; and
 - e. any other matters which may be regarded as contributing to the conduct or mitigating its seriousness.

Confidentiality of complaints

- 5.15. The complaint, response and any deliberations and assessment by the Complaints Officer and / or Assessor are confidential as they relate to the affairs of a person.
- 5.16. The Council's findings and reasons will be published in the relevant Council meeting minutes.

Action plans

- 5.17. If the Council has made a finding in accordance with clause 5.16(c) of the Policy to prepare an action plan, the Complaints Officer will prepare an action plan in consultation with the person to whom the complaint relates or engage a suitably qualified third party to prepare an action plan.
- 5.18. An action plan should outline:
- a. the behaviour/s of concern;
 - b. the actions to be taken to address the behaviour/s;
 - c. who is responsible for the actions; and
 - d. an agreed timeframe for the actions to be completed.

Compliance with plan requirement

- 5.19. The Complaints Officer is to monitor the actions and timeframes set out in an action plan.
- 5.20. Failure to comply with a requirement included in an action plan is a minor breach under section 5.105(1) of the *Local Government Act 1995* and clause 24.1 of the Code.
- 5.21. The Complaints Officer must provide a report to the Council advising of any failure to comply with a requirement included in an action plan.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Local Government (Model Code of Conduct) Regulations 2021*
- 6.3. [City of Busselton Code of Conduct for Council Members, Committee Members and Candidates](#)
- 6.4. Code of Conduct Alleged Breach Form

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE			
Previous Adoption	DATE	27 July 2022	Resolution #	C2207/189



Council Policy

Council Policy Name: Management of Complaints of Alleged Breaches of Behaviour
Responsible Directorate: Finance and Corporate Services Strategy and Performance **Version:** Adopted DRAFT

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the City's approach to the management of complaints relating to alleged breaches of the behaviour requirements in Part 3 of the City of Busselton Code of Conduct for Council Members, Committee Members and Candidates (the Code).

2. SCOPE

- 2.1. This Policy is applicable to complaints about alleged breaches of the behaviour requirements in Part 3 of the Code, and should be read in conjunction with the Code.
- 2.2. A breach of Part 4 of the Code is a minor breach under section 5.105(1) of the Act, and is not the intended subject of this Policy. The following are inappropriate to be dealt with under this Policy:
- a. complaints made with the intent of addressing personal grievances or disagreements;
 - b. complaints made to express dissatisfaction with a council or committee member's lawfully made decisions or performance of their role;
 - c. minor breaches under section 5.105(1) of the Act;
 - d. serious breaches under section 5.114 of the Act; and
 - e. allegations of corruption.

3. DEFINITIONS

Term	Meaning
<u>Committee Act</u>	the Behaviour Complaints Committee established under section 5.8 of the Local Government Act 1995 and delegated the power to make findings of complaints of alleged breaches of Part 3 of the Code
Complaints Officer	a person authorised in writing by Council resolution or by the CEO exercising delegated authority under clause 12.3 of the Code to receive complaints and withdrawals of complaints and in accordance with this Policy.
Complainant	a person lodging a complaint
Assessor	an impartial third party, appointed by the CEO, with the skills, knowledge and experience to assess complaints in accordance with this Policy.
<u>Mediator</u>	an impartial third party, appointed by the CEO, with the skills, knowledge and experience to facilitate mediation between the person to whom the complaint relates and the complainant in accordance with this Policy.
Policy	this City of Busselton Council policy titled "Management of Complaints of Alleged Breaches of Behaviour".
Respondent	the Council <u>council</u> or Committee <u>committee</u> member to whom a complaint relates

4. STRATEGIC CONTEXT

- 4.1. This Policy links to Key Theme 4 - Leadership of the City's Strategic Community Plan 2021-2031 and specifically the Strategic Priority 4.2: Deliver governance systems that facilitate open, ethical and transparent decision making.

5. POLICY STATEMENT

- 5.1. The Code provides ~~for~~ requirements ~~relating to~~for the behaviour of council members, committee members and candidates.
- 5.2. The Code sets out requirements for:
- making a complaint;
 - dealing with a complaint;
 - dismissal of a complaint; and
 - withdrawal of a complaint.
- 5.3. This Policy further outlines how the City will deal with a complaint of alleged breaches of the behavioural requirements set out in the Code.

Complaint Submission and Response

- 5.4. A complaint must be submitted to the Complaints Officer and cannot be submitted anonymously.
- 5.5. The Complaints Officer, within 7 days of receiving a complaint:
- will contact the Complainant acknowledging that the complaint has been received;
 - will outline the process that will be followed and the application of confidentiality;
 - will provide the Respondent with a copy of the complaint, including the name of the Complainant; and the City's response form.
- 5.6. The Respondent will complete and submit the response form to the Complaints Officer within 7 days of receiving notification from the Complaints Officer.
- 5.7. If more than one complaint is received that relates to the same alleged behaviour, the Complaints Officer may determine to progress those complaints concurrently.
- ~~5.8. If mediation is requested by both parties, the Complaints Officer will appoint a Mediator and the assessment timelines outlined in this Policy will be suspended until such time as the mediation is finalised in accordance with paragraph 5.9 or discontinued.~~
- ~~5.9. The Complainant must within 5 days of mediation lodge a withdrawal of complaint in accordance with the Code, or the assessment of the complaint will continue.~~

Assessment of the Complaint

- ~~5.10~~5.8. Within 7 days of receiving a response from the Respondent, the Complaints Officer will undertake a review of the complaint to determine:
- whether it ~~could~~must be dismissed under Clause 14.1 of the Code; or
 - whether ~~they will refer~~ the complaint will be referred to an Assessor; or
 - ~~make an assessment themselves as to~~ whether the alleged behaviour breach has occurred.
- ~~5.11~~5.9. Where a complaint is to be referred to an Assessor, the Complaints Officer must engage an Assessor within 14 days of receiving a response from the Respondent.

~~5.12.5.10.~~ The Assessor must provide to the Complaints Officer a report containing a determination within 21 days of receiving a copy of the complaint and response.

~~5.13.5.11.~~ In assessing the complaint, the Assessor may request the Complaints Officer to search for any relevant records in the City's record management system.

A meeting of Council finding

~~5.14.~~ Following the Committee must be convened:

- ~~a. within 14 days after receipt completion of the Assessor's assessment; or~~
- ~~b. where recommended for dismissal or assessed by, the Complaints Officer, within 21 days of the Complaints Officer having received the response from the Respondent.~~

Committee finding

~~5.15.5.12.~~ The Complaints Officer must present each complaint to the Committee Council in a confidential report at the next practicable ordinary Council meeting. The report is to include:

- a. a copy of the complaint and any supporting attachments;
- b. a copy of the response and any supporting attachments;
- c. the report of the Assessor where relevant;
- d. a recommendation ~~on from~~ the question Complaints Officer as to whether or not a breach of behaviour has occurred;
- e. a recommendation from the Complaints Officer as to whether any further action is required.

~~5.16.5.13.~~ Based on the Complaints Officer's report, and the evidence presented, the Committee Council must do one of the following either:

- a. dismiss the complaint in accordance with clause 14.1 of the Code;
- b. find the alleged breach has occurred and decide no further action is required;
- c. find the alleged breach has occurred, decide that further action is required and request that the Complaints Officer prepare an action plan; or
- d. find that the alleged breach has not occurred.

~~5.17.5.14.~~ In deciding whether to implement an action plan, the Committee Council should consider:

- a. the nature and seriousness of the breach(es);
- b. any submission made by the person to whom the complaint relates;
- c. whether the person to whom the complaint relates breached the Code knowingly or carelessly;
- d. whether the person to whom the complaint relates has breached the Code on previous occasions; and
- e. any other matters which may be regarded as contributing to the conduct or mitigating its seriousness.

Confidentiality of complaints

~~5.15.~~ The complaint, response and any deliberations and assessment by the Complaints Officer and / or Assessor are confidential as they relate to the affairs of a person.

~~5.16.~~ The Council's findings and reasons will be published in the relevant Council meeting minutes.

Action plans

~~5.18.5.17.~~ If the Committee Council has made a finding in accordance with clause 5.16(c) of the Policy to prepare an action plan, the Complaints Officer will prepare an action plan in consultation with the person to whom the complaint relates or engage a suitably qualified third party to prepare an action plan.

~~5.19.5.18.~~ An action plan should outline:

- a. the behaviour/s of concern;

- b. the actions to be taken to address the behaviour/s;
- c. who is responsible for the actions; and
- d. an agreed timeframe for the actions to be completed.

Confidentiality of complaints

~~5.20. The complaint, response and any deliberations and assessment by the Complaints Officer/ Assessor are confidential as they relate to the affairs of a person.~~

~~5.21. The Committee's findings and reasons will be published in the Committee minutes.~~

Compliance with plan requirement

~~5.22-5.19.~~ The Complaints Officer is to monitor the actions and timeframes set out in an action plan.

~~5.23-5.20.~~ Failure to comply with a requirement included in an action plan is a minor breach under section 5.105(1) of the *Local Government Act 1995* and clause 24.1 of the Code.

~~5.24-5.21.~~ The Complaints Officer must provide a report to the Council advising of any failure to comply with a requirement included in an action plan.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. *Local Government Act 1995*
- 6.2. *Local Government (Model Code of Conduct) Regulations 2021*
- ~~6.3. City of Busselton Code of Conduct for Council Members, Committee Members and Candidates~~
- ~~6.3. City of Busselton Code of Conduct for Council Members, Committee Members and Candidates~~
- 6.4. Code of Conduct Alleged Breach Form

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	27 July 2022	Resolution #	C2207/189
Previous Adoption	DATE	27 July 2022 10 November 2021	Resolution #	C2207/189 C2111/087

6.9 Council Policy Review Tourism Directional Signage

Strategic Theme:	Key Theme 3: Opportunity 3.3 Continue to promote the District as the destination of choice for events and unique tourism experiences.
Directorate:	Infrastructure and Environment
Reporting Officer:	Land and Infrastructure Officer - Andrew Scott
Authorised By:	Director Infrastructure and Environment - Oliver Darby
Nature of Decision:	Executive: Substantial direction setting, including adopting budgets, strategies, plans and policies (excluding local planning policies); funding, donations and sponsorships; reviewing committee recommendations.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	1. Officer DRAFT Tourism Directional Information Signage 1 [6.9.1 - 2 pages] 2. DRAFT Tourism Directional Information Signage tracked changes [6.9.2 - 2 pages] 3. Committee DRAFT Tourism Directional Information Signage [6.9.3 - 2 pages]

COMMITTEE RECOMMENDATION

PL2407/25 Moved Cr Anne Ryan, seconded Cr Val Kaigg

That the Council adopts the Tourism Directional Information Signage Policy as per Attachment 1 to replace the current policy, inclusive of Committee amendments so that the following points read as follows:

- 2.1 This Policy is applicable to all tourism directional information signage on local government property, excluding Main Roads controlled roads.**
- 6.8 Relevant City of Busselton Operational Practices**
- 6.9 hyperlink to online application form**

CARRIED 5 / 0

FOR: Cr Jodie Lee, Cr Jarrod Kennedy, Cr Val Kaigg, Cr Mikayla Love and Cr Anne Ryan

AGAINST: Nil

Reasons: The Committee proposed amendments to the Policy to clarify that the Policy does not apply to Main Roads controlled roads, refer to relevant City of Busselton operational practices and include a hyperlink to the application form.

OFFICER RECOMMENDATION

That the Council adopts the Tourism Directional Information Signage Policy as per Attachment 1 to replace the current policy.

EXECUTIVE SUMMARY

This report presents an amended Council Policy: Tourism Directional Information Signage (the Policy), in line with the City's ongoing review process. The Policy is of ongoing relevance and is therefore recommended for re-adoption by Council, with minor amendments to streamline its readability and enhance its applicability.

STRATEGIC CONTEXT

The regular review of Council policies ensures strategic guidance remains relevant and appropriate aiding good governance. Tourism directional signage aims to enhance the visitor experience, thereby supporting the City's strategic objectives in relation to tourism.

BACKGROUND

The function of the Policy and Legislation Committee is to consider new and review existing Council policies. The City's Policy Framework sets out an ongoing policy review cycle, whereby all policies of the Council will be reviewed every 3 years, with the aim to determine the ongoing strategic importance and applicability.

In October 2019 the Council rescinded two Council Policies entitled:

- 064 Joint Policy for Tourism Directional Signs, Applied by the Busselton and Augusta Margaret River Shire Councils; and
- 064/1 Integrated Directional Information System – Concept Plan – Cape to Cape Region;

and instead adopted the 'Tourism Directional Information Signage' Council Policy.

Former Council Policies 064 and 064/1 outlined an integrated directional information system intended to provide safe and useful directional information to the travelling public, enabling road users to readily locate recognised tourist attractions and tourist facilities within the region.

Council Policy 064/1 was implemented as a joint policy with the Shire of Augusta Margaret River (SAMR) covering the Cape to Cape Region.

Taking into account the outcomes of the Governance System Review conducted in 2017, which recommended that the Council's policies should be strategic in nature, the Tourism Directional Information Signage Council Policy was adopted instead, to convey the strategic intent for tourism signage.

OFFICER COMMENT

The Policy is considered of ongoing relevance and strategic importance, providing overarching guidance and direction for tourism directional signage within the City district.

The City recognises that tourism is a major contributor to the regional economy and that the provision of clear, useful and consistent tourism directional information signage significantly adds value to the visitor experience. Importantly however tourism directional information signage is not provided for the purposes of advertising.

Minor amendments have been made to streamline the Policy's readability and applicability:

- 3 ... adding a definition of local government property to replace "road and other reserves that are under the care, control and management of the City of Busselton";
- 2.2... removing references to local laws as policy cannot override law;
- 5.5... City should reserve to the right to remove, modify or relocate signs for *any* reason;
- 5.6... Eligibility criteria may change with changes in legislation, standards and guidelines;
- 5.7... reflecting in the policy that conditions apply; and
- 6... Changes to include related legislation and the National Tourist Signing Reference Group from which a material volume of the eligibility criteria apply.

Statutory Environment

In accordance with section 2.7(2)(b) of the *Local Government Act 1995* it is the role of the Council to determine the local government's policies. The Council does this on the recommendation of a Committee it has established in accordance with Section 5.8 of the Act.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plan or policy:

Plan:

Not applicable.

Policy:

[Tourism Directional Information Signage](#)

Financial Implications

Not Applicable

External Stakeholder Consultation

Not Applicable

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed considering any controls already in place. No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could:

1. Choose not to adopt the amended Policy; or
2. Adopt the Policy with further amendments.

CONCLUSION

The Policy reflects and guides the City’s approach to tourism directional signage such that it continues to add value to the visitor experience while also being effectively managed.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Adopted Council Policy updated on the City’s website	Within two weeks of adoption



Council Policy

Council Policy Name: Tourism Directional Information Signage

Responsible Directorate: Infrastructure and Environment

Version: **DRAFT** officer recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles of tourism directional information signage within the City of Busselton.

2. SCOPE

- 2.1. This Policy is applicable to all tourism directional information signage on local government property.
- 2.2. This Policy does not apply to signs already covered by provisions in the:
- Council policy 'Portable Advertising Signs in Public Places'; and
 - City of Busselton Local Planning Scheme No. 21.

3. DEFINITIONS

Term	Meaning
Policy	this City of Busselton Council policy titled "Tourism Directional Information Signage"
Local government property	means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government

4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.12: Provide well maintained community assets through robust asset management practices.

5. POLICY STATEMENT

- 5.1. The City recognises that tourism is a major contributor to the regional economy and that the provision of clear, useful and consistent tourism directional information signage significantly adds value to the visitor experience.
- 5.2. Tourism directional information signage is not provided for the purposes of advertising.
- 5.3. All tourism directional information signs are to conform to the relevant legislation and standards.
- 5.4. All signs are to be erected and maintained by the City at the expense of the applicant.
- 5.5. The City retains the control of all signs it installs on local government property. As such the City reserves the right to remove, modify or relocate signs on local government property without notice.

- 5.6. Applications for tourism directional information signage will be assessed for eligibility against the criteria set out in the City of Busselton operational practices as determined from time to time by the City of Busselton, based on relevant legislation, standards and guidelines.
- 5.7. The City of Busselton may impose conditions on application approval as it deems appropriate.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Road Traffic Code 2000
- 6.2. City of Busselton Property Local Law 2010
- 6.3. City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015
- 6.4. Australia Standards AS1742 and AS1744
- 6.5. Main Roads Western Australia guidelines
- 6.6. Tourism WA Tourist signage guidelines
- 6.7. National Tourist Signing Reference Group guidelines

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	30 October 2019	Resolution #	C1910/210



Council Policy

Council Policy Name: Tourism Directional Information Signage

Responsible Directorate: Engineering Infrastructure and Works **Version:** Adopted DRAFT
Services Environment

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles of tourism directional information signage within the City of Busselton.

2. SCOPE

- 2.1. This Policy is applicable to all tourism directional information signage on ~~road and other reserves that are under the care, control and management of the City of Busselton local government property~~, excluding Main Roads controlled roads.
- 2.2. This Policy does not apply to signs already covered by provisions in the:
- ~~a. City of Busselton Property Local Law 2010;~~
 - ~~b. City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015;~~
 - ~~c. a.~~ Council policy 'Portable Advertising Signs in Public Places'; and
 - ~~d. b.~~ City of Busselton Local Planning Scheme No. 21.

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Term	Meaning
Policy	this City of Busselton Council policy titled "Tourism Directional Information Signage"
<u>Local government property</u>	<u>means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government</u>

4. STRATEGIC CONTEXT

- 4.1. ~~This Policy links to Strategic Theme 2. — LIFESTYLE — A place that is relaxed, safe and friendly with services and facilities that support healthy lifestyles and wellbeing, of the City's Strategic Community Plan June 2021 and specifically the following Strategic Priority:~~
- ~~a. 2.12: Provide well maintained community assets through robust asset management practices.~~

Strategic Theme	Strategic Priority
<u>KEY THEME 2</u> <u>LIFESTYLE</u>	<u>2.12: Provide well maintained community assets through robust asset management practices.</u>

5. POLICY STATEMENT

- 5.1. The City recognises that tourism is a major contributor to the regional economy and that the provision of clear, useful and consistent tourism directional information signage significantly adds value to the visitor experience.

- 5.2. Tourism directional information signage is not provided for the purposes of advertising.
- 5.3. All tourism directional information signs are to conform to the relevant legislation and standards.
- 5.4. All signs are to be erected and maintained by the City at the expense of the applicant.
- 5.5. The City retains the control of all signs it installs on ~~road and other reserves under the care, control or management of the City~~ local government property. As such the City reserves the right to remove, modify or relocate ~~unapproved, damaged, badly maintained or dangerous signs~~ signs on local government property without notice.
- 5.6. Applications for tourism directional information signage will be assessed for eligibility against the criteria set out in the City of Busselton ~~Directional Information Signage Operational Practice~~ operational practices as determined from time to time by the City of Busselton, based on relevant legislation, standards and guidelines.
- 5.7. The City of Busselton may impose conditions on application approval as it deems appropriate.

6. RELATED DOCUMENTATION / LEGISLATION

- 6.1. Road Traffic Code 2000
- 6.2. City of Busselton Property Local Law 2010
- 6.3. City of Busselton Activities in Thoroughfares and Public Places and Trading Local Law 2015
- 6.1.6.4. Australia Standards AS1742 and AS1744
- 6.2.6.5. Main Roads W.A Guidelines Western Australia guidelines
- 6.3.6.6. Tourism Signs – W.A Tourism Commission WA Tourist signage guidelines
- 6.4. City of Busselton Operational Practice: Tourism Directional Information Signage
- 6.5.6.7. National Tourist Signing Reference Group guidelines
- 6.6.6.8. Relevant Operational Procedures
- 6.9. Application form – Tourism Directional Signage (hyperlink to be confirmed)

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE	30 October 2019	Resolution #	C1910/210
Previous Adoption	DATE	30 October 2019N/A	Resolution #	C1910/210N/A



Council Policy

Council Policy Name: Tourism Directional Information Signage

Responsible Directorate: Infrastructure and Environment

Version: **DRAFT**
committee
recommendation

1. PURPOSE

- 1.1. The purpose of this Policy is to outline the principles of tourism directional information signage within the City of Busselton.

2. SCOPE

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- 2.2. This Policy does not apply to signs already covered by provisions in the:
- Council policy 'Portable Advertising Signs in Public Places'; and
 - City of Busselton Local Planning Scheme No. 21.

3. DEFINITIONS

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4. STRATEGIC CONTEXT

Strategic Theme	Strategic Priority
KEY THEME 2 LIFESTYLE	2.12: Provide well maintained community assets through robust asset management practices.

5. POLICY STATEMENT

- 5.1. The City recognises that tourism is a major contributor to the regional economy and that the provision of clear, useful and consistent tourism directional information signage significantly adds value to the visitor experience.
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- 6.4. Australia Standards AS1742 and AS1744
- 6.5. Main Roads Western Australia guidelines
- 6.6. Tourism WA Tourist signage guidelines
- 6.7. National Tourist Signing Reference Group guidelines
- 6.8. Relevant City of Busselton Operational Practices
- 6.9. Application form – Tourism Directional Signage (*hyperlink to be confirmed*)

7. REVIEW DETAILS

Review Frequency		3 yearly		
Council Adoption	DATE		Resolution #	
Previous Adoption	DATE	30 October 2019	Resolution #	C1910/210

7 CONFIDENTIAL MATTERS

Nil

8 NEXT MEETING DATE

Wednesday 18 September 2024

9 CLOSURE

The meeting closed at 12:10pm.

The minutes of the Policy and Legislation Committee meeting held 31 July 2024 were confirmed as a true and correct record on:

Date: 18/9/2024.

Presiding Member:

